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Proceedings - 571 Lincoln Street

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

YAAKOV GOODMAN
571 Lincoln Street

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

June 1, 2023
7:02 p.m.

B E F O R E

MEIR KRENGEL, Chairman

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - 571 Lincoln Street

2 CHAIRMAN KRENGEL: Good evening. The
3 first case on the calendar tonight has been
4 assigned Case Number 9 of 2023. It is the
5 application of Yaakov Goodman, the applicant
6 of a parcel known as 571 Lincoln Street,
7 designated as Section 39/Block 273/Lot 21.
8 Property is in an R2 zone.

9 The applicant proposes to construct a
10 two-story rear addition. The application
11 seeks variances from Cedarhurst Code Section
12 265-49C, building area and 265-52A, side yard.
13 Just as a note, the zoning analysis of the
14 plan is incorrect. The correct side yard is 4
15 feet and 12 feet. The zoning analysis
16 indicated side yards of 6 feet and 10 feet.
17 Variance request is for side yards of 4 feet
18 and 12 feet, which is an existing condition on
19 the other parts of the home.

20 This Board has determined that the
21 application is a Type II Action pursuant to
22 Section 617.3 of the New York State Department
23 of Environmental Control Regulations and does
24 not require an Environmental Impact Statement.
25 The village attorney will now read a statement

1 Proceedings - 571 Lincoln Street

2 into the record.

3 MR. GOLDFEDER: Mr. Chairman, members of
4 the Board, for the record, we have been
5 provided with proof of the mailing and
6 publication in the local newspaper of record,
7 of all notices of this hearing as required by
8 law. Accordingly, jurisdiction has been
9 obtained over all necessary parties, and this
10 Board has jurisdiction to hear this appeal.

11 Pursuant to New York State General
12 Municipal Law Section 809, on April 25, 2023,
13 a non-collusion affidavit has been duly
14 executed by the applicant, Yaakov Goodman,
15 wherein he stated that there are no other
16 persons or entities involved in this
17 application that are employed by or connected
18 to the Village of Cedarhurst, its officers, or
19 employees, which would in any way constitute a
20 conflict under the law.

21 Pursuant to an agreement between the
22 Village of Cedarhurst and Nassau County
23 Planning Commission, the Nassau County
24 Planning Commission has been given notice of
25 this application and has waived consideration

1 Proceedings - 571 Lincoln Street
2 thereof. Mr. Chairman, members of the Board.

3 CHAIRMAN KRENGEL: Will the applicant
4 please step forward. State your name and
5 address.

6 MR. GOODMAN: Yaakov Goodman, 571
7 Lincoln Street, Cedarhurst, New York.

8 CHAIRMAN KRENGEL: Okay. You want to
9 state your case?

10 MR. GOODMAN: Okay. So we are looking
11 to, paperwork, we are looking to build out a
12 little bit. I initially wanted to do a little
13 more like 14- or 16-foot, but that would have
14 gone above 35 percent. So we scaled it back a
15 number of times and we -- the plan we have put
16 forth right now is the minimum we would need,
17 which I believe -- I think it's 14-foot, about
18 13-foot build-out, somewhere around there.
19 Just to build anything.

20 So I have a growing family. I have a
21 daughter with special needs who needs her own
22 bedroom. Right now we are in three bedrooms.
23 So the most important thing is that we get a
24 fourth bedroom and a kitchen that could
25 support a family of our size.

1 Proceedings - 571 Lincoln Street

2 CHAIRMAN KRENGEL: And you currently
3 live in the house, correct?

4 MR. GOODMAN: Yes.

5 CHAIRMAN KRENGEL: So what are you
6 adding? Just adding on the main floor?

7 MR. GOODMAN: The ground floor. It's
8 the width of the house, and it's around about
9 12 and a half or 13 foot on to where the deck
10 is and the top floor is.

11 CHAIRMAN KRENGEL: What's going to be
12 there? You move your kitchen back there?

13 MR. GOODMAN: Yes. That's going to be
14 the kitchen.

15 CHAIRMAN KRENGEL: Expand the dining
16 room?

17 MR. GOODMAN: No. That area where the
18 kitchen is now is going to just be more a
19 morning room or whatever they call it in
20 America.

21 CHAIRMAN KRENGEL: I don't know what a
22 morning room is.

23 MR. GOLDFEDER: A breakfast nook.

24 MR. GOODMAN: And upstairs is going to
25 be a bedroom with its own suite.

1 Proceedings - 571 Lincoln Street

2 CHAIRMAN KRENGEL: You are taking the
3 bathroom on the main floor out?

4 MR. GOODMAN: Yes. It's going out, but
5 it's going to be moved into the corner. I
6 think it shows the plans there.

7 CHAIRMAN KRENGEL: This shows --

8 MR. YARNELL: Go to A-2. The corner.

9 CHAIRMAN KRENGEL: Excuse me, sir. You
10 are?

11 MR. GOODMAN: This is my architect.
12 Yes, okay. So I see existing kitchen, it's on
13 the right-hand corner. Where the steps to the
14 basement go down.

15 CHAIRMAN KRENGEL: Gotcha. So the
16 variance you are requesting is a 35-foot lot
17 coverage. And the side yard variances are in
18 line with the current house, correct? Not
19 increasing the side yard?

20 MR. GOODMAN: No, not -- I think it came
21 out to 34.

22 CHAIRMAN KRENGEL: We have it 35.

23 MR. CASTRO: Increasing the side yard.

24 CHAIRMAN KRENGEL: Okay. Is that your
25 case?

1 Proceedings - 571 Lincoln Street

2 MR. GOODMAN: Yes.

3 CHAIRMAN KRENGEL: Thank you. Anybody
4 have any questions? You have any questions?
5 Anybody in the audience would like to speak in
6 favor or against the application? The Board
7 will take a vote.

8 I will make a motion to approve the
9 application just with the note that although
10 35 percent is generally a very large ask, I
11 would call it due to the fact that this is a
12 4,000-square-foot lot, I would propose that we
13 approve this application.

14 MR. SHTEIERMAN: Approved.

15 MR. CLARK: Approved.

16 MS. EDELMAN: Approved.

17 MR. BLEIBERG: Approved.

18 CHAIRMAN KRENGEL: Approved.

19 (Time noted: 7:09 p.m.)

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Proceedings - 571 Lincoln Street

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

I, YAFFA KAPLAN, a Notary Public
within and for the State of New York, do
hereby certify that the foregoing record of
proceedings is a full and correct
transcript of the stenographic notes taken
by me therein.

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June, 2023.

YAFFA KAPLAN

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APPLICATION FOR ZONING VARIANCE
IN THE MATTER OF
ELISSA GARELL
575 Grant Place
Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

June 1, 2023
7:09 p.m.

B E F O R E
MEIR KRENGEL, Chairman
MICHAEL BLEIBERG, Board Member
JARED CLARK, Board Member
DAVID SHTEIERMAN, Board Member
YOEL GOLDFEDER, Village Attorney
WAYNE YARNELL, Supt. Bldg. Dept.

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Proceedings - 575 Garell Place

CHAIRMAN KRENGEL: Second case on the calendar tonight has been assigned Case Number 10 of 2023, application of Elissa Garell, the applicant of a parcel known as 575 Grant Place. It's designated as Section 39/Block 269/Lot 110. The property is in an R1 zone.

The applicant proposes to construct a two-story addition. The applicant seeks variance from Cedarhurst Code Section 265-41A, side yard. This Board has determined that the application is a Type II Action pursuant to Section 17.2 of the New York State Department of Environmental Control Regulations and does not require an Environmental Impact Statement. The village attorney will now read a statement into the record.

MR. GOLDFEDER: Mr. Chairman, members of the Board, for the record, we have been provided with proof of the mailing and publication in the local newspaper of record, of all notices of this hearing as required by law. Accordingly, jurisdiction has been obtained over all necessary parties, and this Board has jurisdiction to hear this appeal.

1 Proceedings - 575 Garell Place

2 Pursuant to New York State General
3 Municipal Law Section 809, on March 10, 2023,
4 a non-collusion affidavit has been duly
5 executed by the applicant, Jay Garrel, wherein
6 he stated that there are no other persons or
7 entities involved in this application that are
8 employed by or connected to the Village of
9 Cedarhurst, its officers, or employees, which
10 would in any way constitute a conflict under
11 the law.

12 Pursuant to an agreement between the
13 Village of Cedarhurst and Nassau County
14 Planning Commission, the Nassau County
15 Planning Commission has been given notice of
16 this application and has waived consideration
17 thereof. Mr. Chairman, members of the Board.

18 CHAIRMAN KRENGEL: State your name and
19 address.

20 MR. CAPPUCCI: Good evening. My name is
21 Nicholas Cappucci, C-A-P-P-U-C-C-I. I work
22 with Todd O'Connell Architects, 1200 Veterans
23 Highway, Suite 120, Hauppauge, New York.
24 Green cards for submittal. So representing
25 Mrs. Garrel, Mr. And Mrs. Garrel.

1 Proceedings - 575 Garell Place

2 Small two-story addition in the back
3 that we are proposing. We are aligning and
4 keeping the nonconforming conditions of the
5 house with the side yards and aligning that to
6 play off and put the addition in the back. So
7 you will not see this addition from the front,
8 so the feel and the aesthetics of the block
9 will remain everything the same.

10 By aligning the sides, we have a
11 5.7-foot setback that we need to hold. They
12 required 6 foot and with that again, the
13 aggregate side yard will be 14.39. The
14 setback that's required is 16 feet. Again, we
15 are aligning with the existing kind of
16 nonconforming house and that's about it.

17 Everything else is in compliance. Rear
18 yard. Lot coverage, we all fit, and we are
19 just asking you to keep our -- continue the
20 nonconforming conditions with the side yard
21 and aggregate.

22 MR. GOLDFEDER: Just some clarification,
23 it looks like the front of the house, it's 5.2
24 side yard setback. Then at the back of the
25 house it goes to 5.7, and then you are going

1 Proceedings - 575 Garell Place

2 to be at 6 feet?

3 MR. CAPPUCCI: Correct. So that side
4 property is not really on a 90 -- towards the
5 back, it kind of tapers off, so the rear
6 addition, the end corner will be a little
7 greater at 6 feet. The 5.7 will be where the
8 existing house corner is. That's why we are
9 in front of you today.

10 MR. YARNELL: Off the record.

11 (Discussion off the record.)

12 MR. CAPPUCCI: We will make it as
13 straight as we can, and I am sure the final
14 survey will dictate that.

15 CHAIRMAN KRENGEL: Thank you. I would
16 ask if anybody has anything to comment, but
17 there is no one in the audience. So Mr.
18 Yarnell?

19 MR. YARNELL: Just one point. We need
20 to have access from the garage to the
21 driveway, whether it be gravel, paved,
22 blacktop, something. Can't just be a grass
23 area that's grassed over access from the
24 garage to there. So a driveway of some nature
25 whether it be gravel, stone, brick from the

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Proceedings - 575 Garell Place

garage doors to where the concrete driveway
is.

MR. GOODMAN: Okay. That's not a
problem. I am just willing to put on the
record that the homeowners did speak to their
neighbors and she may submit letters in favor
but they all are in favor of the project.

CHAIRMAN KRENGEL: Thank you. Take a
vote.

MR. SHTEIERMAN: Approved.

MR. CLARK: Approved.

MS. EDELMAN: Approved.

MR. BLEIBERG: Approved.

CHAIRMAN KRENGEL: Approved. Thank you.

(Time noted: 7:13 p.m.)

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Proceedings - 575 Garell Place

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

I, YAFFA KAPLAN, a Notary Public
within and for the State of New York, do
hereby certify that the foregoing record of
proceedings is a full and correct
transcript of the stenographic notes taken
by me therein.

IN WITNESS WHEREOF, I have hereunto
set my hand this 15th day of June, 2023.

YAFFA KAPLAN

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