

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

June 24, 2025
7:30 pm

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

EXCUSED: Philip Goodman, Deputy Chair
Michael Strauss, Member

The Chair announced that the next regular meetings of the Board would be July 22, 2025 and August 26, 2025, each at 7:30 pm. In addition, the November and December 2025 meeting dates are changed to November 17, 2025 and December 16, 2025, respectively.

In view of the absence of two Board members, Mr. Dispaltro and Mr. Fox each participated in all matters as alternate members.

The Chair opened the continued public hearing for Application #25-04za, Application of Lana Bakhsh, 33 Sequoia Circle, North Hills, New York for (a) a special use permit pursuant to Village Code §215-25(E)(2)(b) for a swimming pool as an accessory use, (b) a special permit pursuant to Village Code §215-25(E)(2)(h) for a fence as an accessory use, (c) a variance pursuant to Village Code §215-25(E)(5)(c), to permit a barbecue or grill with width of 10 feet where a maximum of 6 feet is permitted, (d) a variance of Village Code §215-33(B)(1) to permit a pool and related decks, fences and machinery to be located other than between the dwelling and the rear property line

closer to the street line than the rear wall of the main building, (e) a variance of Village Code §215-33(B)(2) to permit pool equipment to be located 20 feet from the side property line where a minimum of 25 feet is required, and (f) a variance of Village Code §215-33(B)(4) to permit pool machinery to be located without being enclosed in a soundproof structure. Premises are designated as Section 3, Block 240, Lot 33 on the Nassau County Land and Tax Map, also known as 33 Sequoia Circle, North Hills, New York. The minutes of the hearing were transcribed stenographically, and are on file with these minutes. Henry Sombke appeared for the applicants, who also were present in person. After hearing all interested persons, on motion by Mr. Lobosco, seconded by Mr. Fox and adopted unanimously, the hearing was closed and decision reserved.

The Chair opened the public hearing for Application #25-05za, Application of Choon Sun An, Steven An, Martin An and Maryann An, 88 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 1.1 feet from 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 821-65 on the Nassau County Land and Tax Map, also known as 88 Windsor Gate Drive, North Hills, New York. The minutes of the hearing were transcribed stenographically, and are on file in the Village office. The Chair announced that due to the applicants' failure to do the required mailing of notice, and file proof of mailing, the hearing could not continue on this date. On motion by Mr. Spenadel, seconded by Mr. Fox and adopted unanimously, the hearing was adjourned to July 22, 2025 at 7:30 pm.

The Board discussed Application #22-12za-ex2, Northwell Health, Inc., 2000 Marcus Avenue, New Hyde Park, NY for premises located at 600 Community Drive,

Manhasset, NY — Request for extension of time to obtain required permits. Joseph Bjarnson, Esq. was present for the applicant, and reviewed the grounds for the request as stated in the letter application. Mr. Bjarnson also noted that the Planning Board had approved a similar request for this project. After discussion, on motion by Mr. Weigler, seconded by Mr. Fox and adopted unanimously, the application was granted and the time in which the applicant is required to obtain all required permits was extended to March 31, 2026.

The Board discussed Case 25-04za, with respect to which a hearing had been held and concluded. Mr. Spenadel 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 Application #25-04za, Application of Lana Bakhsh, 33 Sequoia Circle, North Hills, New York for (a) a special use permit pursuant to Village Code §215-25(E)(2)(b) for a swimming pool as an accessory use, (b) a special permit pursuant to Village Code §215-25(E)(2)(h) for a fence as an accessory use, (c) a variance pursuant to Village Code §215-25(E)(5)(c), to permit a barbecue or grill with width of 10 feet where a maximum of 6 feet is permitted, (d) a variance of Village Code §215-33(B)(1) to permit a pool and related decks, fences and machinery to be located other than between the dwelling and the rear property line closer to the street line than the rear wall of the main building, (e) a variance of Village Code §215-33(B)(2) to permit pool equipment to be located 20 feet from the side property line where a minimum of 25 feet is required, and (f) a variance of Village Code §215-33(B)(4) to permit pool machinery to be located without being enclosed in a soundproof structure. Premises are designated as Section 3, Block 240, Lot 33 on the Nassau County Land and Tax Map, also known as 33 Sequoia Circle, North Hills, New York, 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 special use permits, and area variances, having been satisfactorily met, the requested permit and variance relief is granted in all respects, except as otherwise stated herein, and subject to the conditions hereinafter stated;
- (2) With respect to the use permit for the swimming pool, revised plans satisfactory to the Building Department shall be submitted such that the pool location is moved one foot to the west, and the pool cover structures relocated, so that they are not within the walk line of the stairs;
- (3) The pool machinery and equipment be located as shown on the plans, and not in the rear yard, and the landscape screening shown on the plans shall be maintained at all times that the pool machinery and equipment remain at such location;
- (4) The placement and construction of the pool, related structures and equipment, and barbecue, shall conform to the plans submitted to and reviewed by the Board, with such variations to comply with the foregoing conditions as may be authorized by the Superintendent of Building Department, as well as such other variations as may be necessary where exigent circumstances exist;
- (5) This grant of relief pursuant to 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;
- (6) 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.

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There being no further business, on motion by Mr. Fox, seconded by Mr. Lobosco and adopted unanimously, the meeting was adjourned at 8:17 pm.

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

TIME: 11:44 A.M./P.M.

DATE: 7/7, 2025
W Russo