

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

September 21, 2022

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

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

The Board opened the 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 applicants submitted modified plans providing for a reduction in the variances such that (a) no impervious coverage variance is required, (b) no recreational court is proposed, (c) no piers are proposed, and (d) the lot coverage proposed is reduced to 5,497.98 square feet.

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

On motion duly made by the Chair, seconded by Mr. Wiener, 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. . After such discussion, on motion duly made by Mr. Wiener, seconded by the Chair and adopted unanimously, the Board granted the amended variances in part and denied the variances in part, in accordance with the short form format authorized by Village Code §150-56.1, as follows and in accordance with the following conditions: (a) the variances necessary for the generator are approved subject to the installation of plantings screening the generator, in accordance with the Village Code screening requirements for improvements approved by

the Board, (b) any variances necessary for the hot tub subject to the installation of a (i) a Village Code compliant fence or wall screening the tub from the public roadway or (ii) plantings screening the generator, in accordance with the Village Code screening requirements for improvements approved by the Board are approved improvements shall be constructed in accordance with the plans dated July 20, 2022, (c) variances required for the pergolas, patio, barbeque island and addition to the dwelling are denied, (d) with regard to the portion of the application approved, 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 (e) no later than one (1) year from the issuance of such building permit(s), the property owners shall obtain all required certificates of occupancy and/or completion for the proposed improvements.

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

On motion duly made by the Chair, seconded by Mr. Wiener, 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 opened the public hearing on the application of Adam Greenberg, 145 Woodmere Boulevard South, Woodsburgh, to construct a wood deck, which construction requires a variance of Village Code §150-11, to permit the deck to be located 10 feet from the side property line, where a minimum setback of 20 feet is required. The Premises are designated as Section 41, Block 65, Lot 604 on the Nassau County Land and Tax Map.

The minutes of the hearing were transcribed stenographically. 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 Greenberg application. After such discussion, on motion duly made by Mr. Wiener, seconded by Mr. Schornstein, and adopted four votes in favor and the Chair abstaining, 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 submitted with the application, (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.

Upon the request of Michael and Hanna Berry, 5 Willow Road, Woodsburgh and Jonathan Mizrachi and Shoshana Penstein, 5 Manor Lane, Woodsburgh, the Board continued the public hearings on the 5 Willow Road and 5 Manor Lane applications to November 3, 2022, at 7:00pm.

There being no further business, the meeting was adjourned at 8:00 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