

MINUTES
BOARD OF APPEALS
VILLAGE OF WOODSBURGH
VILLAGE HALL
30 PIERMONT AVENUE
HEWLETT, NEW YORK

August 3, 2022

Present: Steven Rabinoff, Chair
Joel Wiener, Mike Krasne, Fred Shorenstein, and David
Lasky, Members
Dana Garraputa, Board Clerk
Dennis Fromigia, Building Inspector

The meeting was called to order at 7:00 p.m.

The Board noted that Ian Joshua and Sophie Francesca Glastein, 35 Wood Lane, requested an adjournment of their scheduled public hearing. The Board continued the Glastein public hearing to September 7, 2022, at 7:00pm.

The Board opened the continued public hearing on the application of Michael and Hanna Berry, 5 Willow Road, Woodsburgh, New York, to construct an in ground swimming pool with spa, outdoor kitchen with roof over and pervious patio, which construction requires variances of the following Village Code sections: (a) 150-47(H), to permit the pool fence to be located 15.3 feet from the north side property line, where a minimum of 25 feet is required and (b) 150-39(A), to permit the lot coverage of 22.53% or 4,580.3 square feet, where the maximum permitted lot coverage is 15% or 3,567.32 square feet. The pool also requires a permit pursuant to Village Code §150-47(B). Premises are designated as Section 41, Block 39, Lot 767 on the Nassau County Land and Tax Map.

Mr. Shornstein recused himself from participation in the application and stepped down from the dais.

The application was presented by John Armentano Esq. of Farrell Fritz P.C. and Michael Rant P.E. of Northcoast Civil Engineering.

The minutes of the hearing were transcribed stenographically. On motion by Mr. Wiener, seconded by Mr. Lasky, and adopted unanimously, the Board closed the hearing.

On motion duly made by Mr. Wiener, seconded by Mr. Lasky, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, and that the application is a Type II matter under SEQRA which requires no environmental review.

The Board discussed the Berry application. The Board noted that further information and specifications for the pervious pavers be submitted to the Board. On motion made by Mr. Wiener, seconded by the Chair, the Board voted to reopen the hearing, which hearing will take place on September 7, 2022, at 7:00pm, and waived the requirement for a new legal notice.

The Board opened the continued public hearing on the application of Paul and Esther Rosenstock, 75 Woodmere Boulevard, Woodsburgh, New York, to construct additions, alterations and a rear deck, which construction requires variances of the following Village Code sections: (a) 150-20, to permit the (i) addition to be 14.3 feet, (ii) window well to be 10.25 feet, and (iii) deck to be 14.3 feet, from the side property line, where a minimum of 15 feet is required; (b) 150-22.2, to permit a side yard height setback ratio of 1.51, where a maximum of 1.4 is permitted; (c) 150-22.2, to permit a floor area of 8,212 square feet, where a maximum of 5,205 square feet is permitted; and (d) 150-39(B), to permit a lot coverage of 21.44% (4,825 square feet), where 15% (3,375 square feet) is permitted. Premises are designated as Section 41, Block 38, Lot 411 on the Nassau County Land and Tax Map.

John Macleod presented on behalf of the applicants. The applicant noted that revisions had been made to the plans, which revisions reduced the lot coverage to 4,688 square feet and reduced the gross floor area to 6,978 square feet.

The minutes of the hearing were transcribed stenographically. On motion by Mr. Krasne, seconded by Mr. Weiner and adopted unanimously, the Board closed the hearing.

On motion duly made by Mr. Weiner, seconded by the Chair, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, and that the application is a Type II matter under SEQRA which requires no environmental review.

The Board discussed the Rosenstock application. . After such discussion, on motion duly made by Mr. Wiener, seconded by the Chair and adopted unanimously, the Board granted the amended variances, in accordance with the short form format authorized by Village Code §150-56.1, on the following conditions: (a) the improvements shall be constructed in accordance with the plans dated July 20, 2022, (b) no later than six (6) months after the filing of this decision with the Village Clerk, the property owners shall obtain all required permits, and (c) no later than one (1) year from the issuance of such building permit(s), the property owner shall obtain all required certificates of occupancy and/or completion for the proposed improvements

The Board opened the public hearing on the application of Application of Dahlia Farago and Tzvi Saperstein, 853 Keene Lane, Woodsburgh, New York, to construct a sports court, which court requires variances of the following Village Code sections: (a) 150-39(G)(1) in that a sport court will be located on an existing lot size of 23,613 square feet, where the lot or premises upon which the court is located shall have a minimum lot

area of 40,000 square feet, (b) 150-39(G)(7), to permit the court to be located 8 feet from the rear and side property lines and the court fencing to be located 5 feet from the rear and side property lines, where a minimum of 20 feet is required, (c) 150-39(G)(8), in that the fencing will be on two (2) sides of the court, where the court must be completely enclosed with chain link fencing, and (d) 150-39(G)(9), to permit screening on only two (2) sides of the court and the fencing, where the court and fencing are required to be completely screened from adjoining properties by a living screen of coniferous trees. A private recreational court also requires a permit from the Board of Appeals pursuant to Village Code 150-39(G)(9). Premises are also known as Section 41, Block 40, Lot 576 on the Nassau County Land and Tax Map.

Mr. Wiener recused himself from participation in the Farago/Saperstein application.

The minutes of the hearing were transcribed stenographically. Amiel Savaldi presented on behalf of the applicants. On motion by the Chair, seconded by Mr. Krasne, and adopted four votes in favor and Mr. Wiener not participating, the Board closed the hearing.

On motion duly made by the Chair, seconded by Mr. Krasne, and adopted four votes in favor and Mr. Wiener not voting, the Board determined that it is the lead agency with respect to environmental review, and that the application is a Type II matter under SEQRA which requires no environmental review.

The Board discussed the Fargo/Saperstein application. On motion made by the Chair, seconded by Mr. Krasne, and adopted four votes in favor and Mr. Wiener not participating, the Board denied the application in its entirety, in accordance with the short form format provided in Village Code §150-56.1.

There being no further business, the meeting was adjourned at 8:45 pm.

THE ABOVE MINUTES WERE FILED IN
THE OFFICE OF THE VILLAGE CLERK
OF THE VILLAGE OF WOODSBURGH AT

TIME: _____ A.M./P.M. ON

DATE: _____, 2022
(Month) (Day)

PERSON FILING: _____
Steven Rabinoff, Chairman