

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

January 4, 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 7:09p.m.

The Board opened the continued public hearing on the application of Scott Selinger, 56 Willow Road, Woodsburgh, New York, to construct an inground swimming pool with patio and fencing, which work requires variances of the following Village Code sections: (a) 150-39(A)(1) in that the building coverage will be 4,002 square feet or 27.6%, where the maximum permitted lot coverage is 2,175.32 square feet, (b) 150-39(B) in that the impervious surface coverage will be 6,753 square feet, where the maximum impervious surface coverage is 5,170.29 square feet, and (c) 150-47(H), in that the pool fence will be (i) 5 feet from the rear property line, (ii) 6 feet from the north side property line, and (iii) 3 feet from the south side property line, where a minimum of 25 feet is required. A swimming pool also requires a permit from the Board of Appeals pursuant to Village Code §150-47(8). Premises are also known as Section 41, Block 38, Lot 727 on the Nassau County Land and Tax Map.

The application was presented by Kevin Natalie. The applicant noted the revisions to the plans, which revisions reduced building coverage and impervious surface coverage to 3,431 square feet and 6,644 square feet, respectively, and that the proposal decreases the coverage and floor area below the pre-existing non-conformities that presently exist at the property.

The minutes of the hearing were transcribed stenographically. On motion duly made by Mr. Wiener, seconded by Mr. Lasky, and adopted unanimously, the Board closed the public hearing and reserved decision. 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. After discussing the Selinger application, on motion duly made by Mr. Wiener, seconded by Mr. Lasky, and adopted unanimously, the Board granted the variances, as shown in the plans, last revised November 10, 2021 (the "Plans"), in accordance with the short form format authorized by Village Code §150-56.1, on the following conditions: (a) evergreen screening shall be planted at a height of 4 feet and maintained thereafter at a height of 6 feet, in the areas shown on the Plans in and in such manner as to completely screen the pool and pool fencing from the neighboring properties and the public right-of-way, and such screening shall otherwise comply with the requirements of Village Code §150-39.2, (b) except as modified by this decision, the improvements shall be constructed in accordance with the Plans, (c) the pool patio shall be constructed with pervious pavers, with catch basins and accommodation for stormwater in the same manner as would be required for pervious pavers, (d) the permitted impervious coverage is based on the reduction resulting from the use of pervious pavers, which calculation shall be incorporated into plans approved by the Building Department for the construction of the improvements approved herein, (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, and (f) 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 improvement.

The Board opened the public hearing on the application of Jeffery Smith and Aimee Alemeleh, 98 Willow Road, Woodsburgh, New York, to construct additions, which construction requires variances of the following Village Code sections: (a) 150-22.3, to permit floor area of 4,698 square feet, where a maximum of 3,952 square feet is permitted, and (b) 150-39(A), to permit lot coverage of 2,576.9 square feet, where a maximum of 2,371.05 square feet is permitted. Premises are designated as Section 41, Block 38, Lot 613 on the Nassau County Land and Tax Map.

The application was presented by Norman Wax. The minutes of the hearing were transcribed stenographically. On motion duly made by Mr. Wiener, seconded by Mr. Lasky, and adopted unanimously, the Board closed the public hearing and reserved decision. On motion duly made by Mr. Wiener, 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. After discussing the Smith application, 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, (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 improvement.

The Board opened the public hearing on the application of Chaim Kiffel, 69 Willow Road, Woodsburgh, New York, to construct one and two story additions, which construction requires variances of the following Village Code sections: (a) 150-20, to

permit a northerly side yard setback will be 5.83 feet, where a minimum setback of 15 feet is required; (b) 150-22.2, to permit a height setback ratio of 2.96, where a maximum of 1.4 is permitted; (c) 150-39(A)(1) to permit lot coverage of 3,465 square feet, where the maximum permitted lot coverage is 2,950.65 square feet; and (d) 150-22.3, to permit floor area of 5,738 square feet, where a maximum of 4,764.33 square feet is permitted. Premises are designated as Section 41, Block 40, Lot 566 on the Nassau County Land and Tax Map.

The application was presented by Sam Feigenbell, from Bienenfeld Architects. The minutes of the hearing were transcribed stenographically. On motion duly made by Mr. Wiener, seconded by the Chair, and adopted unanimously, the Board continued the public hearing to January 4, 2022, at 7:00pm.

The minutes of the hearing were transcribed stenographically. After receiving comment from the Board, the applicants requested that the hearing be continued. The Board continued the public hearing to February 22, 2022, at 7:00pm.

The Board noted that Michael and Hanna Berry, 5 Willow Road, requested an adjournment of their scheduled public hearing to provide time to submit revised plans. The Board continued the Berry public hearing to February 22, 2022, at 7:00pm.

There being no further business, the meeting was adjourned at 7:52pm.

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

PERSON FILING: _____
Steven Rabinoff, Chairman