

MINUTES  
BOARD OF APPEALS  
VILLAGE OF WOODSBURGH

August 6, 2020

Present: Steven Rabinoff, Chair  
Joel Weiner, Michael Krasne and David Lasky, Members  
Dana Garraputa, Board Clerk

The meeting was called to order at 7:03 p.m.

Due to public health and safety concerns related to COVID-19, and pursuant to the Governor's Executive Orders, the meeting and public hearings were held by videoconferencing, through Zoom. The meeting was recorded and a transcription will be provided at a later date.

The hearing notice provided the method for public participation, including the opportunity to submit comments through regular mail, electronic mail before, and via Zoom. The Zoom sign in information was provided in the hearing notices. The applicants presented their application through Zoom videoconference.

The application materials were made available for viewing and downloading, on the Village website, before and during the hearing.

The Board discussed a written request made by Avi and Aleeza Lauer, 116 Woodmere Boulevard, Woodsburgh, New York, to reopen a hearing regarding a previous approval by the Board in relation to dwelling additions, a swimming pool and pool patio, for the Board to consider additional improvements that were not identified in the original plan in relation to air conditioner units. After such discussion, on motion duly made by the Chair, seconded by Mr. Weiner, and adopted unanimously, the Board voted to reopen the hearing on this matter; such hearing to be posted and scheduled for

the next regular meeting of the Board (subject to notice and advertising requirements), and further subject to the requirement that the applicant reimburse the Village for any additional expenses incurred by the Village for holding the hearing, as well as the costs for the preparation, posting, and advertising of the hearing notice.

The Board opened the public hearing on the application of Israel and Jaqueline Abecassis, 99 Willow Road, Woodsburgh, New York, to construct an in-ground swimming pool, pool fence and related improvements, which construction requires variances of the following Village Code sections: (a) 150-47(D), in that the fence will be 4.5 feet high, where a maximum of 4 feet is permitted; (b) 150-47(H), in that (i) the pool equipment will be 12 feet from the side property line, (ii) fencing will be 3 feet from the south and west property lines, and (iii) fencing will be 10 feet from the northerly property line, where a minimum of 25 feet is required; (c) 150-47(H), in that the pool equipment is in a side yard, where pool equipment must be installed in a rear yard. The proposed swimming pool and improvements also require a special permit pursuant to Village Code §150-47(B). Premises are also known as Section 41, Block 68, Lot 79 on the Nassau County Land and Tax Map.

The application was presented by Gennaro Cozzolino.

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

On motion duly made by Mr. Weiner, seconded by the Chair, and adopted unanimously, the Board, granted the special permit and variances, in accordance with the short form format authorized by Village Code §150-56.1, on the following conditions:

(a) fencing shall be no higher than 4 feet, (b) applicants shall plant and maintain, for as long as the variances and special permit are required, evergreen screening planted at a height of 4 feet with a mature height of 6 feet, planted 6 feet on center, along the perimeter of the fencing, (c) applicants shall provide, for approval by the Building Department, a drainage plan to accommodate all storm-water runoff associated with the approved improvements, and shall install drainage approved by the Building Department, (d) applicants include with the building permit application details sufficient for the Building Department to confirm that the proposed equipment shall be in full compliance with the Village Code, (e) no later than six (6) months after the filing of this decision with the Village Clerk, the property owners shall obtain all required permits, (f) 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, and (g) ) all approved and authorized work shall conform to the plans submitted with the application..

The Board opened the public hearing on the application of Edward and Francine Yodowitz, 811 Barberry Lane, Woodsburgh, New York, to construct an in-ground swimming pool, pool fence, patio and related improvements, which construction requires variances of the following Village Code sections: (a) 150-47(D), in that the no shrubbery is proposed, where the pool is to be screened with shrubs and plants located on the outside of the fence, and (b) 150-47(H), in that the fence will be located on the property line, where a fence is required to be at least 25 feet from a property line. The proposed swimming pool and improvements also require a special permit pursuant to Village Code §150-47(B). Premises also are known as Section 41, Block 69, Lot 50 on the Nassau County Land and Tax Map.

Paul Beigler presented the application.

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

On motion duly made by the Chair, seconded by Mr. Weiner, and adopted unanimously, the Board, granted the special permit and variances, in accordance with the short form format authorized by Village Code §150-56.1, on the following conditions: (a) applicants shall plant and maintain, for as long as the variances and special permit are required, evergreen screening planted at a height of 4 feet with a mature height of 6 feet, planted 6 feet on center, along the perimeter of the fencing, (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, (c) 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, and (d) all approved and authorized work shall conform to the plans last revised May 12, 2020.

The Board opened the public hearing on the application of Elan and Monica Guttman, 160 Noye Lane, Woodsburgh, New York, to install four (4) new piers with attached fencing/gates, which work requires variances of Village Code §150-5(B), in that (a) the fence/gates will be 6.33 feet in height, and (b) the piers will be 7.42 feet in height, where a maximum height of four (4) feet is permitted. Premises are also known as Section 41, Block 63, Lot 170 on the Nassau County Land and Tax Map.

Monica Guttman, Elan Guttman and Norman Wax presented the application. As part of the presentation, the applicants indicated that piers had been located at the

property in the past.

On motion duly made by Mr. Weiner, seconded by the Chair, and adopted unanimously, the Board closed the hearing and reserved decision.

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, that the application is a Type II matter under SEQRA which requires no environmental review, and, in accordance with the short form format authorized by Village Code §150-56.1, denied the application in its entirety.

There being no further business, the meeting was adjourned at 8:07pm.

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: \_\_\_\_\_, 2020  
(Month) (Day)

PERSON FILING: \_\_\_\_\_  
Steven Rabinoff, Chairman