

BOARD OF APPEALS
VILLAGE OF NORTH HILLS
ONE SHELTER ROCK ROAD
NORTH HILLS, NEW YORK

October 24, 2022
7:30 pm

PRESENT: Douglas Weigler, Chair
Philip Goodman, Deputy Chair
Anthony Lobosco, Bruce Spenadel and Michael Strauss,
Members
Howard Fox and Ray Dispaltro, Alternate Members
Wendy Russo, Deputy Village Clerk
A. Thomas Levin, Village Attorney (by telephone)

EXCUSED: Peter Cinquemani, Superintendent of Building Department

The Chair announced that the next regular meeting of the Board would be November 21, 2022, at 7:30 pm.

A full complement of regular Board members being present, Mr. Fox and Mr. Dispaltro participated in each matter before the Board, but did not vote.

The Board held a public hearing with respect to Application #22-06za, Application of Minghua Hu, 52 Stone Hill Drive South, Manhasset, to construct a rear sunroom addition which requires variances of (a) Village Code §215-11(D)(5), to permit a side yard setback of 23.7 feet, where a minimum of 25 feet is required, and (b) Village Code §215-11(D)(9), to permit building coverage of 26.75%, where a maximum of 15% is permitted. The premises are designated as Section 3, Block 239, Lot 77 on the Nassau County Land and Tax Map.

The hearing was stenographically transcribed, and the transcription is on file at the Village office. Christina Bravin appeared for the applicant. After hearing all interested persons, the hearing was closed on motion by Mr. Spenadel, seconded by

Mr. Lobosco and adopted unanimously. The Board discussed Case 22-06za. On motion by Mr. Spenadel, seconded by Mr. Strauss, and adopted unanimously, the Board concluded as follows: (a) the relief requested in the application is a Type II Matter pursuant to the State Environmental Quality Review Act, (b) the requested minor setback variances affect only one small portion of the space, and the resulting construction will barely be visible from adjoining properties or the street, (c) the benefit to the applicant if the variance is granted outweighs any detriment to the health, safety and welfare of the neighborhood or community resulting from such grant, (d) no undesirable change will be produced in the character of the neighborhood nor a detriment to nearby properties will be created by the granting of the requested area variances, (e) the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance, (f) the requested area variance is not substantial; (g) the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, and (h) the alleged difficulty claimed by the applicant is self-created, but that factor should not here be applied to deny the requested relief, (i) the variances requested are the minimum variance necessary and adequate to provide benefit to the applicant and at the same time preserve and protect the character of the neighborhood, and (j) the application is granted, subject to the conditions that (1) the construction shall comply with the plans submitted with the application, (2) all required permits shall be obtained within six months from the date of filing of this determination with the Village Clerk, and (3) all required certificates of completion or compliance shall be obtained within one year from the date of filing of this determination with the Village Clerk.

On motion by Mr. Lobosco, seconded by Mr. Strauss and adopted unanimously, the Board convened in executive session at 7:40 pm to obtain legal advice from counsel. The Board took no action in executive session.

On motion by Mr. Strauss, seconded by Mr. Goodman and adopted unanimously, the Board returned to public session and adjourned at 7:45 pm.

There being no further business, the meeting was adjourned at 8:25 pm on motion by Mr. Goodman, seconded by Mr. Lobosco, and adopted unanimously.

**THE ABOVE MINUTES WERE FILED IN
THE OFFICE OF THE VILLAGE CLERK
OF THE INCORPORATED VILLAGE OF
NORTH HILLS AT**

TIME: 10:47 ~~A.M.~~ P.M.

DATE: 11/21, 2022

W. Russo