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VILLAGE OF NORTH HILLS  
BOARD OF APPEALS

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IN THE MATTER OF THE  
APPLICATION OF Case #24-10za  
HOWARD POMERANZ & ALLAN GRABKOWITZ, 24 Fox  
Run, Roslyn Heights, New York,  
Applicants.

-----X

BEFORE: DOUGLAS S. WEIGLER, Chairman  
BRUCE SPENADEL, Member  
MICHAEL STRAUSS, Member  
PHILIP GOODMAN, Member  
ANTHONY LOBOSCO, Member  
RAYMOND DISPALTRO, Alternate Member  
HOWARD FOX, Alternate Member

DATE: November 19, 2024  
TIME: 7:30 p.m.  
PLACE: VILLAGE HALL  
One Shelter Rock Road  
Roslyn, New York 11576

VILLAGE OF NORTH HILLS  
2024 NOV 21 PM 1:09  
RECEIVED

A. THOMAS LEVIN, ESQ, Village Attorney  
PETER CINQUEMANI, R.A., Superintendent of  
Building Department  
DEPUTY CLERK/TREASURER: WENDY RUSSO  
REPORTED BY: JOANNE HORROCKS, CSR

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THE CHAIRMAN: Public hearing for application 24-10za, the continued hearing. Application of Howard Pomeranz and Alan Grabkowitz, 24 Fox Run, Roslyn Heights, New York for relief from the provisions of Village Code 215-24(F)(8), to permit the extension of a rear open deck with a boundary line setback of 31 feet 10 inches where a minimum of 50 feet is required.

Who is here for the applicant? Please state your name and address.

MR. YDELFOSONO: Good evening. My name is Ydelfonso Sosa, Y-D-E-L-F-O-N-S-O, Sosa, S-O-S-A, and the address is 24 Fox Run.

THE CHAIRMAN: Do you have anything you wish to add to your previous testimony?

MR. YDELFOSONO: Yes. Well, it's about the same. We have the property in the rear yard is on a cliff, hill, downhill, so it's not appropriate to

1  
2 spend time in that area. That's why we  
3 requesting to enlarge the deck so we  
4 can have better place to spend the  
5 time.

6 THE CHAIRMAN: At the last  
7 hearing, the question was asked, So  
8 your neighbor at 25 has an extension of  
9 their deck out to actually what we are  
10 preparing. This was said by Mr.  
11 Pomeranz. That's not how it appeared  
12 to me.

13 Further, Mr. Pomeranz later on  
14 said, What we're proposing is the same  
15 for what our neighbor has currently at  
16 25.

17 We also asked for a plan showing  
18 the decks, and if you look at the plan,  
19 25's deck, this is what you submitted,  
20 is not an extended deck.

21 MR. SPENADEL: You're talking  
22 about the adjacent decks.

23 THE CHAIRMAN: Correct, I'm  
24 looking at the adjacent deck. To my  
25 understanding, 24 and 25 are in the

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Pomeranz - Grabkowitz 4

same building. 24 is the applicant, and they are telling us what they are doing is the same thing that number 25 is doing.

Do you have anything to add to that?

MR. YDELSONSO: I'm sorry for the misinformation, and so in reality, which I told you about the hill in the back --

THE CHAIRMAN: Right.

MR. YDELSONSO: -- that's what we are proposing, and we are asking for permission. We know it's not as per code, but as a variance, we just asking for if you can grant this permission.

THE CHAIRMAN: But to the question that was asked last month by Mr. Spenadel, are there other units in the area that have an extended deck out to the distance that Mr. Pomeranz is requesting, and the answer was, Yes. But I assume that was an error.

MR. YDELSONSO: Yes, that was a

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misinformation.

THE CHAIRMAN: Does anybody here have any other questions?

MR. FOX: I have a question. The deck extension, is that going to be at the same level as the existing deck?

MR. YDELSONSO: That's correct, sir.

MR. FOX: Straight down?

MR. YDELSONSO: Yes.

MR. FOX: That was a misconception last time. It looks like this was a step down, and I know he is handicapped, and that would eliminate.

MR. YDELSONSO: They are on the same level.

THE CHAIRMAN: Is there anyone else here wishing to speak in favor of the application? Please step forward, state your name and your address.

MR. BRIZA: Michael Briza, B-R-I-Z-A, and I work with the architects. I'm an associate.

So to me, he should get the

1 relief because Mr. Pomeranz' partner is  
2 handicapped, and we are enlarging by 10  
3 feet only the deck.  
4

5 You see on the picture, it's a  
6 cliff, so you can't really use that  
7 whole backyard. Fifty feet is unused.  
8 He just wants for his partner 10 more  
9 feet for the deck so they can make a  
10 nice sitting area, they can get some  
11 fresh air, stuff like that. That's it.

12 And maybe if you do a conditional  
13 approval, when he sells it, he could  
14 put it back to the way it is right now.

15 THE CHAIRMAN: Is there anyone  
16 else wishing to speak in favor of the  
17 application? Is there anyone here?

18 MS. BRIZA: Hi. Elain Briza,  
19 B-R-I-Z-A, first name E-L-A-I-N. I  
20 work for the architect as well.

21 Yeah, this is -- we know that we  
22 are asking, but our client needs 10  
23 more feet of the deck. We got plenty  
24 of space.

25 We have some pictures here. We

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see the feet --

THE CHAIRMAN: Unless something was given to the Village 10 days in advance, we cannot accept it. Go ahead.

MS. BRIZA: So we still have the 31 feet after that extension. We still comply not all the way we supposed to. But we still have those feet over there.

He is still going to have a rear yard after the 10 feet we are proposing to extend.

That's all I wanted to say. And he's handicapped. He needs extra space, and that's why he wants it.

THE CHAIRMAN: Thank you. Is there anyone wishing to speak in favor of the application?

MR. LEVIN: May I ask a question?

THE CHAIRMAN: Certainly.

MR. LEVIN: To clarify something, Mr. Sosa mentioned that he would be willing to agree to remove the extra

1  
2 part of the deck if their property is  
3 sold. I just want to get clear if the  
4 property is sold by whom? There appear  
5 to be two owners.

6 MR. BRIZA: That's a good  
7 question.

8 MR. LEVIN: That's why I asked  
9 it.

10 MR. BRIZA: I think they both  
11 have to sell it.

12 THE CHAIRMAN: Anyone here  
13 wishing to speak --

14 MR. LEVIN: The problem with both  
15 having to sell it, if one of the owners  
16 is handicapped and he sells it or  
17 passes away or moves and the remaining  
18 owner is not handicapped, is the deck  
19 going to remain, or is it going to go  
20 back to the way it was?

21 MR. BRIZA: I would say we remove  
22 it, the portion that we're going to  
23 extend, we like to extend. Bring it  
24 back to what it is right now.

25 MR. LEVIN: The nonconforming



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part?

MR. BRIZA: Yes.

THE CHAIRMAN: Anyone wishing to speak against the application?

Are there any questions here for the applicants? Then I will accept a motion to close the hearing.

MR. SPENADEL: I'll make a motion to close the hearing.

MR. GOODMAN: Second.

THE CHAIRMAN: Motion made by Mr. Spenadel, seconded by Mr. Goodman. All in favor?

(Whereupon, all Board members indicate in the affirmative.)

THE CHAIRMAN: Unanimous. Thank you.

MR. YDELFONSO: Thank you, everybody.

MR. BRIZA: Thank you.

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Certification

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This is certified to be a true and accurate transcript of my stenographic notes taken in the above-captioned matter.

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Joanne Horrocks, CSR  
Official Court Reporter

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