

PLANNING BOARD
VILLAGE OF NORTH HILLS
Village Hall
April 9, 2025
7:30 pm

PRESENT: Doreen Severin, Chair
Gary Schubert, Sharon Struminger, Members
Raymond Kotcher, Alternate Member
Peter Cinquemani, Superintendent of Building Department
Wendy Russo, Deputy Village Clerk
A. Thomas Levin, Village Attorney

ABSENT: Barry Bassik, Deputy Chair
Margo Kane, Member

The Chair called the meeting to order at 7:30 p.m.

The Chair announced that the next regular meeting of the Planning Board would be held at Village Hall on May 14, 2025 at 7:30 pm.

The Board held a continued public hearing with respect to Case 24-12ps, Application of 275 Old Shelter Rock LLC, c/o Nirav Patel, 10 Roseanne Drive, North Hills, New York 11576, pursuant to Chapter 179 of the Village Code, for (a) waiver of certain subdivision requirements, and (b) approval to subdivide the subject property into four (4) single family residential lots and one (1) lot for a private road. Premises are known as 275 Old Shelter Rock Road, and are designated as Section 7, Block 319, Lot 7 on the Nassau County Land and Tax Map. Premises are located east of Shelter Rock Road and north of I.U. Willets Road. John Chase, Esq. appeared for the applicant, with Mike Rant (Northcoast Civil) and Nirav Patel. The minutes of the hearing were transcribed stenographically and are on file with these minutes. Mr. Chase and Mr. Rant summarized revisions which have been made to the application, and response to

issues previously raised by the Board. The Board received public comments from various residents of neighboring properties. After hearing all interested persons present, a motion by Mr. Kotcher, seconded by Ms. Struminger, to continue the hearing to May 14, 2025 at 7:30 pm was unanimously adopted.

The Board discussed Case 25-03pb-w, Application of Lana Bakhsh, 33 Sequoia Circle, Manhasset, New York. It was noted that although the application states that covenants and restrictions previously imposed by the Planning Board at the time of subdivision approval requires the approval of the Planning Board and the Board of Appeals for any proposed variances, the conditions of the prior subdivision approval require Planning Board permission for any variance applications to be made to the Board of Appeals, and that the Planning Board has no authority to approve any requested variances. The Board and the Village Attorney discussed the purposes of the subdivision conditions which required Planning Board permission to apply for any variances, and which otherwise prohibited any variances. After discussion, the following resolution was offered by Mr. Kotcher, seconded by Ms. Struminger, and adopted unanimously:

Whereas, Lana Bakhsh has applied (Case 25-03pb-w) for Planning Board permission to make application to the Board of Appeals for certain zoning variances to be requested by the applicant with respect to proposed construction at premises 33 Sequoia Circle, Manhasset, New York, also known as Section 3, Block 240, Lot 33 on the Nassau County Land and Tax Map, and

Whereas, such permission is required for any variance applications due to conditions of approval of the subdivision plan for the development in which the subject property is located, and

Whereas, such conditions were imposed by the Planning Board after extensive review of the proposed Manhasset Crest subdivision, including assurances from the developer that all proposed lots in such subdivision could be developed without any zoning variances, and

Whereas, it was the intention of the Planning Board in imposing such conditions that the development of the various lots in the subdivision would be accomplished strictly in compliance with all Village zoning regulations, and

Whereas, the instant application seeks permission of the Planning Board to make application for variances of several dimensional requirements of the Zoning Code in connection with ancillary features of the proposed construction at the subject property, none of which would significantly disrupt the plan that all aspects of the development be zoning compliance, and

Whereas, the Planning Board concludes that whether or not to approve the particular variances sought by the applicant for this property should be determined by the Board of Appeals, based on customary legal principles applicable to zoning variances,

Now, therefore, be it

Resolved, that the determination of this application is not an Action, as defined in the State Environmental Quality Review Act, and therefore requires no environmental impact review pursuant to such law; and it is further

Resolved, subject to the conditions hereinafter stated, permission is granted to the applicant to make application to the Board of Appeals for the variances enumerated in the instant application, and it is further

Resolved, that the foregoing permission is granted subject to the following conditions:

1. No variances are to be requested from the Board of Appeals other or different than those enumerated in the instant application;
2. The permission herein granted to make application to the Board of Appeals shall not be deemed or interpreted to indicate any determination by the Planning Board as to the merits of any such variance application or any part thereof;
3. Any such application to the Board of Appeals shall be filed within three (3) months of the date on which the applicant (or the applicant's agent) is given written notice of this determination;
4. Any such timely application shall thereafter be diligently pursued by the applicant; and
5. In default of compliance with the foregoing conditions, this approval shall terminate and lapse without further notice.

There being no further business, the meeting was adjourned at 8:11pm on motion by Mr. Schubert, seconded by Ms. Struminger, and adopted unanimously.

THE ABOVE MINUTES WERE FILED IN
THE VILLAGE OFFICE OF THE
VILLAGE OF NORTH HILLS AT:
TIME: 11:29 AM PM

DATE: 4/21 2025
PERSON FILING: W. Bluso
(Print the full name of the filer)