

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

April 22, 2025
7:30 pm

PRESENT: Douglas Weigler, Chair
Philip Goodman, Deputy Chair
Anthony Lobosco, Bruce Spenadel, Michael Strauss,
Members
Ray Dispaltro, Howard Fox, Alternate Members
Wendy Russo, Deputy Village Clerk
Peter Cinquemani, Superintendent of Building Department
A. Thomas Levin, Village Attorney

EXCUSED: None

The Chair announced that the next regular meetings of the Board would be May 27, 2025 and June 24, 2025, each at 7:30 pm.

A full Board being present, Mr. Dispaltro and Mr. Fox participated in all matters, but did not vote.

The Chair opened the public hearing for Case No. 25-01za. Application of Alan Cooper, Architect PLLC, as agent for Kenichi Yoshiya, 31 Windsor Gate Drive, North Hills, New York, for variances of Village Code §215-24(F)(7), to permit construction of a new deck to be located one foot from the rear property line, with no screening, where screening and a minimum setback of 10 feet are required. Premises are designated as Section 8, Block A, Lot 821 on the Nassau County Land, and are also known as 31 Windsor Gate Drive, North Hills. The minutes of the hearing were transcribed stenographically, and are on file with these minutes. Alan Cooper AIA appeared for the applicants. After hearing all interested persons, on motion by Mr. Spenadel, seconded

by Mr. Strauss and adopted unanimously, the hearing was closed and decision reserved.

The Board discussed its policy with respect to the time in which permits, and certificates of occupancy or completion, are to be obtained when variances or special permits are approved. It was unanimously agreed that the standard conditions to be included in such approvals would be six months to obtain permits, and one year thereafter to obtain certificates of occupancy or completion, with the Board having discretion in any particular case to impose different conditions.

The Board discussed Case 25-01za, with respect to which a hearing had been held and concluded. . Mr. Strauss offered the following resolution, which was seconded by Mr. Lobosco and adopted unanimously:

WHEREAS, the Board of Appeals has duly held and concluded a public hearing with respect to Case 25-01za, Application of Alan Cooper, Architect PLLC, as agent for Kenichi Yoshiya, 31 Windsor Gate Drive, North Hills, New York, for variances of Village Code §215-24(F)(7), to permit construction of a new deck to be located one foot from the rear property line, with no screening, where screening and a minimum setback of 10 feet are required, for premises, designated as Section 8, Block A, Lot 821 on the Nassau County Land, and are also known as 31 Windsor Gate Drive, North Hills, and

WHEREAS, the records of the Board demonstrate that due notice was given for the hearing of this application, and that after referral pursuant to General Municipal Law §239-m no comments or objections have been received from the Nassau County Planning Commission,

NOW, THEREFORE, BE IT

RESOLVED, that the relief sought in this application is a Type II Matter pursuant to the State Environmental Quality Review Act, which requires no particularized environmental impact review, and it is further

RESOLVED, pursuant to Village Code §215-44.1, the Board issues its decision with respect to this application as follows,

- (1) The standards for an area variance, having been satisfactorily met, the requested variance relief is granted in all respects, subject to the conditions hereinafter stated;
- (2) The placement and construction of the deck shall conform to the plans submitted to and reviewed by the Board, with minor variations as may be authorized by the Superintendent of Building Department where exigent circumstances exist;
- (3) This grant of relief from the provisions of the Village Code shall not relieve the applicants from obtaining any necessary permission or consents from any other agency, including any condominium or homeowners' association, having any jurisdiction;
- (4) The applicants shall obtain all necessary building permits for construction within six (6) months from the date of filing of this decision, and shall obtain all certificates of occupancy or completion within one (1) year after obtaining such building permits, in default of which this variance approval shall be null and void. Such time periods may be extended upon letter application, and no public hearing shall be required if such application is submitted prior to the expiration of the time period proposed to be extended.

There being no further business, on motion by Mr. Spenadel, seconded by Mr.

Goodman and adopted unanimously, the meeting was adjourned at 8:01 pm.

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

TIME: _____ **A.M./P.M.**

DATE: _____, **2025**