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INCORPORATED VILLAGE OF NORTH HILLS

PLANNING BOARD

MARCH 12, 2025

7:30 P.M.

PUBLIC HEARING RE: CASE NO. 24-12ps - 275 OLD SHELTER
ROCK LLC, C/O NIRAV PATEL, 10 ROSEANNE DRIVE

P R E S E N T:

DOREEN SEVERIN, CHAIR

BARRY S. BASSIK, DEPUTY CHAIR

MARGO KANE, BOARD MEMBER

GARY SCHUBERT, BOARD MEMBER

SHARON STRUMINGER, BOARD MEMBER

A. THOMAS LEVIN, ESQ., VILLAGE ATTORNEY

PETER CINQUEMANI, R.A., SUPERINTENDENT OF BUILDING DEPT.

MARIANNE C. LOBACCARO, VILLAGE ADMINISTRATOR

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VILLAGE OF NORTH HILLS

JENNIFER DEVLIN
COURT REPORTER

1 CHAIR SEVERIN: This evening we do have a
2 public hearing. Case No. 24-12ps.
3 Application of 275 Old Shelter Rock LLC,
4 Nirav Patel, 10 Roseanne Drive, North Hills,
5 New York 11576, pursuant to Chapter 179 of
6 the Village Code for (a) a waiver of certain
7 subdivision requirements, and (b) approval to
8 subdivide the subject property into four (4)
9 single-family residential lots and one (1)
10 lot for a private road.

11 The premises are known as 275 Old Shelter
12 Rock Road, designated as Section 7, Block
13 319, Lot 7 on the Nassau County Land and Tax
14 Map.

15 Is there a representative to speak on
16 behalf of the applicant this evening?

17 MR. CHASE: Yes.

18 CHAIR SEVERIN: Good evening.

19 MR. CHASE: Good evening, Madam
20 Chairwoman, members of the board. Just for
21 the record, my name is John Chase with the
22 law firm of Chase, Rathkopf & Chase in Glen
23 Cove. And obviously I'm an attorney for the
24 applicant.

1 Also with me tonight is Mike Rant, who
2 the board may be familiar with. Mike's from
3 Northcoast Civil, who is the firm that
4 prepared the map and who I will be
5 introducing to you shortly. And last, I
6 guess, most of you know Nirav Patel who is
7 the resident of the village and has done some
8 residential development in the village who is
9 the owner of the LLC applicant.

10 I know the board's familiar with the
11 property. There's some residents here. The
12 subject property, as shown on the map, is a
13 long narrow rectangular lot having a lot area
14 of 2 acres and has frontage on the easterly
15 side of Old Shelter Rock Road of 119 feet and
16 a perpendicular depth from Old Shelter Rock
17 Road of 541 feet.

18 The property is located in the Village's
19 R-5 Residential Zoning District, which is,
20 most of us know, permits single-family
21 dwellings on lots having a minimum lot area
22 of 15,000 square feet. And just to repeat
23 the Chairwoman, it's known as Section 7,
24 Block 319, Lot 7 on the Nassau County Land

1 and Tax Map.

2 As the Chairwoman also said, it's our
3 application tonight to seek approval to
4 subdivide the property into four
5 single-family residential building lots, as
6 shown on the map. And those four lots will
7 be accessed by a private roadway also, as
8 shown on the map, known as the map of Lyle
9 Court Excelsior Estates II.

10 As you also indicated, the other part of
11 our application is we're seeking a waiver of
12 certain of the provisions of the subdivision
13 regulations, all of which are related to the
14 dimensional characteristics of the roadway
15 only.

16 The first variance that we're asking for
17 with respect to the roadway is the
18 regulations require a minimum right of way
19 width of 50 feet. And as you can see on the
20 map, the applicant is proposing a right of
21 way width of 32 feet. The regulations
22 require a minimum width of paved roadway of
23 34 feet. And the applicant is proposing a
24 paved roadbed of 24 feet.

1 And lastly the regulations require a
2 cul-de-sac link not -- normally not to exceed
3 350 feet of link, any right of way radius of
4 not less than 54 feet to the right of way
5 line. And the applicant is proposing a
6 cul-de-sac length of 426.7 feet and a right
7 of way radius of 50 feet.

8 The -- this application, you know, I
9 guess has been through two, three informal
10 meetings. I don't remember. I know Mr.
11 Megas (phonetic) appeared on my behalf at the
12 last meeting. So I'd like to introduce Mr.
13 Rant to present and describe the map and
14 answer any questions the board may have.

15 I would like to reserve the right,
16 however, when he's concluded to come back and
17 discuss the waivers that we're asking for
18 with respect to the roadway. So I'll do that
19 after he's done, if that's acceptable to the
20 board.

21 CHAIR SEVERIN: Yes.

22 MR. CHASE: All right. Thank you.

23 Michael.

24 MR. RANT: Good evening, Madam

1 Chairwoman, members of the board. My name is
2 Michael Rant from Northcoast Civil. And we
3 prepared the site and engineering plan before
4 you.

5 So we did have some preliminary hearings
6 with the board where we went through a number
7 of changes to make some accommodations to
8 come to the plan that's before you this
9 evening. And I will just reiterate some of
10 those changes that were made.

11 The initial application had a roadway on
12 the proposed -- on the north side of the
13 property. And it had a roadway width of 20
14 feet and a right of way width of 25 feet. So
15 throughout the meetings and the discussions
16 we made changes to increase the width of the
17 roadway. And we relocated the roadway to the
18 south side of the property.

19 We've also relocated the cul-de-sac,
20 which was previously on the first plan
21 located at the extreme east side of the
22 property where there's an existing right of
23 way easement. So it will be relocated
24 further to the west, reduce the roadway

1 length, increase the roadway width and
2 increase the right of way width to 32 feet.

3 So the current plan before you has a
4 right of way width of 32 feet. And we've
5 increased the roadway. Paved width is 24
6 feet. The state code for a roadway of this
7 length, any roadway up to 500 feet long,
8 requires a paved width of minimum 20 feet.

9 So we do meet and exceed the New York
10 State requirement for a fire apparatus access
11 road. And they also require a cul-de-sac of
12 a 96 foot diameter width, which again we meet
13 and we comply with.

14 So we're designing the roadway complying
15 with New York State Code. We feel it's
16 adequate to serve not only the homes being
17 proposed, but it would also properly serve
18 any emergency vehicles that would be needed
19 to serve these properties. All of the lots
20 are fully zoning compliant as far as the size
21 of them. The minimum of 15,000 square feet
22 requirement is fully met on each lot.

23 We have prepared site engineering plans
24 for the roadway. The roadway does provide a

1 containment of an 8-inch rainfall for the
2 paved surface of the roadway as well as any
3 tributary areas. We created dry well
4 locations within drainage easements as well
5 as the roadway.

6 We also performed a crane-dug test hole
7 on the property to ensure that the soil was
8 adequate to support the drainage facilities.
9 I personally witnessed that test hole. And
10 we encountered ratable sand at a depth of
11 about 60 feet. And it was more than adequate
12 to serve the drainage facilities that would
13 be installed to the roadway. That's the
14 general layout.

15 As far as the homes, the homes have all
16 been proposed to fit within the building
17 footprints in order to comply with zoning as
18 well as their accessory structures. And
19 that's to demonstrate that these lots could
20 be developed in a way that would comply with
21 the village's zoning code.

22 And we feel that this layout is
23 appropriate for the size of the property. It
24 meets the dimensional requirements as far as

1 lot area. And we believe the drainage system
2 being designed will properly accommodate all
3 of the stormwater runoff for the site.

4 I'm happy to answer any questions that
5 the board may have.

6 CHAIR SEVERIN: Questions from the board?

7 (There was no response.)

8 CHAIR SEVERIN: Not at this time.

9 MR. RANT: Thank you.

10 MR. CHASE: Thanks, Mr. Rant.

11 And just to touch base hopefully briefly
12 on the relief that we're requesting with
13 respect to the road dimensions, the -- I'm
14 sorry. Section 179-87 of the Village's
15 subdivision regulation provides in relevant
16 part that where the board determines that
17 special circumstances or conditions exist,
18 the board may vary such of the requirements
19 of the subdivision regulations as the board
20 determines are not requisite in the interest
21 of the public health, safety and welfare of
22 the Village.

23 That section further provides that, In
24 making such a determination to vary, the

1 board shall consider the prospective
2 character of the development and the
3 permissible density according to the
4 applicable zoning regulations.

5 So, you know, it's our application and
6 our opinion that the relief that we're
7 requesting with respect to the roadway
8 dimensions meets the criteria and the
9 standards, those standards set forth in the
10 code.

11 First, you know, the proposed roadway is
12 a private roadway. It's really, in my
13 opinion, more analogous to a common driveway.
14 This roadway is only going to service the
15 four homes. It will not service anybody
16 else. It is not a through street. It merely
17 provides access to the dwellings. As a
18 result it will not be heavily trafficked.
19 There will be minimal traffic on this -- I
20 call it the common driveway of the roadway.

21 And as Mr. Rant testified, we believe
22 that it will provide more than safe and
23 adequate access to the dwellings and
24 emergency vehicles. To repeat Mr. Rant, the

1 roadway does comply with the standards of the
2 New York State Building Code. I won't go
3 through that again. He's already touched
4 base on it. It is not increasing the
5 permitted density in the R-4 Zone. All of
6 the proposed lots fully comply with the
7 requirements of the R-5 Zone.

8 Another interesting fact with respect to
9 the widths of the road, upon information and
10 belief -- and I may ask Mike to help me out
11 with this. But the main thoroughfare that
12 provides access to this property from Shelter
13 Rock Road, it all provides access to the
14 properties to the north, access to the
15 properties to the south. Old Shelter Rock
16 Road, I believe, Mike -- and correct me if
17 I'm wrong -- has a road width of 25 feet?

18 MR. RANT: That is correct. The
19 roadway --

20 MR. CHASE: I couldn't tell if that width
21 is the right of way width or whether it's the
22 pavement road.

23 MR. RANT: The paved area from edge of
24 road to edge of road is about 25 to 26 feet.

1 MR. CHASE: So the main thoroughfare
2 providing access to this small cul-de-sac is
3 only 1 foot wider than the road that we're
4 asking the board to approve. To me it would
5 be certainly an odd result where the main
6 through traffic thoroughfare, Old Country
7 Road, is 25 feet, but we're going to require
8 this small cul-de-sac to be 34 feet. It just
9 wouldn't make sense to me.

10 I think the board is well aware from the
11 informal meetings that a denial of the relief
12 requested will arguably prevent the applicant
13 from developing the property for the 4-lot
14 subdivision yield. The lots to the north of
15 the proposed map are also in the R-5 Zoning
16 District.

17 So this map is being developed similarly
18 to the adjoining lots to the north. For
19 example, if you -- two of the lots to the
20 north are known as 4 Sterling Road. Tax Lot
21 17 has a lot area of 15,155 square feet. The
22 other lot abutting this map, 6 Sterling Road,
23 Tax Lot 17, has a -- I'm sorry. Tax lot 18
24 has a lot area actually under 15,000 square

1 feet: 14,985.

2 So we believe that the granting of the
3 relief here will no way affect the public
4 health, safety and welfare of the area and
5 certainly won't have any affect on the
6 character of the area. As Mr. Rant testified
7 also, by flipping the street and the
8 cul-de-sac to the southerly side of the map,
9 all of the properties to the south of the map
10 are now completely buffered from the homes in
11 the development by the -- by the proposed
12 roadway.

13 CHAIR SEVERIN: Would you make that
14 comment again? I'm so sorry. I didn't
15 understand it.

16 MR. CHASE: The -- I was just making the
17 point that I went over the lots to the north
18 in the R-5. The lots to the south are also
19 in the R-5 Zone.

20 CHAIR SEVERIN: Um-hum.

21 MR. CHASE: And I was just making the
22 point that they will be buffered from these
23 homes by the road, which I think may be one
24 of the reasons that the request was made to

1 move the whole roadway to the southerly side.
2 Those are bigger lots, as you can see. None
3 of them have been developed under the R-5
4 Zoning District as of now. But, again, they
5 will be buffered by the roadway.

6 All of the properties to the east are in
7 the Town of North Hempstead. All of those
8 lots are developed. I couldn't give you the
9 zoning designation, but all of those lots are
10 8,500-square-foot lots. So all of the lots
11 to the east in the Town of North Hempstead
12 are half the size of the proposed lots that
13 we're asking for on the map.

14 For all those reasons, you know, we feel
15 that we have met the burden to meet the
16 requirements of Section 179-87. Again, the
17 granting of a waiver will have no impact, no
18 perceivable impact on the public health,
19 safety and welfare of the area and will not
20 be out of character of the area for the
21 reasons I stated. And it will allow the
22 development of the site in complete
23 conformity with the spirit and intent of the
24 R-5 Zoning District.

1 If I can answer any questions with
2 respect to that part of it, I'd be happy to
3 try to answer it.

4 CHAIR SEVERIN: Any questions from the
5 board?

6 VILLAGE ATTORNEY LEVIN: If the board has
7 any -- they go first. I have a few.

8 CHAIR SEVERIN: Go ahead.

9 VILLAGE ATTORNEY LEVIN: Mr. Chase, what
10 is the plan for who's going to own the road?

11 MR. CHASE: It's going to be a private
12 road. It will be tax -- what's the word I'm
13 looking for from the assessor's office? But
14 it's a private road. It will probably have a
15 declaration of covenants and restrictions. I
16 don't know if the village requires approval
17 of the Attorney General, but --

18 VILLAGE ATTORNEY LEVIN: That's one of
19 the things that we're contemplating. But
20 what I'm trying to get down is, who's going
21 to own that road, and who's going to be
22 responsible to maintain it and so on?

23 MR. CHASE: I think the road will be
24 owned by the LLC. And if we go to the

1 Attorney General or it's just covenants and
2 restrictions, everybody will have to pay
3 their proportionate share for the care of the
4 road.

5 VILLAGE ATTORNEY LEVIN: So there will be
6 covenants on all four lots?

7 MR. CHASE: Yes. And, again, I don't
8 know what the village requirements are, Tom.
9 If there is a -- you require the Attorney
10 General approval, then that will all be in
11 the offering plan.

12 Mr. Patel recently built four homes --
13 some of you may be aware of it -- about a
14 half a mile from here, which is a very
15 similar four-lot subdivision. He also needed
16 some relief from the road dimensions. And in
17 that case the Village did require a filing
18 with the AG's office. Some of the villages,
19 Tom, as you know -- I shouldn't say "Thomas."
20 Mr. Levin, as you know --

21 VILLAGE ATTORNEY LEVIN: Feel free.

22 MR. CHASE: In the villages that I
23 represent we still -- probably wrongfully so
24 -- do it all by a declaration of covenants

1 and restrictions. I think that the county
2 assessor's office still value reflect taxes
3 on that lot to the adjoining property owners,
4 but I'm not sure of that.

5 So if there's -- sorry. Is there
6 anything else?

7 VILLAGE ATTORNEY LEVIN: No. I don't
8 have anything. I don't know if Mr.
9 Cinquemani --

10 DEPUTY CHAIR BASSIK: I'm not very sure
11 how the roadway is going to be managed. You
12 will have covenants and restrictions and you
13 have an LLC. But is there something also for
14 -- who will be responsible for --

15 MR. CHASE: Well, again, I don't know if
16 the village requires a formal homeowners
17 association or an informal. But either way
18 it will be regulated by a homeowners
19 association.

20 Correct me if I'm wrong, Nirav.

21 MR. PATEL: Yes.

22 MR. CHASE: Pursuant to the homeowners
23 association all of the lot owners are
24 obligated to pay their proportionate share

1 for snow plowing, maintenance, repair,
2 standing. It's all an obligation, an equal
3 obligation of the four property owners. And
4 it's managed and operated by the LLC or the
5 homeowners association, if a formal one is
6 required.

7 I hope I answered --

8 DEPUTY CHAIR BASSIK: Somewhat.

9 MR. CHASE: Okay.

10 DEPUTY CHAIR BASSIK: I'm still not sure
11 how it's going to be managed.

12 VILLAGE ATTORNEY LEVIN: Well, some of
13 that is up to the board in its decision. The
14 board will have the ability to direct what
15 that's going to be.

16 CHAIR SEVERIN: Mr. Cinquemani, any
17 comments?

18 BUILDING INSPECTOR CINQUEMANI: No.

19 CHAIR SEVERIN: I'm sorry.

20 BOARD MEMBER SCHUBERT: One question.
21 Has any of these properties been sold?

22 MR. CHASE: No.

23 VILLAGE ATTORNEY LEVIN: They're not
24 allowed to sell them until the subdivision is

1 approved.

2 MR. CHASE: As he said, it would be
3 illegal to do so.

4 CHAIR SEVERIN: Any other questions for
5 Mr. Chase?

6 (There was no response.)

7 MR. CHASE: If not I thank you. That
8 concludes the presentation. And if there's
9 any comments from the audience I, of course,
10 reserve the right to try to respond to those.

11 CHAIR SEVERIN: Thank you.

12 MR. CHASE: Thank you so much. Thank you
13 everybody.

14 CHAIR SEVERIN: Can I ask for a motion to
15 go into executive session with counsel for
16 advice?

17 VILLAGE ATTORNEY LEVIN: You can ask for
18 a meeting. I'm not sure what the point of it
19 is.

20 CHAIR SEVERIN: There was a question that
21 we need your guidance on.

22 VILLAGE ATTORNEY LEVIN: All right. But
23 I just want to point out to the board it
24 might be a better idea to hear everybody

1 who's here. And then the board can continue
2 this hearing and get advice between now and
3 the next date.

4 CHAIR SEVERIN: Excellent. Thank you,
5 Counsel.

6 Is there anyone else to speak on behalf
7 of the applicant?

8 (There was no response.)

9 CHAIR SEVERIN: On behalf of the
10 applicant?

11 Is there -- with no one else on behalf of
12 the applicant, is there anyone here to speak
13 in opposition of the applicant?

14 Please step forward. State your name and
15 your address, please.

16 MR. LODHA: Good evening, board. My name
17 is Amit, A-M-I-T, Lodha, L-O-D-H-A. Thank
18 you.

19 I live on one of the properties on the
20 southern border. And I've lived here for 30
21 years.

22 VILLAGE ATTORNEY LEVIN: Mr. Lodha, can
23 you give us your address?

24 MR. LODHA: 7 Oak Ridge Lane.

1 VILLAGE ATTORNEY LEVIN: Thank you.

2 MR. LODHA: As my representative, I've
3 lived here for 30 years. And I ask you to
4 kind of come to a solution that alleviates a
5 lot of other fears that we have about these
6 properties. For one, the main road that the
7 -- Old Shelter Rock Road is something we have
8 to maintain. The appearance of these four
9 houses are going to bring more traffic to a
10 road that's been very difficult to maintain.
11 I think we agree.

12 And you were talking about plans for
13 mitigating the road. It's every snow every
14 time. It's become very difficult for us to
15 maintain these roads. And having extra
16 traffic there is just going to make it much
17 more harder on us to bear that burden.

18 The second is, as you can see, the road
19 is touching, like, my backyard. And I --
20 like, for, like, the privacy safety and -- I
21 have a lot of concerns in that regard for my
22 family that lives there. And I, like, ask
23 you to come up with some sort of solution to
24 kind of help alleviate that.

1 For one, right now our homes are
2 protected from view, from the highway and
3 public traffic. But when these homes are
4 there, a lot of those trees that are
5 currently blocking the view will all be torn
6 down. And I'm afraid that now all our houses
7 will become very public to all the traffic
8 coming from the highway on that exit. That
9 makes us more exposed. And it's something
10 that we're definitely very fearful of.

11 And two -- and the third point is this
12 road that's on the southern edge -- or on the
13 southern edge of these properties, it's
14 pretty close to my home. And I know some of
15 the homes there -- like one of the homes
16 there is going to be touching -- pretty much
17 like their walls almost touching the road.

18 It does ruin kind of like the
19 peacefulness of that area. And it ruins the
20 privacy and security, unlike this feel that
21 we have in our homes right now. We're a
22 pretty good community. We all like each
23 other and we all respect each other. And I
24 feel like something like this disturbs that.

1 So thank you for listening to me. And I
2 hope that you can come up with a solution.
3 Thank you.

4 CHAIR SEVERIN: Thank you.

5 Is there anyone else here to speak in
6 opposition of the application?

7 Please.

8 DR. NARULA: My name is Dr. Narula,
9 N-A-R-U-L-A. I live at 12 Sterling Plaza.

10 And we have lived there for almost 26
11 years now. And the reason we moved into this
12 area was the aesthetics of the area, the
13 peacefulness. But, you know, as all these
14 years that has been maintained. And I'm
15 really happy where we are.

16 But having four more houses built in the
17 area which was pretty empty I think is going
18 to be a very different look for the place. I
19 mean, that was one reason why we didn't go
20 into a condo unit. Because, you know, we
21 wanted an open area, open space that we all
22 enjoy.

23 And I think if there's something going to
24 be built, it's probably a better idea to

1 have, you know -- rather than have four
2 houses, maybe two houses so that they're not
3 on top of each other. I think that would be
4 our suggestion.

5 Thank you.

6 CHAIR SEVERIN: Thank you.

7 Is there anyone else here to speak in
8 opposition of the applicant?

9 We did get an email --

10 MR. KAPOOR: Excuse me.

11 CHAIR SEVERIN: I apologize. Please.

12 Thank you.

13 MR. KAPOOR: My name is Prawal Kapoor,
14 P-R-A-W-A-L. Last name is K-A-P-O-O-R. I'm
15 the homeowner on 20 Old Shelter Rock Road.

16 So as probably know, right, there's one
17 outlet that goes -- the road from Shelter
18 Rock Road to that property. And 20 Old
19 Shelter Rock Road is a private road which is
20 -- it's not a homeowners association. It's a
21 private road.

22 And my main concern is, with all the
23 traffic and the construction that will be
24 taking place maybe for 6 months to a year, I

1 need to -- we need to find a solution that
2 after the construction all the damage that
3 has been made to the private road of Old
4 Shelter Rock Road is restored, or the new
5 construction of the road is done after the
6 construction is done.

7 Because right now -- I mean, there are
8 already 18 wheelers. There was a truck with
9 a crane, an 18-wheeler truck that was -- came
10 to do some sampling with a crane on top of
11 that. That will cause all the damage to the
12 Old Shelter Rock Road, which is, again, a
13 private road with no homeowners association.

14 And I also find it very unfair since now
15 with four more houses down the road --
16 probably 14 houses -- that I have to maintain
17 my -- the property, the road in front of my
18 home so the 14 houses down the road can use
19 that. So we need to also find a solution.

20 Maybe Old Shelter Rock Road needs to be a
21 public road because there's so many houses
22 now down the road. And it's just not the
23 private -- cars -- it's now -- there's so
24 many other traffic out there. Because now

1 you got FedEx delivery, UPS delivery and all
2 the other delivery being made through the
3 private road which we own at the Old Shelter
4 Rock Road. And that is just basically
5 ruining the road.

6 And people who are living down the road
7 are getting all the benefit, but we have to
8 maintain it. It's just like -- put yourself
9 in my shoes, that you own a property which is
10 your private home, and then there are 14
11 houses down the road who is basically using
12 it and causing damage to the private road
13 that you are supposed to maintain.

14 So we need to find a solution for that
15 one aspect.

16 CHAIR SEVERIN: Thank you.

17 Please.

18 MS. YAN: Hi. My name is Emily Yan
19 (phonetic). I'm actually representing my
20 friend Adrian Lin, L-I-N. They live at 9 Oak
21 Ridge Road.

22 So they bought the house 10 years ago.
23 Similar to the lady just said earlier, they
24 bought it for the peace and quiet of the

1 neighborhood. They pay premium prices. I
2 think they also pay high taxes. So I want to
3 know how the new user ensure the quality of
4 the neighborhood. And just given -- it seems
5 to be pretty unfair for the, you know,
6 current owners who paying all of these
7 premium prices stay in the neighborhood.

8 So now with additional four houses and
9 additional road, how do you ensure the
10 privacy of the existing homeowners, as was
11 the kind of peace and quiet of the
12 atmosphere?

13 CHAIR SEVERIN: Thank you.

14 Anyone else in opposition?

15 DR. CHAN: Hi. I'm Dr. Chan, C-H-A-N. I
16 live in -- at 4 Sterling Plaza. And when we
17 moved here about 32 years ago the back was
18 all wooded, nothing. Only one house. And
19 now we are hearing that there will be four
20 houses right in our backyard. Kind of a
21 shock to us.

22 And I can imagine the -- you know, the
23 ferrying and all the traffic, you know.
24 There will be four homes, families right in

1 my backyard. So we kind of shocked and
2 disturbed. I don't know what, you know, what
3 -- the zoning requirements. Are they allowed
4 to build four houses or whatever? Because to
5 voice my opinion, kind of profit next to say
6 the least. And I can imagine the traffic
7 with four families.

8 So thank you.

9 CHAIR SEVERIN: Thank you.

10 Please.

11 DR. LOTONGKHUM: Hi. My name is Dr. Lek
12 Lotongkh, L-E-K. L-O-T-O-N-G-K-H-U-M last
13 name.

14 I lived in No. 2 Sterling Plaza. It's
15 been more than 30 years. And I think the
16 board have heard all of the -- worried about
17 tranquility and safety and all of these
18 things. But what I didn't hear was that any
19 kind of protection to our properties.

20 I see that the new house, the backyards
21 have all pool. And then backyard is on my
22 backyard. And I would like to hear what kind
23 of defense of property to protect our house
24 from them pool -- I would appreciate a

1 respond.

2 Thank you.

3 CHAIR SEVERIN: Thank you.

4 MR. OSMANI: Good evening. My name is
5 Azaiz Osmani. A-Z-A-I-Z. O-S-M-A-N-I. I
6 live at 14 Old Shelter Rock Road.

7 I'm just adjacent neighbor. So when I
8 bought the house is -- the other house owner
9 say that it was just a backyard. It's just
10 one small house. So similar reason I bought
11 the house. Now it's impossible for me to
12 leave with my kids there playing in the
13 backyard with four other houses and my -- and
14 exact same. It's like varying on my
15 property. It's so close. So we're concerned
16 about it. Yeah.

17 Of course definitely all the concerns of
18 the previous house owners all mentioned.
19 Safety with the traffic, our maintaining of
20 the road. All of these are concerns. Yeah.
21 Especially security and the -- and the reason
22 that we bought the property there is because
23 it was a different -- ambience of the
24 properties.

1 Thank you.

2 CHAIR SEVERIN: Thank you.

3 MS. LODHA: Hi. Good evening. My name
4 Priyanka Lodha. P-R-I-Y-A-N-K-A. Last name
5 L-O-D-H-A. We live on 7 Oak Ridge Lane.

6 And in addition to all the things that we
7 all discussed about the privacy and the roads
8 and everything, one of the points that I
9 wanted to mention was -- so right in our
10 backyard it's -- the forest is filled with
11 very extremely large trees that are
12 definitely very, very old. And I believe
13 some of the trees are marked.

14 And as making sure that we are taking our
15 environment into concern, these trees cannot
16 be cut down because, A, they serve as privacy
17 and, B, they are very important parts of our
18 nature. So we really need to make sure that
19 these trees do not get affected, especially
20 since basically now our backyard is going to
21 have a road. And those trees are just the
22 border line. So we really need to find out
23 the history behind these trees. Because they
24 are definitely over 100 years old.

1 And as far as I know that, I don't think
2 they can just be -- I don't know exactly
3 where the road would be behind them or how
4 the logistics would work. But we need to
5 make sure that these trees are preserved.

6 Thank you.

7 CHAIR SEVERIN: Any other comments?
8 Please.

9 MR. LOTONGKHUM: My name is Vichai
10 Lotongkhum. V-I-C-H-A-I. Last name is the
11 same: L-O-T-O-N-G-K-H-U-M.

12 I was a little bit concerned about the
13 street. They're going to bring in all the
14 car. And just thinking of the fire truck.
15 Can they go in? Can they come out the small
16 circle? Have they been tested?

17 I don't want to hear, okay, the fire
18 hydrant cannot get out when can get in. The
19 circle behind them could be too small for the
20 fire truck to come out. And they want to
21 come through somebody house and go to the
22 Shelter -- to Sterling Plaza. Have they been
23 tested?

24 CHAIR SEVERIN: This is comments only,

1 not a response. Thank you.

2 MR. LOTONGKHUM: It would be good to
3 measure before approval. Twenty-four feet
4 when you go inside you have to go out. You
5 have to back out. If you can test it before
6 you do anything.

7 Thank you.

8 CHAIR SEVERIN: Thank you. Any other
9 comments?

10 (There was no response.)

11 CHAIR SEVERIN: I would like to read an
12 email sent to the village on February the
13 23rd from Banani, B-A-N-A-N-I, last name:
14 Dutta, D-U-T-T-A. 8 Sterling Plaza.

15 It says, To the Planning Board, I'm
16 writing to express my disapproval and
17 anticipated housing construction in North
18 Hills. There are numbers of reasons to
19 dislike the idea. First, the congestion.
20 We're replacing one home with four homes.
21 This will lower our value of the property in
22 the area.

23 Third, my personal privacy. The proposed
24 development will encroach in my backyard.

1 Finally, the main road, Old Shelter Rock
2 Road, is in dire need of repair. Adding
3 additional housing on this -- adding
4 additional housing, this will be using as an
5 artery into their neighborhood, which will
6 only make things worse. Any project ought to
7 include repairs of Old Shelter Rock Road.
8 Please consider the proposal. Thank you,
9 Banani Dutta.

10 Any other comments, questions in
11 opposition? Mr. Cinquemani?

12 BOARD MEMBER STRUMINGER: Can I ask a
13 question?

14 The Old Shelter Rock Road. Presently you
15 say it's a private road. So who maintains
16 it? All the residents that live along
17 Shelter Rock Road, the Old Shelter Rock Road,
18 or you're just responsible for what's in
19 front of your home?

20 MR. KAPOOR: My understanding is --
21 Prawal Kapoor.

22 I been living only eight years. And I
23 only came to know about that, this is a
24 private road, after the purchase. From my

1 understanding and from what I've been told
2 after calling the village is it's only the
3 front of the property, right. Every
4 homeowner's front of the property.

5 My neighbor who has been living at 30 Old
6 Shelter Rock Road for over 30 years told me
7 that it used to be a public road, but it
8 changed the classification. Changed to a
9 private road. I do not know the history when
10 it changed or was it a public road?

11 But right now the four houses on Old
12 Shelter Rock Road -- and true the road is
13 damaged. The main reason is because there's
14 so many houses down the road who are using it
15 every day. And only the homeowners are
16 responsible for their portion of the roadway
17 in front of the property. That's my
18 understanding.

19 Even I have heard it used to be half of
20 the road was homeowners, half was the village
21 or someone -- or the state, or the New York
22 State. I'm not sure. I mean, we have to --
23 I haven't found an answer. But right now per
24 my understanding it's only the front of the

1 property of the entire road. And there's no
2 homeowner's association among the four
3 houses. It's all private houses.

4 CHAIR SEVERIN: Thank you. Any other
5 comments, questions, concerns?

6 (There was no response.)

7 CHAIR SEVERIN: At this time I would like
8 to make a motion to continue --

9 VILLAGE ATTORNEY LEVIN: Excuse me. We
10 should have the applicant respond if they
11 wish.

12 CHAIR SEVERIN: I'm sorry. I apologize.
13 Thank you, Mr. Chase.

14 MR. CHASE: It's my understanding, Madam
15 Chairwoman, this hearing is going to be
16 continued. Did I hear that earlier?

17 VILLAGE ATTORNEY LEVIN: Yes.

18 MR. CHASE: It will be continued?

19 CHAIR SEVERIN: Yes.

20 MR. CHASE: Yeah. Then I'm just going to
21 respond briefly because I will have another
22 opportunity --

23 VILLAGE ATTORNEY LEVIN: Correct.

24 MR. CHASE: -- to respond once I get the

1 transcript.

2 But I guess out of representing
3 municipalities for 45 years and land use for
4 45 years, this, you know, is another case
5 where, you know, they want to shut the barn
6 door behind them.

7 So I have my house on -- a 15,000 square
8 foot house. I have a beautiful open space
9 park behind me. And all these objections are
10 relating to, I want to have my park
11 preserved. That's unfair. It's
12 unreasonable.

13 They're talking about extra traffic.
14 Everybody's complaining about extra traffic.
15 That's pure speculation. There's no proof
16 whatsoever. I would represent to you without
17 having done traffic counts that the addition
18 of three more houses -- well, three more,
19 four all together -- the traffic impacts on
20 Shelter Rock Road and Old Shelter Rock Road
21 will be -- is going to be de minimis.

22 And this, you know, witch tale about all
23 the traffic is just speculation. And it's
24 not supported by any evidence in the record

1 before you. They talk about -- it's going to
2 affect my privacy. It's going to ruin my
3 privacy. I'm going to lose open space.
4 Okay. I bought my house. And the only
5 reason I bought this house is because of the
6 open space next to me.

7 All of these properties are in the R-4
8 Zone. Many, many of them developed in the
9 R-5 Zone. I would like to deal -- peck out
10 each one from the people that opposed, but I
11 just don't know which lots are which. For
12 example, the owner of Lot 2 complained about
13 the same thing: safety. Wants to protect
14 her property. Protect her privacy.

15 She has a 15,000 square foot lot:
16 exactly what we're asking for. So it's, I
17 have mine, let's shut the barn door and
18 nobody else can develop because I would
19 prefer the park that I've been used to for 32
20 years. And this is -- I'm going to lose my
21 quality of life.

22 As Mr. Levin will tell you -- I hope he
23 will tell you -- when you go into executive
24 session, okay, it's not for this Planning

1 Board to determine that. The legislative
2 body of North Hills has determined that this
3 development on these size lots in this area
4 is a desirable use in this zone as a matter
5 of law. And I'm sure Mr. Levin will explain
6 that to you. Give me one more second. I got
7 to get down all of these notes.

8 So then it says, well, if we can't have
9 15,000-square-foot lots, let's just have two
10 houses: 30,000-square-foot lots. Okay.
11 That's not reasonable and that's not fair.
12 All these questions they want Mr. Patel to
13 repair Shelter Rock Road -- Old Shelter Rock
14 Road. You know, those conditions and what's
15 going on on Old Shelter Rock Road has nothing
16 to do with this applicant, okay. And he
17 shouldn't be deprived of his right to his
18 development because of it.

19 So those are some of my preliminary
20 comments. Because this is continued I'll
21 have a chance to read the record and respond
22 more. I thank you all so much for your time
23 on this. And we appreciate your listening to
24 the application.

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Thank you.

CHAIR SEVERIN: Thank you, Mr. Chase.

At this time just to allow sufficient time for the board to review the comments that were made today in opposition and in favor, I'm looking for a motion from the board to continue this hearing to April 9, 2025, at 7:30.

DEPUTY CHAIR BASSIK: I will so move.

BOARD MEMBER STRUMINGER: Second.

CHAIR SEVERIN: All in favor?

VILLAGE ATTORNEY LEVIN: Who seconded?

BOARD MEMBER STRUMINGER: I second.

CHAIR SEVERIN: All in favor?

DEPUTY CHAIR BASSIK: Aye.

CHAIR SEVERIN: Aye.

BOARD MEMBER KANE: Aye.

BOARD MEMBER STRUMINGER: Aye.

BOARD MEMBER SCHUBERT: Aye.

CHAIR SEVERIN: Thank you.

(Time noted: 8:16 p.m.)

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