

MINUTES
BOARD OF APPEALS
VILLAGE OF HEWLETT BAY PARK
30 PIERMONT AVENUE
HEWLETT BAY PARK, NEW YORK

November 1, 2022

Present: Leonard Schiffman, Chair
Michael Schamroth, Stella Gershfeld and Lee
Schlussel, Members
Dana Garraputa, Deputy Village Clerk
Brian S. Stolar, Esq., Village Attorney (via Zoom)
Dennis Fromigia, Building Inspector (via Zoom)

The meeting was called to order at 7:02 p.m.

The Board discussed a written request made by the Harry Silber Revocable Trust, 115 Everit Avenue, Hewlett Bay Park, New York, to reopen a hearing on an application to maintain 6 air conditioning units, which requires variances of Village Code §146-10, in that the air conditioner condensing units will be 17.5 feet from the side property line, where a minimum of 30 feet is required. The Board permitted Sasha Berg to speak on behalf of the requestor. After hearing the comments and acknowledging that the Board could not reopen the hearing unless all members present voted in favor of such reopening and at least one Board member indicated that he would not vote in favor of reopening, the Board took no action on the request.

The Board opened the public hearing on the application of Herrick Lipton, 209 Cedar Ave, Hewlett Bay Park, New York, to construct a new dwelling, pool house, swimming pool, patio, and sport court , where such construction requires a variance of Village Codes (a) §146-9(c)(b), to permit a sports court to be constructed 30 feet 3 ³/₄ inches from the rear property line, where a minimum setback of 35 feet is required, (b) §146-10, to permit three air conditioning units to be 26 feet from the side property line, where there shall be a minimum setback of 30 feet, (c) §146-12, (i) to permit a side height setback ratio on the south side of 1.42, (ii) to permit a north side height setback ratio of 0.95, where a maximum of 0.85 is required, (d) §146-18, (i) to permit a south

side yard setback from the egress window well to be 15 feet, (ii) to permit a south side yard setback from the dwelling to be 20 feet, (iii) to permit a south side yard setback from the rear raised patio to be 20 feet, (iv) to permit a south side yard setback for the front porch to be 20 feet, where a minimum side yard setback is 30 feet. Premises are designated as Section 41, Block 004, Lot 04 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. Herrick Lipton and Warren Bohn presented the application.

The Board noted that the requests were excessive, given that the proposal included a new dwelling and site improvements and was not limited by existing site conditions related to an existing dwelling. On motion by Mr. Schamroth, seconded by Mr. Schlussel, and adopted unanimously, the Board voted to continue the hearing to December 1, 2022, at 7:00pm.

The Board noted that it had received notification from Shlomo and Elizabeth Birnbaum, 170 Woodside Drive, Hewlett Bay Park, New York, indicating that they were not available and requested an adjournment of their application to construct a pool house, where such construction requires a variance of Village Code §146-20, to permit the pool house to be 18 feet from the rear property line, where a minimum of 35 feet is required. On motion by Mr. Schamroth, seconded by Mr. Schlussel, and adopted unanimously, the Board granted the adjournment request and adjourned the hearing to December 1, 2022, at 7:00pm.

There being no further business, the meeting was adjourned at 7:59 p.m.

THE ABOVE MINUTES WERE FILED IN THE OFFICE OF THE VILLAGE CLERK OF
THE INCORPORATED VILLAGE OF HEWLETT BAY PARK AT

TIME: _____ A.M./P.M. ON DATE: _____, 2022
(Month) (Day)

BY: _____
Dr. Leonard Schiffman, Chairman