

**BOARD OF ZONING APPEALS
INCORPORATED VILLAGE OF WOODSBURGH**

IN THE MATTER OF THE APPLICATION OF

OWNER NAME(S): Helena and Jay Rubin

FOR A VARIANCE OF SECTION(S): 150-39.A Lot coverage
150-20A SideYards 150-18. Rear Yards

OF THE VILLAGE CODE OF THE INCORPORATED VILLAGE OF WOODSBURGH.

TO: THE BOARD OF ZONING APPEALS INCORPORATED VILLAGE OF WOODSBURGH

THE PETITION OF Helena and Jay Rubin

RESPECTFULLY ALLEGES AS FOLLOWS:

1. THE PETITIONER(S) IS A (ARE) RESIDENT(S) OF NASSAU COUNTY, CURRENTLY RESIDING AT 80 Willow Road, woodsburgh, N.Y. 11598

2. THE PETITIONER(S) OWN(S) THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION LOCATED ON THE (N,S,E OR W) SIDE OF Willow Road
AT THE INTERSECTION OF Pond

(OR _____ FEET FROM Keene THE INTERSECTION OF _____), WITHIN THE INCORPORATED VILLAGE OF WOODSBURGH. THE

PREMISES IS ALSO DESIGNATED AS SECTION 41, BLOCK 38, LOT(S) 514

(& _____) ON THE NASSAU COUNTY LAND AND TAXMAP.

THE SUBJECT PREMISES IS LOCATED WITHIN THE RESIDENCE DISTRICT "14".

THE SUBJECT APPLICATION SEEKS A VARIANCE OF SECTION(S) 150-39A

150-20A, 150-18. OF THE VILLAGE CODE OF THE INCORPORATED VILLAGE

OF WOODSBURGH, IN ORDER TO: (CONSTRUCT) (MAINTAIN) A: Lot Coverage,
Side yards, Rear yards

IN ACCORDANCE WITH PLANS SUBMITTED HEREWITH.

4. A VARIANCE OF SECTION (S) 150-39A 150-20A
150-18.

IS REQUESTED BECAUSE, LOT Coverage

5. THE REQUESTED VARIANCE WILL HAVE NO ADVERSE EFFECT UPON THE SURROUNDING PROPERTIES, WILL PROVIDE FOR A REASONABLE USE OF THE SUBJECT PREMISES COMPATIBLE WITH THE SURROUNDING PROPERTIES AND IN CONFORMITY WITH THE STANDARDS PRESCRIBED FOR GRANTING OF SUCH A VARIANCE, AS SET FORTH IN THE BUILDING ZONE ORDINANCE OF THE INCORPORATED VILLAGE OF WOODSBURGH.

WHEREFORE, PETITIONER(S) RESPECTFULLY REQUEST(S) THAT THE BOARD OF ZONING APPEALS GRANT THE VARIANCE(S) AS REQUESTED HEREIN ALONG WITH SUCH OTHER AND FURTHER RELIEF AS MAY BE JUST AND PROPER.

DATED: 10-6-2022


(SIGNATURE OF PETITIONER)

Helena Rubin
(SIGNATURE OF PETITIONER #2)

DISCLOSURE AFFIDAVIT
General Municipal Law §809

BOARD OF ZONING APPEALS
VILLAGE OF WOODSBURGH

In the Matter of the application of

Owner: Helena and Jay Rubin

STATE OF NEW YORK:
ss:
COUNTY OF NASSAU :

Jay and Helena Rubin being duly sworn, deposes
and says:

I am the applicant with respect to / owner of the premises which is
the subject of (*cross out whichever is not applicable*) the within
application.

I make this affidavit for the purposes of complying with the
requirements of General Municipal Law §809.

No officer of the State of New York, and no officer or employee of
the County of Nassau, the Town of Hempstead or the Village of
Woodsburgh and no party officer of any political party, has an
interest in the within application within the meaning of General
Municipal Law §809, except as stated hereinafter (if none, state
"NONE"):

NAME ADDRESS POSITION NATURE OF INTEREST

Helena + Jay Rubin 80 Willow Road owner LOT coverage
Woodsburgh, NY 11598

In the event there is any change in the information set forth herein
between the date hereof and the final determination of this
application, a supplemental affidavit will be filed to provide that
further information.

Jay Rubin
Helena Rubin

(SIGNATURE)

Sworn to before me on

This 6 day of October, 2022

Michele Juskowicz
(NOTARY PUBLIC)
Michele Juskowicz

MICHELE JUSKOWICZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01JU6311485
Qualified in Kings County
Commission Expires September 15, 2026

STATE OF NEW YORK

SS.;

PETITIONER VERIFICATION

COUNTY OF NASSAU

I (WE), Helena (AND Jay Rubin),
 BEING DULY SWORN, DEPOSE(S) AND SAY(S): I (WE) AM (ARE) THE
 PETITIONER(S) IN THE WITHIN ACTION; I (WE) HAVE READ THE FOREGOING
 PETITION AND KNOW THE CONTENTS THEREOF; THE SAME IS TRUE TO OUR OWN
 KNOWLEDGE, EXCEPT AS TO THE MATTERS THEREIN STATED TO BE ALLEGED UPON
 INFORMATION AND BELIEF AND AS TO THOSE MATTERS WE BELIEVE IT TO BE
 TRUE.

Jay Rubin
 PETITIONER'S SIGNATURE

Helena Rubin
 PETITIONER #2 SIGNATURE

SWORN TO BEFORE ME THIS 6
 DAY OF October 2022

Michele Juskowicz
 NOTARY PUBLIC, NASSAU COUNTY
 Michele Juskowicz

MICHELE JUSKOWICZ
 NOTARY PUBLIC, STATE OF NEW YORK
 Registration No. 01JU6311485
 Qualified in Kings County
 Commission Expires September 15, 2026

Notice of Appearance
Board of Zoning Appeals

Village Hall
30 Piermont Ave
Hewlett N.Y. 11557

I, Helena and Jay _____, appear on behalf of
(Architect or Attorney -Print Name)

Helena and Jay Rubin _____, owner(s) of
(Owner(s) of Property)

80 Willow Road, Woodsburgh, NY 11598, to seek
(Address of Property)

a variance from the Board of Zoning Appeals.

Dated:

_____ DAY OF

_____, 20____

(Signature of Architect/Attorney)

(Address)

(Tel # or Email)

Signature of Owner(s):

Jay Al _____

Helena Rubin _____

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Helena + Jay Rubin / Pool + Spa enclosure			
Name of Action or Project: Swimming Pool enclosure			
Project Location (describe, and attach a location map): Submitted previously with application			
Brief Description of Proposed Action: Swimming enclosure			
Name of Applicant or Sponsor: Helena + Jay Rubin		Telephone: 516-967-7096	
		E-Mail: Jrubindmd@gmail.com	
Address: 80 Willow Road			
City/PO: Woodburgh		State: NY	Zip Code: 11598
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES ✓
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES ✓
3.a. Total acreage of the site of the proposed action?		N/A acres	
b. Total acreage to be physically disturbed?		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
		✓	
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	✓		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	✓		
b. Are public transportation service(s) available at or near the site of the proposed action?	✓		
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	✓		
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	✓		
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	
	✓		
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
	✓		
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	✓		
b. Is the proposed action located in an archeological sensitive area?			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	✓		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	✓		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	✓		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	✓		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	✓	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Helena and Jay Rubin</u>	Date: <u>10-6-2022</u>	
Signature: <u>[Signature]</u> <u>Helena Rubin</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✓	
2. Will the proposed action result in a change in the use or intensity of use of land?	✓	
3. Will the proposed action impair the character or quality of the existing community?	✓	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✓	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✓	
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	✓ ✓	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓	
11. Will the proposed action create a hazard to environmental resources or human health?	✓	

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
<hr/> Name of Lead Agency	<hr/> Date
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

Inc. Village of Woodsburgh



ALAN HIRMES, DEPUTY MAYOR
CARL CAYNE, TRUSTEE
SHIRA HOSCHANDER, TRUSTEE

MICHELLE BLANDINO, CLERK TREASURER
BRIAN S. STOLAR, VILLAGE ATTORNEY
DENNIS FROMIGIA, BUILDING INSPECTOR

30 PIERMONT AVENUE • HEWLETT, NEW YORK 11557
TELEPHONE (516) 295-1400 • FACSIMILE (516) 295-1406

JACOB HARMAN, MAYOR

October 3, 2022

Mr. & Mrs. Rubin
80 Willow Road
Woodsburgh, NY 11598

Re: Structure over pool
Sec 41 Blk 38 Lot 514

Dear Mr. & Mrs. Rubin:

We hereby deny your application to the construction of a swimming pool enclosure. Our denial is based on the non-conformance with the following sections in the Zoning Code of the Inc. Village of Woodsburgh.

1. **150-39. A (1) Lot Coverage:** states the areas occupied by all buildings and structures and accessory uses which extend above the grade of the property shall not exceed 15%, 3,598 SF for a lot size of 23,986.71 SF.
 - a. Proposed lot coverage will be 22.34%, 5360.53 SF an overage of 1,762.53SF.
2. **150-20 A. Side Yards:** On every interior lot, there shall be two side yards. Neither side yard shall be less than 15 feet.
 - a. Proposed side yard setback is 6.8 feet.
3. **150-18. Rear yards:** Every building hereafter erected or altered shall have a rear yard of a minimum depth of 25 feet.
 - a. Proposed rear yard setback of 6 feet.

If you wish to pursue this project, you may make application to the Zoning Board for a variance. That application must be made within 60 days of the date of this determination and must include one original, and 8 copies of the application, related documents, plans, one PDF via email (buildingdepartment@woodsburghny.com) or on a thumb drive and a filing fee of \$2,000.

Regards,


Dennis Fromigia
Building Inspector



Joseph Nicoletti
JOSEPH NICOLETTI ASSOCIATES
PROFESSIONAL LAND SURVEYORS, P.C.
499 JERICO TURNPIKE, SUITE 201
MINEOLA, NEW YORK 11501
516-873-7278

WOODMERE BLVD.



CERTIFIED TO:

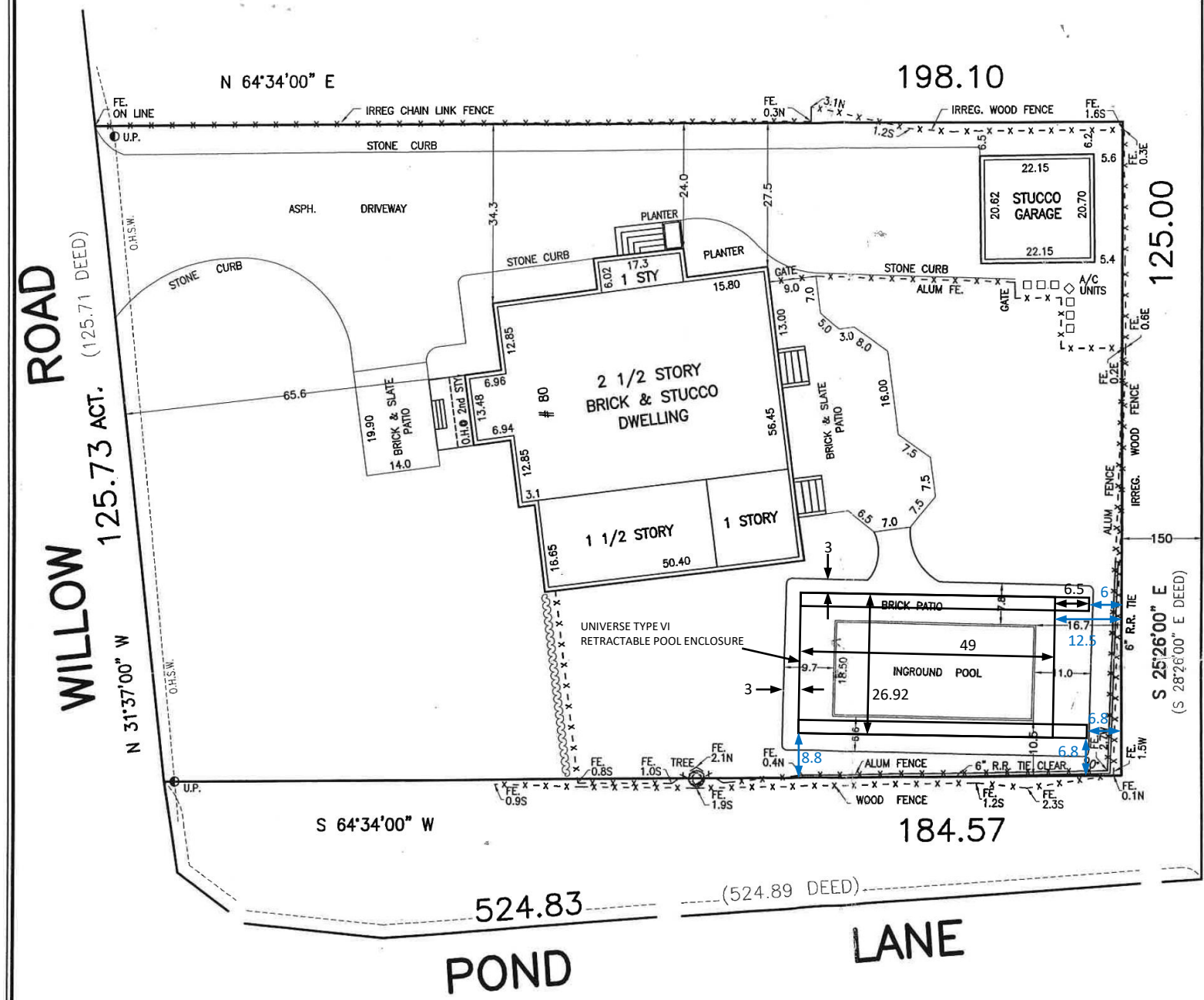
Received
1/12/07

TAX SEC.: 41 TAX BLOCK: 38 TAX LOT(S): 514

SCALE: 1"=20'

DRAWN BY: B.I.M.

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WILLOW ROAD
125.73 ACT. (125.71 DEED)

N 64°34'00" E

198.10

125.00

S 25°26'00" E
(S 28°26'00" E DEED)

184.57

524.83

POND LANE

(524.89 DEED)