

VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE RD.
NEW CITY, N.Y. 10956

ZONING BOARD OF APPEALS

REGULAR MEETING
WEDNESDAY, February 23, 2022
7:30 P.M. – ZOOM & IN PERSON

PRESENT

SOLOMON FUERST, CHAIR OF THE ZONING BOARD
MEIR ROTHMAN
ARYEH TAUB
MOSHE ZAMIR

ABSENT

ELLIOT ZISMAN

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
EILEEN SAMMARONE, DEPUTY VILLAGE CLERK-TREASURER
ZACK KAMM, VILLAGE ENGINEER

Open Meeting

Roll Call

APPROVAL OF MINUTES- AUGUST 25, 2021, DECEMBER 22, 2021

There were not enough members for August 25th, 2021 minutes to be approved.

Mr. Zamir offered the following motion, which was seconded by Mr. Rothman:

Resolution # ZBA 2022-1

Resolved, that the Zoning Board of Appeals hereby approves the minutes of the ZBA meeting held on December 22, 2021 and the reading of said minutes is waived. Chairman Fuerst called for a vote. The vote was 3-0.

PUBLIC HEARING- BAYLA PEARLSTEIN., 280 HEMPSTEAD RD. NEW HEMPSTEAD NY 10977, The applicant is requesting a variance from section 290-28 of the Zoning Law of the Village of New Hempstead for (i) Accessory Structure under 160 SF. Proposing 6.20 FT existing non-conforming instead of the minimum required 6.66 FT from the property line. (ii) Accessory Structure over 160 SF. Proposing 6.3 FT existing non-conforming instead of the minimum required 20 FT from the property line. (iii) Proposing an impervious surface of .46 instead of the maximum permitted .25 and (iiii) proposing an existing lot area of 24,941 SF instead of the minimum lot area of 25,000 SF.

Mrs. Sammarone stated in ran in the Rockland Journal News 2/8/2022 Affidavits of notice and postings were timely.

Bayla Pearlstein, Applicant

Went through the variances she is requesting. This is all existing except for the Pool that is shown.

Zack Kamm, Village Engineer

There are 2 existing sheds neither conform on the setbacks so they are existing nonconforming. The driveway expansion is also triggering variances.

Chairman Fuerst asked how old the sheds were.

About a two years if not more.

The board and professionals discusses the size of the sheds with the applicant.

Chairman Fuerst had questions regarding the impervious surface because of the proposed driveway and macadam. The board asked the applicant why it's so big.

The applicant responded most of the driveway was existing. The only thing added was the pool.

The board explained because of the macadam and the four accessory structures the applicant needs the variance.

Zack Kamm, Village Engineer

If these items are already constructed the site needs to be resurveyed and the items marked as proposed need to be removed and mark what is currently there.

The board requested a narrative about what the applicant is looking for.

Mr. Taub offered the following motion, which was seconded by Mr. Zamir:

Resolution # ZBA 2022-2

Resolved, that the Zoning Board of Appeals hereby open the public hearing for Bayla Pearlstein., 280 Hempstead Rd. New Hempstead NY 10977. Chairman Fuerst called for a vote. The vote was 4-0. The resolution was adopted.

Marva Fletcher, 286 Hempstead Rd.

Lived there since 2003. The pool sheds were put up sometime last year. Lives to the left from the applicant. When the first shed was being put up it was built at night. When the second shed was being built her fiancé told the person building that it was too close to the property line and too large. Nothing was done. The sheds are unsightly, devalue surrounding properties. No other house in the area has a shed the size of a house. The driveway was expanded with a walkway where strangers walk through. Does not feel it is fair for these approvals to be given. Shares some photos of the condition with the board.

The board further discusses the condition from before the applicant moved in to now to what is being proposed.

Chairman Fuerst stated the board is going to adjourn the Public Hearing until the Inspector can go out to the site to determine what the situation is.

The village engineer will be in contact with the applicants engineer to clear things up.

Chairman Fuerst explained to the applicant he understands that she may not have known she needed a permit the professionals she hired to do the job should have.

Mr. Taub offered the following motion, which was seconded by Mr. Zamir:

Resolution # ZBA 2022-3

Resolved, that the Zoning Board of Appeals hereby Adjourn the public hearing for Bayla Pearlstein., 280 Hempstead Rd. New Hempstead NY 10977. Chairman Fuerst called for a vote. The vote was 4-0. The resolution was adopted.

MOTION TO ADJOURN

Mr. Taub offered the following motion, which was seconded by Mr. Zamir:

Resolution #ZBA 2022-4

Resolved, that the meeting held by the Zoning Board of Appeals on February 23, 2022 Is hereby adjourned. Chairman Fuerst called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully submitted,
Allison Weinraub, Village Clerk- Treasurer