

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

IN THE MATTER OF THE APPLICATION OF

OWNER NAME (S) : MONICA GUTTMAN

FOR A VARIANCE OF SECTION(S) : 150-50.B FENCES

OF THE VILLAGE CODE OF THE INCORPORATED VILLAGE OF WOODSBURGH.

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

THE PETITION OF MONICA GUTTMAN

RESPECTFULLY ALLEGES AS FOLLOWS:

1. THE PETITIONER(S) IS A (ARE) RESIDENT(S) OF NASSAU COUNTY, CURRENTLY RESIDING AT 160 NOYE LANE, WOODSBURGH, 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 NOYE LANE  
AT THE INTERSECTION OF CHANNEL ROAD

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

THE PREMISES IS ALSO DESIGNATED AS SECTION 41, BLOCK 063, LOT(S) 017

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

THE SUBJECT PREMISES IS LOCATED WITHIN THE RESIDENCE DISTRICT "RES. A".

THE SUBJECT APPLICATION SEEKS A VARIANCE OF SECTION(S) 150-50.B  
FENCES OF THE VILLAGE CODE OF THE INCORPORATED VILLAGE OF

WOODSBURGH, IN ORDER TO: **(CONSTRUCT)** (MAINTAIN) A: \_\_\_\_\_

FOUR NEW 7FT 5 IN (30 IN X 30 IN WIDE) PIERS WITH ATTACHED 6FT 4IN IRON GATES  
OVER EXISTING FOOTINGS. (TO BE CERTIFIED STRUCTURALLY ACCEPTABLE)

IN ACCORDANCE WITH PLANS SUBMITTED HEREWITH.

4. A VARIANCE OF SECTION (S) 150-50.B

IS REQUIRED BECAUSE THE (CONSTRUCTION/INSTALLATION) IS NON-CONFORMING TO VILLAGE CODE IN THAT: NO FENCE OR WALL IN EXCESS OF 4 FT IN HEIGHT AS MEASURED FROM NATURAL GRADE ADJACENT TO SUCH FENCE OR WALL SHALL BE PERMITTED.

NONE

5. THE REQUESTED VARIANCE WILL HAVE NO ADVERSE EFFECT UPON THE SURROUNDING PROPERTIES, WILL PROVIDE FOR A REASONABLE USE OF THE SUBJECT PREMISES COMPATIBLE WITH THE SURROUNDING PROPERTIES AND IN CONFORMITY WITH THE STANDARDS PRESCRIBED FOR GRANTING OF SUCH A VARIANCE, AS SET FORTH IN THE BUILDING ZONE ORDINANCE OF THE INCORPORATED VILLAGE OF WOODSBURGH.

WHEREFORE, PETITIONER(S) RESPECTFULLY REQUEST(S) THAT THE BOARD OF ZONING APPEALS GRANT THE VARIANCE(S) AS REQUESTED HEREIN ALONG WITH SUCH OTHER AND FURTHER RELIEF AS MAY BE JUST AND PROPER.

DATED: July 10, 2020

*Mona Creaner*  
(SIGNATURE OF PETITIONER)

  
(SIGNATURE OF PETITIONER #2)

DISCLOSURE AFFIDAVIT  
General Municipal Law §809

BOARD OF ZONING APPEALS  
VILLAGE OF WOODSBURGH

In the Matter of the application of

Owner: MONICA GUTTMAN

STATE OF NEW YORK:  
ss:  
COUNTY OF NASSAU :

MONICA GUTTMAN being duly sworn, deposes

and says:

I am the [REDACTED] / 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.

Monica Guttman

(SIGNATURE)



Sworn to before me on

This 10<sup>th</sup> day of July, 2020

[Signature]

(NOTARY PUBLIC)

RONALD M. ARRICK  
Notary Public, State of New York  
No. 01AR0100403  
Qualified in Nassau County  
Commission Expires August 31, 2021

STATE OF NEW YORK

SS.;

PETITIONER VERIFICATION

COUNTY OF NASSAU

I (WE), MONICA GUTTMAN (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.

*Monica Guttman*

PETITIONER'S SIGNATURE

PETITIONER #2 SIGNATURE



SWORN TO BEFORE ME THIS 10<sup>th</sup>  
 DAY OF July 2020

*[Signature]*

NOTARY PUBLIC, NASSAU COUNTY

RONALD M. ARRICK  
 Notary Public, State of New York  
 No. 01AR0100403  
 Qualified in Nassau County  
 Commission Expires August 31, 2021

617.20  
Appendix B  
Short Environmental Assessment Form

**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: <b>GUTTMAN RESIDENCE</b>			
Project Location (describe, and attach a location map): <b>160 NOYE LANE, WOODSBURGH, WOODMERE, NY 11598</b>			
Brief Description of Proposed Action: <b>FOUR NEW 7FT 5 IN (30 IN X 30 IN WIDE) PIERS WITH ATTACHED 6FT 4IN IRON GATES OVER EXISTING FOOTINGS. (TO BE CERTIFIED STRUCTURALLY ACCEPTABLE)</b>			
Name of Applicant or Sponsor: <b>MONICA GUTTMAN</b>		Telephone:	
		E-Mail:	
Address: <b>160 NOYE LANE</b>			
City/PO: <b>WOODMERE</b>		State: <b>NY</b>	Zip Code: <b>11598</b>
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 type="checkbox"/> YES <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:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		41,563.68 SF <b>ACRES</b>	
b. Total acreage to be physically disturbed?		_____ <b>ACRES</b>	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ <b>ACRES</b>	
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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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: _____ RES. A	NO	YES
	X	
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: _____	NO	YES
	X	
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: _____	NO	YES
	X	
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <b>MONICA GUTTMAN</b>	Date: <b>1-10-2020</b>	
Signature: <i>Monica Guttman</i>		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing:		
a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

VILLAGE OF WOODSBURGH

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)