

Village of Woodsburgh  
Building Department



30 Piermont Ave  
Hewlett, New York 11557  
(516) 295-1400

**Denial Letter**

Property: 847 IVY HILL RD  
Tax Map: 41112 00070

Zoning Case #: W-ZBA-20002  
Status: Active

SHMUEL BERRY & RAIZEL WEISS  
847 IVY HILL ROAD  
WOODMERE, NY11598



Dear Applicant:

Your application to

Construct a swimming pool with sun deck, a spa with a pavillon, pool equipment, fencing, masonry fireplace wall, playset, in ground trampoline, outdoor kitchen with pergola over it and pervious patio on a corner lot.

has been denied due to non compliance with the Village Code. Below are the following code sections:

Village Code Section	Code	Requirement	Proposed	Zone Type
150-39.A(1) Lot Coverage	The areas occupied by all buildings and structures and accessory used which extend above grade shall not exceed 15% of the lot area.	15% (4,404.47SF) of lot max	19.57% (5,746.6 SF) lot coverage	W Zone A
150-39.E Accessory Structures	Accessory buildings and structures are not permitted in a front yard.	Not permitted in a front yard	Playset located in a front yard	W Zone A
150-39.E Accessory Structures	Accessory buildings and structures are not permitted in a front yard.	Not permitted in a front yard	Inground trampoline in front yard	W Zone A
150-39.E Accessory Structures	Accessory buildings and structures are not permitted in a front yard.	Not permitted in a front yard	Fire pit in front yard	W Zone A
150-39.E Accessory Structures	Accessory buildings and structures are not permitted in a front yard.	Not permitted in a front yard	Masonry fireplace wall in front yard	W Zone A
150-39.E Accessory Structures	Accessory buildings and structures are not permitted in a front yard.	Not permitted in a front yard	Pergola in a front yard	W Zone A
150-39.E Accessory	Accessory buildings and	Not permitted in	Pavillion in a front	W Zone A

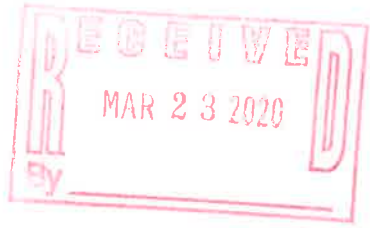
Structures	structures are not permitted in a front yard.	a front yard	yard	
150-39.E Accessory Structures	Accessory buildings and structures are not permitted in a front yard.	Not permitted in a front yard	Outdoor kitchen island in a front yard	W Zone A
150-47.B Swimming Pools	No swimming pool shall be constructed unless a permit for the same shall have been issued by the Board of Zoning Appeals.	Permit by Board of Zoning Appeals	Swimming Pool & Spa	W Zone A
150-47.D Swimming Pools	Every swimming pool shall be enclosed by a fence and said fence shall be properly screened with shrubs and plants located outside the fence.	Pool fencing to be screened by shrubs	No Shurbbery on the exterior of the fencing	W Zone A
150-47.H Swimming Pools	No swimming pool, including the fences surrounding it and the purifying apparatus shall be built or maintained except in a rear yard.	In rear yard only	Pool, Spa, equipment and fencing in front yard	W Zone A
150-47.H Swimming Pool - Setbacks	The pool, the fencing surrounding it and equipment shall not be less than 25 ft from any lot line.	25 ft from any property line	Pool equipment 14 ft 8 in from westerly lot line	W Zone A
150-47.H Swimming Pool - Fence Setbacks	The pool, the fencing surrounding it and equipment shall not be less than 25 ft from any lot line.	25 ft from any property line	5 ft on westerly lot line	W Zone A
150-47.H Swimming Pool - Fence Setbacks	The pool, the fencing surrounding it and equipment shall not be less than 25 ft from any lot line.	25 ft from any lot line	Along Hickory Rd lot line, 5 ft to less than 5 ft	W Zone A
150-50.C Fences	No fence or wall shall be erected or installed within 5 ft of a front property line.	5 ft back from front property line	Portion along Hickory Rd is less than 5 ft	W Zone A

If you wish to pursue this application, you may seek a variance from the Board of Appeals. Application must be made within sixty days of the filing of this determination and must include 1 original, 8 copies and 1 thumb drive, of the application, related documents and plans, and a filing fee of **\$2,000**.

Regards,  
  
William Dougherty, Code Enforcement Official

*Any questions feel free to email Dana@Woodsburghny.com  
Dated:03/06/2020*

CC: NORTHCOAST CIVIL LANDSURVEYING & CIVIL ENGINEERING  
23 SPRING STREET  
OYSTER BAY, NY 11771



**BOARD OF ZONING APPEALS  
INCORPORATED VILLAGE OF WOODSBURGH**

IN THE MATTER OF THE APPLICATION OF

OWNER NAME(S): Shmuel Weiss

FOR A VARIANCE OF SECTION(S): 150-39.A(1), 150-39.E, 150-47.B, 150.47.H & 150-50.C.

OF THE VILLAGE CODE OF THE INCORPORATED VILLAGE OF WOODSBURGH.

**TO:** THE BOARD OF ZONING APPEALS INCORPORATED VILLAGE OF WOODSBURGH

THE PETITION OF Shmuel Weiss

RESPECTFULLY ALLEGES AS FOLLOWS:

1. THE PETITIONER(S) IS A (ARE) RESIDENT(S) OF NASSAU COUNTY, CURRENTLY RESIDING AT 847 Ivy Hill Rd, Woodmere, N.Y.

2. THE PETITIONER(S) OWN(S) THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION LOCATED ON THE (N S E OR W) SIDE OF Ivy Hill Road  
Hickory Road  
AT THE INTERSECTION OF

(OR \_\_\_\_\_ FEET FROM \_\_\_\_\_ THE INTERSECTION OF \_\_\_\_\_), WITHIN THE INCORPORATED VILLAGE OF WOODSBURGH.

THE PREMISES IS ALSO DESIGNATED AS SECTION 41, BLOCK 112, LOT(S) 7

(& \_\_\_\_\_) ON THE NASSAU COUNTY LAND AND TAXMAP.

THE SUBJECT PREMISES IS LOCATED WITHIN THE RESIDENCE DISTRICT "A \_\_\_\_\_".

THE SUBJECT APPLICATION SEEKS A VARIANCE OF SECTION(S) 150-9.A(1), 150-39.E, 150-47.B, 150-47.D & 150.47.H. OF THE VILLAGE CODE OF THE INCORPORATED VILLAGE OF

WOODSBURGH, IN ORDER TO: CONSTRUCT (MAINTAIN) A: swimming pool with sun deck a spa with a pavilion, pool equipment, fencing, masonry fireplace, playset, in-ground trampoline, outdoor kitchen with pergola over it and a previous patio on a corner lot.

IN ACCORDANCE WITH PLANS SUBMITTED HEREWITH.

DISCLOSURE AFFIDAVIT  
General Municipal Law §809

BOARD OF ZONING APPEALS  
VILLAGE OF WOODSBURGH

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In the Matter of the application of

Owner: Shmuel Weiss

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STATE OF NEW YORK:  
ss:  
COUNTY OF NASSAU :

Shmuel Weiss being duly sworn, deposes  
and says:

I am ~~the applicant with respect to~~ / owner of the premises which is  
the subject of (cross out whichever is not applicable) the within  
application.

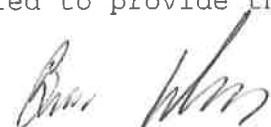
I make this affidavit for the purposes of complying with the  
requirements of General Municipal Law §809.

No officer of the State of New York, and no officer or employee of  
the County of Nassau, the Town of Hempstead or the Village of  
Woodsburgh and no party officer of any political party, has an  
interest in the within application within the meaning of General  
Municipal Law §809, except as stated hereinafter (if none, state  
"NONE"):

NAME    ADDRESS    POSITION    NATURE OF INTEREST

NONE

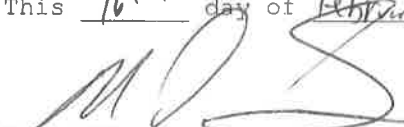
In the event there is any change in the information set forth herein  
between the date hereof and the final determination of this  
application, a supplemental affidavit will be filed to provide that  
further information.



(SIGNATURE)

Sworn to before me on

This 16th day of February, 2020



(NOTARY PUBLIC)

Michael Schwartz Notary Public, State of New York Registration #01SC5081668 Qualified In Kings County My Commission Expires July 7, 2021
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STATE OF NEW YORK

SS.;

PETITIONER VERIFICATION

COUNTY OF NASSAU

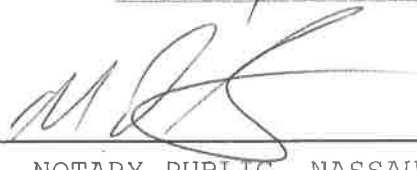
I (WE), Shmuel Weiss (AND \_\_\_\_\_),  
 BEING DULY SWORN, DEPOSE(S) AND SAY(S): I (WE) AM (ARE) THE  
 PETITIONER(S) IN THE WITHIN ACTION; I (WE) HAVE READ THE FOREGOING  
 PETITION AND KNOW THE CONTENTS THEREOF; THE SAME IS TRUE TO OUR OWN  
 KNOWLEDGE, EXCEPT AS TO THE MATTERS THEREIN STATED TO BE ALLEGED UPON  
 INFORMATION AND BELIEF AND AS TO THOSE MATTERS WE BELIEVE IT TO BE  
 TRUE.



PETITIONER'S SIGNATURE

PETITIONER #2 SIGNATURE

SWORN TO BEFORE ME THIS 6th  
 DAY OF February 2020



NOTARY PUBLIC, NASSAU COUNTY

Michael Schwartz  
 Notary Public, State of New York  
 Registration #01SC5081668  
 Qualified In Kings County  
 My Commission Expires July 7, 2021

# Short Environmental Assessment Form

## Part 1 - Project Information


### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Weiss Residence			
Project Location (describe, and attach a location map): 847 Ivy Hill Road, Woodmere, NY 11598 - Corner of Ivy Hill Road and Hickory Road			
Brief Description of Proposed Action: Proposed swimming pool with sun deck, a spa with a pavilion, pool equipment, fencing, masonry fireplace wall, playset, in-ground trampoline, outdoor kitchen with pergola over it, and permeable patio			
Name of Applicant or Sponsor: Northcoast Civil		Telephone: 516-922-3031	
		E-Mail: info@northcoastcivilcom	
Address: 23 Spring Street			
City/PO: Oyster Bay		State: New York	Zip Code: 11771
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Village of Woodsburg Building Permit			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.67 acres	
b. Total acreage to be physically disturbed?		0.26 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.67 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: Michael Rant _____ Date: <u>3/20/2020</u></p> <p>Signature:  _____</p>		



**OWNERS WITHIN 300' OF SECTION 41 BLOCK 112 LOT 7**

**Section 41 Block D:**

<u>Lot#</u>	<u>Owner</u>	<u>Address</u>
50	The Woodmere Club	99 Meadow Drive, Woodmere, NY 11598
51	The Woodmere Club	99 Meadow Drive, Woodmere, NY 11598
59	The Woodmere Club	99 Meadow Drive, Woodmere, NY 11598

**Section 41 Block 63:**

<u>Lot#</u>	<u>Owner</u>	<u>Address</u>
5	Saeed & Leslie Torbati	172 Noye Lane, Woodmere, NY 11598
8	Gerald & Joyce Rubin	878 Ivy Hill Road, Woodmere, NY 11598
9	Leon & Merlene Berstein	882 Ivy Hill Road, Woodmere, NY 11598

**Section 41 Block 66:**

<u>Lot#</u>	<u>Owner</u>	<u>Address</u>
438	John & Carol Harrison	185 Noye Lane, Woodmere, NY 11598
441	Irene & Martin Kofman	840 Ivy Hill Road, Woodmere, NY 11598
442	Judy Appell	180 Willow Road, Woodmere, NY 11598
446	Anatolio & Maria Alvarado	65 Noye Lane, Woodmere, NY 11598
447	Ronen & Genia Eitan	850 Ivy Hill Road, Woodmere, NY 11598

**Section 41 Block 111:**

<u>Lot#</u>	<u>Owner</u>	<u>Address</u>
1	Helen Fabrizio	825 Ivy Hill Road, Woodmere, NY 11598
4	Gary & Jennifer Goffherr	11 Hickory Road, Woodmere, NY 11598
5 & 6	Paul & Geanie Schneider	25 Hickory Road, Woodmere, NY 11598
7	Fred & Miriam Gross	837 Ivy Hill Road, Woodmere, NY 11598
8	Calvin & Tina Haber Trusts	1 Hickory Road, Woodmere, NY 11598

**Section 41 Block 112:**

<u>Lot#</u>	<u>Owner</u>	<u>Address</u>
1	Suzanne Rozenberg	881 Ivy Hill Road, Woodmere, NY 11598
4	Arlyn & Winiarsky Apollo	50 Hickory Road, Woodmere, NY 11598

5	Bruce & Debra Katz	36 Hickory Road, Woodmere, NY 11598
6	Madeline Tillinger	22 Hickory Road, Woodmere, NY 11598
8	Roslyn Green	859 Ivy Hill Road, Woodmere, NY 11598
9	Eliot & Tina Millman	871 Ivy Hill Road, Woodmere, NY 11598