

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

July 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
A. Thomas Levin, Village Attorney

EXCUSED: Peter Cinquemani, Superintendent of Building Department

The Chair announced that the next regular meetings of the Board would be August 26, September 23, October 28, November 17 and December 16, 2025, all at 7:30 pm.

All Board members being present, Alternates Dispaltro and Fox participated in all matters, but did not vote.

The Chair opened the public hearing for Case No. Application #25-05za. (Continued) 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 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 821-65 on the Nassau County Land and Tax Map, also known as 88 Windsor Gate Drive, North Hills, New York. Steven An appeared for the applicants. The minutes of the hearing

were transcribed stenographically and are on file with these minutes. After hearing all interested persons, the hearing was closed on motion by Mr. Spenadel, seconded by Mr. Strauss and adopted unanimously.

The Board discussed Case 15-05za, with respect to which a hearing had been held and concluded. Mr. Goodman offered the following resolution, which was seconded by Mr. Lobosco, adopted unanimously:

WHEREAS, the Board of Appeals has duly held and concluded a public hearing with respect to Case No. Application #25-05za. (Continued) 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 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 821-65 on the Nassau County Land and Tax Map, also known as 88 Windsor Gate Drive, 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 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, provided, however, that no portion of the deck shall be located closer to the property line than the deck show in Applicant's Exhibit 2;
- (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.

The Board discussed revision of the Board's application form, to provide applicants with based information as to the standards for use variances and area variances. The Village Attorney was requested to draft such information for Board review.

There being no further business, on motion by Mr. Strauss, seconded by Mr. Lobosco, the meeting was adjourned at 8:11 pm.

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

TIME: 12:03 A.M./P.M.

DATE: 8/8, 2025

W. Russo