

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

July 6, 2022

Present: Steven Rabinoff, Chair
Joel Wiener, Mike Krasne, and David Lasky, Members
Dana Garraputa, Board Clerk
Brian S. Stolar, Esq., Village Attorney

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

The Board noted that Michael and Hanna Berry, 5 Willow Road, requested an adjournment of their scheduled public hearing. The Board continued the Berry public hearing to August 3, 2022, at 7:00pm.

The Board opened the public hearing on the application of Michael and Alexandra Farbenblum, 190 Ivy Hill Road, Woodsburgh, New York, to construct a trex deck at the rear of the house, which construction requires a variance of Village Code §150-11, to permit a side yard setback of 15.15 feet, where the minimum required setback is 20 feet. Premises are designated as Section 41, Block 71, Lot 27 on the Nassau County Land and Tax Map.

The minutes of the hearing were transcribed stenographically. Todd O'Connell presented on behalf of the applicants. On motion by Mr. Wiener, seconded by the Chair, 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 Farbenblum application. After such discussion, on motion duly made by Mr. Wiener, seconded by the Chair and adopted unanimously, the Board granted the 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 submitted with the application, (b) the deck shall be surrounded by evergreen screening, in a manner that screens the deck from the abutting private properties, as approved by the Building Department, to provide for 6 foot tall plantings, 4 feet on center, planted at a height of not less than 4 feet, and such planting shall remain in place for so long as the deck shall remain on site, (c) 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 (d) 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 continued public hearing on the application of Ian Joshua and Sophie Francesca Glastein, 35 Wood Lane, Woodsburgh, New York, to construct a recreational court, pergola, patio, driveway, generator, and piers, and provide for patio seating, which construction requires variances of the following Village Code sections: (a) 150-22.3, to permit a floor area of 8,177.54 square feet, where a maximum of 6,387.7 square feet is permitted, (b) 150-39(A)(1), to permit lot coverage of 5,934.5 square feet, where a maximum of 4,624.82 square feet is permitted, (c) 150-39(B), to permit impervious site coverage of 11,803.3 square feet, where a maximum of 9,151.3 square feet is permitted, (d) 150-39(E), to permit (i) piers and (ii) a barbeque island, in a front

yard, where no accessory structures are permitted in a front yard, (e) 150-39(G)(1), to permit a recreational court on a lot with 30,832.13 square feet, where a minimum of 40,000 square feet is required, (f) 150-39(G)(7), to permit a recreational court in a front yard (15.5 feet from Wood Lane and 18.16 feet from Porter Place), where no recreational court is permitted in a front yard, (g) 150-39.1(A)(1), to permit a barbeque island in a front yard, where no barbeque or cooking facilities, whether permanent or portable, are permitted in a front yard, (h) 150-39.1(A)(2), to permit patio seating in a front yard, where no patio seating, whether permanent or portable, is permitted in a front yard, (i) 150-39.1(A)(3), to permit a pergola and patio in a front yard, where no such structures, whether permanent or portable, are permitted in a front yard, and (j) 150-50.2, to permit a generator in a front yard, where no such equipment is permitted in a front yard. The recreational court also requires a special permit pursuant to Village Code §150-39(G). Premises are designated as Section 41, Block 42, Lot 86 on the Nassau County Land and Tax Map.

The minutes of the hearing were transcribed stenographically. On motion by Mr. Wiener, seconded by Mr. Krasne, 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 Glastein application. The Board noted that certain portions of the proposal were unacceptable. On motion made by Mr. Wiener, seconded

by the Chair, the Board voted to reopen the hearing, which hearing will take place on August 3, 2022, at 7:00pm, and waived the requirement for a new legal notice.

The Board opened the 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.

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

On motion duly made by the Chair, seconded by Mr. Krasne, 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. The Board noted that certain portions of the proposal were unacceptable. On motion made by Mr. Krasne, seconded by Mr. Lasky, the Board voted to reopen the hearing, which hearing will take place on August 3, 2022, at 7:00pm, and waived the requirement for a new legal notice.

The Board opened the public hearing on the application of Steven and Inga Fruman, 83 Wood Lane, Woodsburgh, New York, to construct a swimming pool, patio, equipment and pool fencing, which construction requires variances of the following Village Code sections: (a) 150-39(B), to permit impervious site coverage of 7,898.5 square feet, where a maximum of 6,352.5 square feet is permitted, and (b) 150-47(H), to permit the (i) pool to be located 20 feet from the rear property line and 15 feet from the side property line, and (ii) pool fencing to be located 2 feet from the rear and side property lines, where a minimum of 25 feet is required. The pool also requires a permit pursuant to Village Code §150-47(B). Premises are designated as Section 41, Block 41, Lot 407 on the Nassau County Land and Tax Map.

The minutes of the hearing were transcribed stenographically. Todd O'Connell presented on behalf of the applicants. On motion by Mr. Wiener, seconded by Mr. Krasne, and adopted unanimously, the Board closed the hearing.

On motion duly made by Mr. Wiener, seconded by Mr. Krasne, 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 Fruman application. After such discussion, on motion duly made by Mr. Wiener, seconded by Mr. Lasky and adopted unanimously, the Board granted the 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 submitted with the application, (b) the pool and patio shall be surrounded by evergreen screening, in a manner that screens the deck from the abutting private properties, as approved by the Building Department, to provide for 6 foot

tall plantings, 4 feet on center, planted at a height of not less than 4 feet, and such planting shall remain in place for so long as the pool and patio shall remain on site, (c) 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 (d) 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.

There being no further business, the meeting was adjourned at 8:26pm.

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