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APPLICATION FOR ZONING VARIANCE  
IN THE MATTER OF  
WENDY LIEDERMAN  
351 Washington Avenue  
Applicant.  
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200 Cedarhurst Avenue  
Cedarhurst, New York

August 31, 2023  
7:03 p.m.

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

1 Proceedings - Wendy Liederman

2 CHAIRMAN KRENGEL: Good evening,  
3 everybody. The first case on the calendar  
4 tonight has been assigned Case Number 16 of  
5 2023. It's the application of Wendy  
6 Liederman, the application of a parcel known  
7 as 351 Washington Avenue and designated as  
8 Section 39/Block 325/Lot 8.

9 The applicant proposes to construct a  
10 one-story rear addition and bathroom. The  
11 applicant seeks variances from Cedarhurst Code  
12 265-49.C, Building Area. This Board has  
13 determined that the application is a Type II  
14 Action pursuant to Section 617.3 of the New  
15 York State Department of Environmental Control  
16 Regulations and does not require an  
17 Environmental Impact Statement. The village  
18 attorney will now read a statement into the  
19 record.

20 MR. GOLDFEDER: Mr. Chairman, members of  
21 the Board, for the record, we have been  
22 provided with proof of the mailing and  
23 publication in the local newspaper of record,  
24 of all notices of this hearing as required by  
25 law. Accordingly, jurisdiction has been

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Proceedings - Wendy Liederman

obtained over all necessary parties, and this Board has jurisdiction to hear this appeal.

Pursuant to New York State General Municipal Law Section 809, on August 11, 2023, a non-collusion affidavit has been duly executed by the applicant, Wendy Liederman, wherein she stated that there are no other persons or entities involved in this application that are employed by or connected to the Village of Cedarhurst, its officers, or employees, which would in any way constitute a conflict under the law.

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

CHAIRMAN KRENGEL: Will the applicant or its representative please step forward? Please introduce yourself.

MR. BARON: Priel Baron, the son of the applicant.

CHAIRMAN KRENGEL: Thank you. Just for

1 Proceedings - Wendy Liederman

2 the record, due to extraordinary  
3 circumstances, the applicant himself cannot be  
4 here to present the case as they are in a  
5 healthcare facility at this point. I would  
6 just explain the case and ask for any comment  
7 from the public.

8 The application is for a 33 percent lot  
9 coverage, which essentially is an addition of  
10 a bedroom in the rear of the house and is  
11 necessary due to the owner's health condition  
12 and family situation. They are requesting  
13 this bedroom, this larger -- this large  
14 bedroom be built at the rear of the house.  
15 Again, due to health purposes, this  
16 application is being made; is that correct?

17 MR. BARON: Yes, sir.

18 CHAIRMAN KRENGEL: You can sit down.  
19 Anybody have anything to say for or against  
20 the application? The Board will take a vote.

21 MR. SHTEIERMAN: Approved.

22 MR. CLARK: Approved.

23 MR. BLEIBERG: Approved.

24 MS. EDELMAN: Approved.

25 CHAIRMAN KRENGEL: Application is

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Proceedings - Wendy Liederman

approved.

(Time noted: 7:05 p.m.)

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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 September,  
2023.

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YAFFA KAPLAN

<b>1</b>			<b>J</b>	<b>Number</b> [1] - 2:4
11 [1] - 3:5 15th [1] - 6:14 16 [1] - 2:4	<b>B</b>	determined [1] - 2:13 down [1] - 4:18 due [3] - 4:2, 4:11, 4:15 duly [1] - 3:6	JARED [1] - 1:18 jurisdiction [2] - 2:25, 3:3	<b>O</b>
<b>2</b>	BARON [2] - 3:23, 4:17 Baron [1] - 3:23 bathroom [1] - 2:10 bedroom [3] - 4:10, 4:13, 4:14 between [1] - 3:14 Bldg [1] - 1:22 BLEIBERG [2] - 1:17, 4:23 Board [9] - 1:17, 1:18, 1:19, 1:20, 2:12, 2:21, 3:3, 3:19, 4:20 Building [1] - 2:12 built [1] - 4:14	<b>E</b>	<b>K</b>	obtained [1] - 3:2 OF [3] - 1:4, 6:3, 6:5 officers [1] - 3:11 one [1] - 2:10 one-story [1] - 2:10 owner's [1] - 4:11
200 [1] - 1:9 2023 [4] - 1:12, 2:5, 3:5, 6:15 265-49.C [1] - 2:12	<b>C</b>	EDELMAN [2] - 1:19, 4:24 employed [1] - 3:10 employees [1] - 3:12 entities [1] - 3:9 Environmental [2] - 2:15, 2:17 essentially [1] - 4:9 evening [1] - 2:2 executed [1] - 3:7 explain [1] - 4:6 extraordinary [1] - 4:2	KAPLAN [2] - 6:7, 6:18 known [1] - 2:6 KRENGEL [6] - 1:16, 2:2, 3:20, 3:25, 4:18, 4:25	<b>P</b>
<b>3</b>	calendar [1] - 2:3 cannot [1] - 4:3 case [3] - 2:3, 4:4, 4:6 Case [1] - 2:4 Cedarhurst [5] - 1:9, 1:10, 2:11, 3:11, 3:15 certify [1] - 6:9 Chairman [3] - 1:16, 2:20, 3:19 CHAIRMAN [5] - 2:2, 3:20, 3:25, 4:18, 4:25 circumstances [1] - 4:3 CLARK [2] - 1:18, 4:22 Code [1] - 2:11 collusion [1] - 3:6 comment [1] - 4:6 Commission [2] - 3:16, 3:17 condition [1] - 4:11 conflict [1] - 3:13 connected [1] - 3:10 consideration [1] - 3:18 constitute [1] - 3:12 construct [1] - 2:9 Control [1] - 2:15 correct [2] - 4:16, 6:10 COUNTY [1] - 6:5 County [2] - 3:15, 3:16 coverage [1] - 4:9	<b>L</b>	<b>M</b>	p.m [2] - 1:13, 5:3 parcel [1] - 2:6 parties [1] - 3:2 percent [1] - 4:8 persons [1] - 3:9 Planning [2] - 3:16, 3:17 point [1] - 4:5 present [1] - 4:4 Priel [1] - 3:23 proceedings [1] - 6:10 proof [1] - 2:22 proposes [1] - 2:9 provided [1] - 2:22 public [1] - 4:7 Public [1] - 6:7 publication [1] - 2:23 purposes [1] - 4:15 pursuant [2] - 2:14, 3:4 Pursuant [1] - 3:14
31 [1] - 1:12 325/Lot [1] - 2:8 33 [1] - 4:8 351 [2] - 1:6, 2:7 39/Block [1] - 2:8	<b>6</b>	<b>F</b>	large [1] - 4:13 larger [1] - 4:13 law [2] - 2:25, 3:13 Law [1] - 3:5 LIEDERMAN [1] - 1:5 Liederman [2] - 2:6, 3:7 local [1] - 2:23	<b>Q</b>
<b>6</b>	617.3 [1] - 2:14	facility [1] - 4:5 family [1] - 4:12 first [1] - 2:3 FOR [1] - 1:3 foregoing [1] - 6:9 forward [1] - 3:21 full [1] - 6:10	<b>N</b>	QUEENS [1] - 6:5
<b>7</b>	<b>7</b>	<b>G</b>	mailing [1] - 2:22 MATTER [1] - 1:4 MEIR [1] - 1:16 Member [4] - 1:17, 1:18, 1:19, 1:20 members [2] - 2:20, 3:19 MICHAEL [1] - 1:17 MR [6] - 2:20, 3:23, 4:17, 4:21, 4:22, 4:23 MS [1] - 4:24 Municipal [1] - 3:5	<b>R</b>
7:03 [1] - 1:13 7:05 [1] - 5:3	<b>8</b>	General [1] - 3:4 given [1] - 3:17 GOLDFEDER [2] - 1:21, 2:20	Nassau [2] - 3:15, 3:16 necessary [2] - 3:2, 4:11 New [4] - 1:10, 2:14, 3:4, 6:8 NEW [1] - 6:3 newspaper [1] - 2:23 non [1] - 3:6 non-collusion [1] - 3:6 Notary [1] - 6:7 noted [1] - 5:3 notes [1] - 6:11 notice [1] - 3:17 notices [1] - 2:24	read [1] - 2:18 rear [3] - 2:10, 4:10, 4:14 record [5] - 2:19, 2:21, 2:23, 4:2, 6:9 Regulations [1] - 2:16 representative [1] - 3:21 requesting [1] - 4:12 require [1] - 2:16 required [1] - 2:24
<b>8</b>	8 [1] - 2:8 809 [1] - 3:5	<b>H</b>	<b>S</b>	Section [3] - 2:8, 2:14, 3:5 seeks [1] - 2:11 September [1] - 6:14 set [1] - 6:14
<b>A</b>	<b>D</b>	hand [1] - 6:14 health [2] - 4:11, 4:15 healthcare [1] - 4:5 hear [1] - 3:3 hearing [1] - 2:24 hereby [1] - 6:9 hereunto [1] - 6:13 himself [1] - 4:3 house [2] - 4:10, 4:14		
accordingly [1] - 2:25 Action [1] - 2:14 addition [2] - 2:10, 4:9 affidavit [1] - 3:6 agreement [1] - 3:14 appeal [1] - 3:3 applicant [7] - 1:7, 2:9, 2:11, 3:7, 3:20, 3:24, 4:3 APPLICATION [1] - 1:3 application [9] - 2:5, 2:6, 2:13, 3:10, 3:18, 4:8, 4:16, 4:20, 4:25 approved [5] - 4:21, 4:22, 4:23, 4:24, 5:2 Area [1] - 2:12 assigned [1] - 2:4 attorney [1] - 2:18 Attorney [1] - 1:21 August [2] - 1:12, 3:5 Avenue [3] - 1:6, 1:9, 2:7	DAVID [1] - 1:20 Department [1] - 2:15 Dept [1] - 1:22 designated [1] - 2:7	<b>I</b>		
		II [1] - 2:13 Impact [1] - 2:17 IN [2] - 1:4, 6:13 introduce [1] - 3:22 involved [1] - 3:9		

**SHIFRA** <sup>[1]</sup> - 1:19  
**SHTEIERMAN** <sup>[2]</sup> -  
 1:20, 4:21  
**sit** <sup>[1]</sup> - 4:18  
**situation** <sup>[1]</sup> - 4:12  
**son** <sup>[1]</sup> - 3:23  
**ss** <sup>[1]</sup> - 6:4  
**State** <sup>[3]</sup> - 2:15, 3:4,  
 6:8  
**STATE** <sup>[1]</sup> - 6:3  
**Statement** <sup>[1]</sup> - 2:17  
**statement** <sup>[1]</sup> - 2:18  
**stenographic** <sup>[1]</sup> -  
 6:11  
**step** <sup>[1]</sup> - 3:21  
**story** <sup>[1]</sup> - 2:10  
**Supt** <sup>[1]</sup> - 1:22

**yourself** <sup>[1]</sup> - 3:22

---

## Z

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**ZONING** <sup>[1]</sup> - 1:3

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## T

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**THE** <sup>[1]</sup> - 1:4  
**therein** <sup>[1]</sup> - 6:12  
**thereof** <sup>[1]</sup> - 3:19  
**tonight** <sup>[1]</sup> - 2:4  
**transcript** <sup>[1]</sup> - 6:11  
**Type** <sup>[1]</sup> - 2:13

---

## U

---

**under** <sup>[1]</sup> - 3:13

---

## V

---

**VARIANCE** <sup>[1]</sup> - 1:3  
**variances** <sup>[1]</sup> - 2:11  
**Village** <sup>[3]</sup> - 1:21,  
 3:11, 3:15  
**village** <sup>[1]</sup> - 2:17  
**vote** <sup>[1]</sup> - 4:20

---

## W

---

**waived** <sup>[1]</sup> - 3:18  
**Washington** <sup>[2]</sup> - 1:6,  
 2:7  
**WAYNE** <sup>[1]</sup> - 1:22  
**WENDY** <sup>[1]</sup> - 1:5  
**Wendy** <sup>[2]</sup> - 2:5, 3:7  
**wherein** <sup>[1]</sup> - 3:8  
**WHEREOF** <sup>[1]</sup> - 6:13  
**WITNESS** <sup>[1]</sup> - 6:13

---

## Y

---

**YAFFA** <sup>[2]</sup> - 6:7, 6:18  
**YARNELL** <sup>[1]</sup> - 1:22  
**YOEL** <sup>[1]</sup> - 1:21  
**YORK** <sup>[1]</sup> - 6:3  
**York** <sup>[4]</sup> - 1:10, 2:15,  
 3:4, 6:8



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Proceedings - RH 557 Willow LLC

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APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF  
RH 557 Willow LLC  
557 Willow Avenue

Applicant.

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200 Cedarhurst Avenue  
Cedarhurst, New York

August 31, 2023

7:05 p.m.

B E F O R E

MEIR KRENGEL, Chairman

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

SHIFRA EDELMAN, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - RH 557 Willow LLC

2 CHAIRMAN KRENGEL: Next is Willow.

3 Second case this evening on the calendar  
4 tonight has been assigned Case Number 17 of  
5 2023 and is the applicant of RH 557 Willow  
6 LLC, the parcel known as Section 39/Block  
7 262/Lot 141. The applicant proposed to  
8 construct a two-story business occupancy use.  
9 The applicant seeks variances from Cedarhurst  
10 Code Sections 265-94.A, on-site parking, and  
11 265-93, rear yards.

12 This Board has determined that the  
13 application is a Type II Action pursuant to  
14 Section 617.3 of the New York State Department  
15 of Environmental Control Regulations and does  
16 not require an Environmental Impact Statement.  
17 The village attorney will not actually be  
18 reading. Just for the record, this case is  
19 essentially a reopening of a previous case  
20 that we heard I believe in 2018 where there  
21 was an application for the building. This  
22 Board granted the variance sought at that  
23 time, and the architect will now just explain  
24 what the amended plans are and how it affects  
25 the parking.

1 Proceedings - RH 557 Willow LLC

2 MR. CAPOBIANCO: Thank you. John  
3 Capobianco, architect, 159 Doughty Boulevard,  
4 Inwood. Yes. I am here tonight on behalf of  
5 RH 557 Willow LLC. The building -- they were  
6 here for a variance last year. The variance  
7 that they thought they had gotten granted was  
8 for a building of 4,250. However, on the  
9 plans submitted, there was like a little bit  
10 of a confusion of two sets of drawings and one  
11 was with an 80-foot-deep building, 50 by 80  
12 where the other was 50 by 85. We are  
13 permitted to have a 5-foot front yard setback,  
14 and we are permitted to have a rear yard of 10  
15 feet which we maintained.

16 So the building can be 50 wide by 85  
17 deep, which would give us a 4,250-square-foot  
18 building. That size building would trigger  
19 approximately 22 -- exactly 22 parking spaces  
20 because basing it on 1 per 200. So 1 per 200  
21 number would give you 22 spaces. The building  
22 was designed to allow within the 50-foot  
23 width. We took out some columns since the  
24 first time it was presented to give a little  
25 more freedom to move around under a small

Proceedings - RH 557 Willow LLC

space to make it work properly.

We were able to get 10 parking spaces of the 22 required. However, the existing property, which has two buildings on it, those buildings add up to about close to 2,300 square feet, which has an -- as of right would generate approximately 11 cars. So if you give credit of the 11 and we provide 10, we have provided 21 and we are one short, which the village would, you know, amend because this is what we feel that would be proper and the one space we would be willing to, you know, pay the village the fee that's required. Basically the design of the building was lightened up a little from the original. It's going to be a steel frame building with exterior panels, which makes it a little more easy, easier to actually construct between a narrow property between two buildings that exist. So the panel, the steel frame, and the panels will drop in and close in the building as a prefab panel, which will make it a nicer way to construct the building. Less problems on the site.

1 Proceedings - RH 557 Willow LLC

2 Basically this is our application.  
3 Building didn't change that much in design.

4 CHAIRMAN KRENGEL: Besides the lot  
5 coverage is not an issue.

6 MR. CAPOBIANCO: The lot coverage is not  
7 an issue.

8 CHAIRMAN KRENGEL: You also have a rear  
9 yard.

10 MR. CAPOBIANCO: The rear yard is not an  
11 issue.

12 CHAIRMAN KRENGEL: However, the  
13 staircase --

14 MR. CAPOBIANCO: The staircase comes  
15 into the rear yard as an exterior exit stair  
16 off a single car. Goes front to back. The  
17 front of the building will have an elevator  
18 and staircase in the front, so we can provide  
19 the two means of egress necessary to leave the  
20 building. But that's true. The staircase is  
21 encroaching or it is in the 10-foot rear yard.

22 CHAIRMAN KRENGEL: So essentially the  
23 parking variance you are seeking is one spot?

24 MR. CAPOBIANCO: That's correct.

25 CHAIRMAN KRENGEL: Okay. Is that your

1 Proceedings - RH 557 Willow LLC

2 case?

3 MR. CAPOBIANCO: That's the application.

4 CHAIRMAN KRENGEL: Thank you. Okay.

5 Any questions?

6 MR. SHTEIERMAN: Yes. What's the  
7 current use of the buildings?

8 MR. CAPOBIANCO: It's -- right now it's  
9 just a house. There is a house on the  
10 property and --

11 MR. YARNELL: If I can, they will both  
12 -- both buildings were commercial properties.  
13 For several years now they have been not used  
14 for anything.

15 MR. CAPOBIANCO: Right.

16 CHAIRMAN KRENGEL: Any other questions?  
17 Anybody in the audience want to speak in favor  
18 or against this application? Okay I will make  
19 a motion to approve the application subject to  
20 the following: As you said it's a variance of  
21 one spot. That one spot, if we grant that,  
22 the new fee is \$7,000 for the spot. So you  
23 have to pay \$7,000. In addition to that, it  
24 will be a requirement for the owner to  
25 purchase 5 Cedarhurst parking permits.

1 Proceedings - RH 557 Willow LLC

2 MR. CAPOBIANCO: Okay. Fine.

3 CHAIRMAN KRENGEL: So I would like to  
4 make a motion to approve the application again  
5 with -- it's a one-spot variance to be paid a  
6 fee of \$7,000 and 5 permits to be purchased.

7 MS. EDELMAN: Approved.

8 MR. BLEIBERG: Approved.

9 MR. CLARK: Approved.

10 MR. SHTEIERMAN: Approved.

11 CHAIRMAN KRENGEL: Approved.

12 Thank you.

13 MR. CAPOBIANCO: Thank you very much.

14 (Time noted: 7:12 p.m.)

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Proceedings - RH 557 Willow LLC

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

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YAFFA KAPLAN



<b>\$</b>	<b>8</b>	<b>C</b>	<b>Environmental</b> [2] - 2:15, 2:16	<b>K</b>
<b>\$7,000</b> [3] - 6:22, 6:23, 7:6	<b>80</b> [1] - 3:11 <b>80-foot-deep</b> [1] - 3:11 <b>85</b> [2] - 3:12, 3:16	<b>calendar</b> [1] - 2:3 <b>CAPOBIANCO</b> [10] - 3:2, 5:6, 5:10, 5:14, 5:24, 6:3, 6:8, 6:15, 7:2, 7:13 <b>Capobianco</b> [1] - 3:3 <b>car</b> [1] - 5:16 <b>cars</b> [1] - 4:8 <b>case</b> [4] - 2:3, 2:18, 2:19, 6:2 <b>Case</b> [1] - 2:4 <b>Cedarhurst</b> [3] - 1:8, 1:9, 6:25 <b>Cedarhurst</b> [1] - 2:9 <b>certify</b> [1] - 8:9 <b>Chairman</b> [1] - 1:15 <b>CHAIRMAN</b> [10] - 2:2, 5:4, 5:8, 5:12, 5:22, 5:25, 6:4, 6:16, 7:3, 7:11 <b>change</b> [1] - 5:3 <b>CLARK</b> [2] - 1:17, 7:9 <b>close</b> [2] - 4:6, 4:22 <b>Code</b> [1] - 2:10 <b>columns</b> [1] - 3:23 <b>commercial</b> [1] - 6:12 <b>confusion</b> [1] - 3:10 <b>construct</b> [3] - 2:8, 4:19, 4:24 <b>Control</b> [1] - 2:15 <b>correct</b> [2] - 5:24, 8:10 <b>COUNTY</b> [1] - 8:5 <b>coverage</b> [2] - 5:5, 5:6 <b>credit</b> [1] - 4:9 <b>current</b> [1] - 6:7	<b>essentially</b> [2] - 2:19, 5:22 <b>evening</b> [1] - 2:3 <b>exactly</b> [1] - 3:19 <b>exist</b> [1] - 4:21 <b>existing</b> [1] - 4:4 <b>exit</b> [1] - 5:15 <b>explain</b> [1] - 2:23 <b>exterior</b> [2] - 4:18, 5:15	<b>KAPLAN</b> [2] - 8:7, 8:18 <b>known</b> [1] - 2:6 <b>KRENGEL</b> [11] - 1:15, 2:2, 5:4, 5:8, 5:12, 5:22, 5:25, 6:4, 6:16, 7:3, 7:11
<b>1</b>	<b>A</b>		<b>F</b>	<b>L</b>
1 [2] - 3:20 10 [3] - 3:14, 4:3, 4:9 10-foot [1] - 5:21 11 [2] - 4:8, 4:9 141 [1] - 2:7 159 [1] - 3:3 15th [1] - 8:14 17 [1] - 2:4	<b>able</b> [1] - 4:3 <b>Action</b> [1] - 2:13 <b>add</b> [1] - 4:6 <b>addition</b> [1] - 6:23 <b>affects</b> [1] - 2:24 <b>allow</b> [1] - 3:22 <b>amend</b> [1] - 4:11 <b>amended</b> [1] - 2:24 <b>applicant</b> [4] - 1:6, 2:5, 2:7, 2:9 <b>application</b> [7] - 2:13, 2:21, 5:2, 6:3, 6:18, 6:19, 7:4 <b>APPLICATION</b> [1] - 1:2 <b>approve</b> [2] - 6:19, 7:4 <b>approved</b> [5] - 7:7, 7:8, 7:9, 7:10, 7:11 <b>architect</b> [2] - 2:23, 3:3 <b>assigned</b> [1] - 2:4 <b>attorney</b> [1] - 2:17 <b>Attorney</b> [1] - 1:20 <b>audience</b> [1] - 6:17 <b>August</b> [1] - 1:11 <b>Avenue</b> [2] - 1:5, 1:8	<b>case</b> [4] - 2:3, 2:18, 2:19, 6:2 <b>Case</b> [1] - 2:4 <b>Cedarhurst</b> [3] - 1:8, 1:9, 6:25 <b>Cedarhurst</b> [1] - 2:9 <b>certify</b> [1] - 8:9 <b>Chairman</b> [1] - 1:15 <b>CHAIRMAN</b> [10] - 2:2, 5:4, 5:8, 5:12, 5:22, 5:25, 6:4, 6:16, 7:3, 7:11 <b>change</b> [1] - 5:3 <b>CLARK</b> [2] - 1:17, 7:9 <b>close</b> [2] - 4:6, 4:22 <b>Code</b> [1] - 2:10 <b>columns</b> [1] - 3:23 <b>commercial</b> [1] - 6:12 <b>confusion</b> [1] - 3:10 <b>construct</b> [3] - 2:8, 4:19, 4:24 <b>Control</b> [1] - 2:15 <b>correct</b> [2] - 5:24, 8:10 <b>COUNTY</b> [1] - 8:5 <b>coverage</b> [2] - 5:5, 5:6 <b>credit</b> [1] - 4:9 <b>current</b> [1] - 6:7	<b>favor</b> [1] - 6:17 <b>fee</b> [3] - 4:14, 6:22, 7:6 <b>feet</b> [2] - 3:15, 4:7 <b>fine</b> [1] - 7:2 <b>first</b> [1] - 3:24 <b>following</b> [1] - 6:20 <b>FOR</b> [1] - 1:2 <b>foregoing</b> [1] - 8:9 <b>frame</b> [2] - 4:17, 4:21 <b>freedom</b> [1] - 3:25 <b>front</b> [4] - 3:13, 5:16, 5:17, 5:18 <b>full</b> [1] - 8:10	<b>last</b> [1] - 3:6 <b>leave</b> [1] - 5:19 <b>less</b> [1] - 4:24 <b>lightened</b> [1] - 4:16 <b>LLC</b> [3] - 1:4, 2:6, 3:5
<b>2</b>	<b>B</b>		<b>G</b>	<b>M</b>
2,300 [1] - 4:6 200 [3] - 1:8, 3:20 2018 [1] - 2:20 2023 [3] - 1:11, 2:5, 8:15 21 [1] - 4:10 22 [4] - 3:19, 3:21, 4:4 262/Lot [1] - 2:7 265-93 [1] - 2:11 265-94.A [1] - 2:10	<b>basing</b> [1] - 3:20 <b>behalf</b> [1] - 3:4 <b>between</b> [2] - 4:19, 4:20 <b>bit</b> [1] - 3:9 <b>Bldg</b> [1] - 1:21 <b>BLEIBERG</b> [2] - 1:16, 7:8 <b>Board</b> [6] - 1:16, 1:17, 1:18, 1:19, 2:12, 2:22 <b>Boulevard</b> [1] - 3:3 <b>building</b> [15] - 2:21, 3:5, 3:8, 3:11, 3:16, 3:18, 3:21, 4:15, 4:17, 4:22, 4:24, 5:3, 5:17, 5:20 <b>buildings</b> [5] - 4:5, 4:6, 4:20, 6:7, 6:12 <b>business</b> [1] - 2:8	<b>change</b> [1] - 5:3 <b>CLARK</b> [2] - 1:17, 7:9 <b>close</b> [2] - 4:6, 4:22 <b>Code</b> [1] - 2:10 <b>columns</b> [1] - 3:23 <b>commercial</b> [1] - 6:12 <b>confusion</b> [1] - 3:10 <b>construct</b> [3] - 2:8, 4:19, 4:24 <b>Control</b> [1] - 2:15 <b>correct</b> [2] - 5:24, 8:10 <b>COUNTY</b> [1] - 8:5 <b>coverage</b> [2] - 5:5, 5:6 <b>credit</b> [1] - 4:9 <b>current</b> [1] - 6:7	<b>generate</b> [1] - 4:8 <b>GOLDFEDER</b> [1] - 1:20 <b>grant</b> [1] - 6:21 <b>granted</b> [2] - 2:22, 3:7	<b>maintained</b> [1] - 3:15 <b>MATTER</b> [1] - 1:3 <b>means</b> [1] - 5:19 <b>MEIR</b> [1] - 1:15 <b>Member</b> [4] - 1:16, 1:17, 1:18, 1:19 <b>MICHAEL</b> [1] - 1:16 <b>motion</b> [2] - 6:19, 7:4 <b>move</b> [1] - 3:25 <b>MR</b> [15] - 3:2, 5:6, 5:10, 5:14, 5:24, 6:3, 6:6, 6:8, 6:11, 6:15, 7:2, 7:8, 7:9, 7:10, 7:13 <b>MS</b> [1] - 7:7
<b>3</b>			<b>H</b>	<b>N</b>
31 [1] - 1:11 39/Block [1] - 2:6			<b>hand</b> [1] - 8:14 <b>heard</b> [1] - 2:20 <b>hereby</b> [1] - 8:9 <b>hereunto</b> [1] - 8:13 <b>house</b> [2] - 6:9	<b>narrow</b> [1] - 4:20 <b>necessary</b> [1] - 5:19 <b>New</b> [3] - 1:9, 2:14, 8:8 <b>NEW</b> [1] - 8:3 <b>new</b> [1] - 6:22 <b>next</b> [1] - 2:2 <b>nicer</b> [1] - 4:23 <b>Notary</b> [1] - 8:7 <b>noted</b> [1] - 7:14 <b>notes</b> [1] - 8:11 <b>Number</b> [1] - 2:4 <b>number</b> [1] - 3:21
<b>4</b>			<b>I</b>	<b>O</b>
4,250 [1] - 3:8 4,250-square-foot [1] - 3:17			<b>Il</b> [1] - 2:13 <b>Impact</b> [1] - 2:16 <b>IN</b> [2] - 1:3, 8:13 <b>Inwood</b> [1] - 3:4 <b>issue</b> [3] - 5:5, 5:7, 5:11	<b>occupancy</b> [1] - 2:8 <b>OF</b> [3] - 1:3, 8:3, 8:5 <b>on-site</b> [1] - 2:10 <b>one</b> [7] - 3:10, 4:10, 4:13, 5:23, 6:21, 7:5 <b>one-spot</b> [1] - 7:5 <b>original</b> [1] - 4:16
<b>5</b>			<b>J</b>	
5 [2] - 6:25, 7:6 5-foot [1] - 3:13 50 [3] - 3:11, 3:12, 3:16 50-foot [1] - 3:22 557 [4] - 1:4, 1:5, 2:5, 3:5			<b>JARED</b> [1] - 1:17 <b>John</b> [1] - 3:2	
<b>6</b>				
617.3 [1] - 2:14				
<b>7</b>				
7:05 [1] - 1:12 7:12 [1] - 7:14				

**owner** [1] - 6:24

---

## P

---

**p.m** [2] - 1:12, 7:14  
**paid** [1] - 7:5  
**panel** [2] - 4:21, 4:23  
**panels** [2] - 4:18, 4:22  
**parcel** [1] - 2:6  
**parking** [6] - 2:10, 2:25, 3:19, 4:3, 5:23, 6:25  
**pay** [2] - 4:14, 6:23  
**per** [2] - 3:20  
**permits** [2] - 6:25, 7:6  
**permitted** [2] - 3:13, 3:14  
**plans** [2] - 2:24, 3:9  
**prefab** [1] - 4:23  
**presented** [1] - 3:24  
**previous** [1] - 2:19  
**problems** [1] - 4:24  
**proceedings** [1] - 8:10  
**proper** [1] - 4:12  
**properly** [1] - 4:2  
**properties** [1] - 6:12  
**property** [3] - 4:5, 4:20, 6:10  
**proposed** [1] - 2:7  
**provide** [2] - 4:9, 5:18  
**provided** [1] - 4:10  
**Public** [1] - 8:7  
**purchase** [1] - 6:25  
**purchased** [1] - 7:6  
**pursuant** [1] - 2:13

---

## Q

---

**QUEENS** [1] - 8:5  
**questions** [2] - 6:5, 6:16

---

## R

---

**reading** [1] - 2:18  
**rear** [6] - 2:11, 3:14, 5:8, 5:10, 5:15, 5:21  
**record** [2] - 2:18, 8:9  
**Regulations** [1] - 2:15  
**reopening** [1] - 2:19  
**require** [1] - 2:16  
**required** [2] - 4:4, 4:14  
**requirement** [1] - 6:24  
**RH** [3] - 1:4, 2:5, 3:5

---

## S

---

**second** [1] - 2:3  
**Section** [2] - 2:6, 2:14  
**Sections** [1] - 2:10

**seeking** [1] - 5:23  
**seeks** [1] - 2:9  
**September** [1] - 8:14  
**set** [1] - 8:14  
**setback** [1] - 3:13  
**sets** [1] - 3:10  
**several** [1] - 6:13  
**SHIFRA** [1] - 1:18  
**short** [1] - 4:10  
**SHTEIERMAN** [3] - 1:19, 6:6, 7:10  
**single** [1] - 5:16  
**site** [2] - 2:10, 4:25  
**size** [1] - 3:18  
**small** [1] - 3:25  
**sought** [1] - 2:22  
**space** [2] - 4:2, 4:13  
**spaces** [3] - 3:19, 3:21, 4:3  
**spot** [5] - 5:23, 6:21, 6:22, 7:5  
**square** [1] - 4:7  
**ss** [1] - 8:4  
**stair** [1] - 5:15  
**staircase** [4] - 5:13, 5:14, 5:18, 5:20  
**State** [2] - 2:14, 8:8  
**STATE** [1] - 8:3  
**Statement** [1] - 2:16  
**steel** [2] - 4:17, 4:21  
**stenographic** [1] - 8:11  
**story** [1] - 2:8  
**subject** [1] - 6:19  
**submitted** [1] - 3:9  
**Supt** [1] - 1:21

---

## T

---

**THE** [1] - 1:3  
**therein** [1] - 8:12  
**tonight** [2] - 2:4, 3:4  
**took** [1] - 3:23  
**transcript** [1] - 8:11  
**trigger** [1] - 3:18  
**true** [1] - 5:20  
**two** [5] - 2:8, 3:10, 4:5, 4:20, 5:19  
**two-story** [1] - 2:8  
**Type** [1] - 2:13

---

## U

---

**under** [1] - 3:25  
**up** [2] - 4:6, 4:16

---

## V

---

**VARIANCE** [1] - 1:2  
**variance** [6] - 2:22,

3:6, 5:23, 6:20, 7:5  
**variances** [1] - 2:9  
**Village** [1] - 1:20  
**village** [3] - 2:17, 4:11, 4:14

---

## W

---

**WAYNE** [1] - 1:21  
**WHEREOF** [1] - 8:13  
**wide** [1] - 3:16  
**width** [1] - 3:23  
**willing** [1] - 4:13  
**Willow** [5] - 1:4, 1:5, 2:2, 2:5, 3:5  
**WITNESS** [1] - 8:13

---

## Y

---

**YAFFA** [2] - 8:7, 8:18  
**yard** [6] - 3:13, 3:14, 5:9, 5:10, 5:15, 5:21  
**yards** [1] - 2:11  
**YARNELL** [2] - 1:21, 6:11  
**year** [1] - 3:6  
**years** [1] - 6:13  
**YOEL** [1] - 1:20  
**YORK** [1] - 8:3  
**York** [3] - 1:9, 2:14, 8:8

---

## Z

---

**ZONING** [1] - 1:2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
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18  
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Proceedings - Elchanan Navon

-----  
APPLICATION FOR ZONING VARIANCE  
  
IN THE MATTER OF  
  
Elchanan Navon  
364 Westminster Road  
  
Applicant.  
-----

200 Cedarhurst Avenue  
Cedarhurst, New York

August 31, 2023

7:12 p.m.

B E F O R E

MEIR KRENGEL, Chairman

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

SHIFRA EDELMAN, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Elchanan Navon

2 CHAIRMAN KRENGEL: The third case on the  
3 calendar tonight has been assigned Case Number  
4 17 of 2023. It's the application of Elchanan  
5 Navon, the applicant of the parcel known as  
6 364 Westminster Road, designated as Section  
7 39/Block 336/Lot 96. The applicant proposes  
8 to construct a new one-family residence,  
9 maintaining a portion of the existing  
10 foundation. The applicant seeks variance from  
11 Cedarhurst Code 265-8, garages required, and  
12 265-43.D, permitted encroachment, 265-42.1A,  
13 character of roofs, and 265-36, height.

14 This Board has determined that the  
15 application is a Type II Action pursuant to  
16 Section 617.3 of the New York State Department  
17 of Environmental Control Regulations and does  
18 not require an Environmental Impact Statement.  
19 The village attorney will now read a statement  
20 into the record.

21 MR. GOLDFEDER: Mr. Chairman, members of  
22 the Board, for the record, we have been  
23 provided with proof of the mailing and  
24 publication in the local newspaper of record,  
25 of all notices of this hearing as required by

1 Proceedings - Elchanan Navon

2 law. Accordingly, jurisdiction has been  
3 obtained over all necessary parties, and this  
4 Board has jurisdiction to hear this appeal.

5 Pursuant to New York State General  
6 Municipal Law Section 809, on August 11, 2023,  
7 a non-collusion affidavit has been duly  
8 executed by the applicant, Elchanan Lavon,  
9 wherein it is indicated that there are no  
10 other persons or entities involved in this  
11 application that are employed by or connected  
12 to the Village of Cedarhurst, its officers, or  
13 employees, which would in any way constitute a  
14 conflict under the law.

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

21 CHAIRMAN KRENGEL: Will the applicant or  
22 its representative please step forward.

23 MR. DELIMITROS: My name is Anthony  
24 Delimitros. I am with Christian Abruzzare  
25 Architects. My client is --

1 Proceedings - Elchanan Navon

2 MR. NAVON: Elchanan Navon.

3 CHAIRMAN KRENGEL: Okay.

4 MR. DELIMITROS: So we are here to  
5 present the expansion of an existing residence  
6 to go into four variances for a garage. You  
7 know, it's requesting a variance on trying to  
8 maximize the property to have a garage -- to  
9 not have a garage in place. We also have an  
10 encroachment, permitted encroachment for the  
11 front to come in to the setback, existing  
12 front yard setback with a patio and stairs and  
13 the character of roof which is partial, less  
14 than 50 percent flat roof.

15 CHAIRMAN KRENGEL: How much are you  
16 proposing the flat roof?

17 MR. DELIMITROS: It's less than 50  
18 percent of what the total building area is.  
19 And the flat roof --

20 CHAIRMAN KRENGEL: The total, the roof  
21 area.

22 MR. DELIMITROS: The total roof area and  
23 then also a height which I understand was  
24 probably a little clerical error on my part  
25 because I estimated the elevations to be taken

1 Proceedings - Elchanan Navon

2 -- the 33 feet to be at the grade versus the  
3 crown, which probably prompted an issue to  
4 arise.

5 CHAIRMAN KRENGEL: What is your  
6 application for the height now?

7 MR. DELIMITROS: The application for  
8 height, we can drop down to 33 feet.

9 CHAIRMAN KRENGEL: So that's no longer a  
10 variance. Flood --

11 MR. DELIMITROS: If it becomes an  
12 issue --

13 CHAIRMAN KRENGEL: Wait. The flood  
14 zone, 33 is allowed in the flood zone?

15 MR. YARNELL: Correct.

16 CHAIRMAN KRENGEL: So if you keep to 33,  
17 it's off the table. We don't have to address  
18 that.

19 MR. DELIMITROS: Yes.

20 CHAIRMAN KRENGEL: Okay. So essentially  
21 now you are going for the garage, the  
22 encroachment which is the front porch, and the  
23 roof?

24 MR. DELIMITROS: Yes.

25 CHAIRMAN KRENGEL: Okay. You want to

1 Proceedings - Elchanan Navon

2 just run quickly through the house?

3 MR. DELIMITROS: Sure. The total  
4 allowed area is 5,400, 5,300 square feet. The  
5 building area is just under the 30 percent  
6 requirement of 1,585 square feet. So we are  
7 proposing on the first floor --

8 CHAIRMAN KRENGEL: If you want, you can  
9 just go straight to the encroachment, the  
10 front proportion.

11 MR. DELIMITROS: Yes. So the  
12 encroachment would be about a 19.12 feet  
13 setback. And that excludes the stair area,  
14 which would add another 5 feet in front of the  
15 house.

16 CHAIRMAN KRENGEL: Okay. Nineteen and  
17 change?

18 MR. DELIMITROS: Yes. Nineteen and  
19 change.

20 CHAIRMAN KRENGEL: Okay and -- okay and  
21 the other one is the garage. So let's go  
22 straight to the garage for a second.

23 MR. DELIMITROS: Sure.

24 CHAIRMAN KRENGEL: Do you have any  
25 justification for not having a garage?



1 Proceedings - Elchanan Navon

2 MR. DELIMITROS: Well --

3 MR. NAVON: Yeah.

4 CHAIRMAN KRENGEL: Go ahead.

5 MR. NAVON: It's in the flood zone.

6 CHAIRMAN KRENGEL: You are building a  
7 FEMA-compliant house in the flood zone,  
8 correct?

9 MR. DELIMITROS: Yes.

10 MR. NAVON: It's going to be  
11 FEMA-compliant. So if I have a garage, it's  
12 not going to be 4 feet. If it gets flooded --

13 CHAIRMAN KRENGEL: In FEMA-compliant  
14 houses our understanding is -- the Building  
15 Commissioner can talk to that. Is there any  
16 water issues in FEMA-compliant homes?

17 MR. YARNELL: The water goes in and out  
18 of the crawl space and the garage, so the  
19 garage would see water in a flood condition  
20 but there are flood vents to relieve the  
21 pressure as in a regular flood zone house that  
22 will be in the basement and the crawl space as  
23 well. So in a flood zone garage, it would get  
24 water into it, but there are provisions for  
25 safety purposes for that.

1 Proceedings - Elchanan Navon

2 MR. SHTEIERMAN: So if a car was parked  
3 in the driveway, it would get the same damage  
4 it would get in the garage?

5 MR. YARNELL: Exactly. Maybe a little  
6 more.

7 MR. SHTEIERMAN: The house won't get  
8 damaged by having a garage?

9 MR. YARNELL: Correct. Parking a car in  
10 the driveway would probably get a little more  
11 damaged than a car in the garage because a  
12 driveway is closer to the street, which is the  
13 low-lying area.

14 MR. SHTEIERMAN: Right.

15 CHAIRMAN KRENGEL: Okay.

16 MS. EDELMAN: How high off the ground is  
17 the porch, the encroaching porch?

18 MR. DELIMITROS: The porch matches the  
19 elevation of the height of the house. The  
20 first floor so it would be -- it would be  
21 about just over 4 and a half feet out of the  
22 flood zone. We are surpassing the flood zone  
23 minimum criteria for the area.

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

1 Proceedings - Elchanan Navon

2 MR. DELIMITROS: Yes and then --

3 CHAIRMAN KRENGEL: Any other questions  
4 from the Board?

5 MR. SHTEIERMAN: Yes. The flat roof, do  
6 you have any calculation showing what  
7 percentage of this roof is flat?

8 MR. DELIMITROS: Yes, sure. The flat  
9 roof area --

10 MR. SHTEIERMAN: Is it on the plans?

11 MR. DELIMITROS: No. I don't have it on  
12 the plans, but I can include it. I can  
13 forward it to Wayne.

14 MR. SHTEIERMAN: Do you want to tell us?

15 MR. DELIMITROS: Sure. It's 49.1  
16 percent. The flat roof area is 960 and a half  
17 square feet. There are dormer areas on the  
18 roof that meet the 4 and a half to 12 pitch  
19 requirements. So that would serve as to allow  
20 the water to pitch and flow off the house.

21 CHAIRMAN KRENGEL: Is there anybody in  
22 the audience who would like to speak in favor  
23 of or against this application? Anyone? We  
24 will take a 5-minute break and come back with  
25 a decision.

1 Proceedings - Elchanan Navon

2 (Recess taken.)

3 CHAIRMAN KRENGEL: Before we take a vote  
4 on any of these matters, assume for a minute  
5 that we deny the garage. So you would be  
6 required to have a garage. If you do a garage  
7 within the current structure, we could vote  
8 and go further tonight. If you choose to have  
9 a detached garage, you have to come back for  
10 another variance because it would increase  
11 your lot coverage. So before we go further  
12 even --

13 MR. DELIMITROS: He is really saying  
14 that he doesn't want a garage.

15 MR. GOLDFEDER: Unfortunately, many  
16 residents in the village do not want a garage.

17 (Discussion off the record.)

18 MR. DELIMITROS: We request a  
19 continuance of the hearing.

20 CHAIRMAN KRENGEL: Continuance is  
21 granted, and the applicant will come back with  
22 a modified.

23 (Time noted: 7:36 p.m.)

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Proceedings - Elchanan Navon

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 September,  
2023.

-----

YAFFA KAPLAN

<b>1</b>	<b>A</b>	<b>certify</b> [1] - 11:9	9:8, 9:11, 9:15, 10:13, 10:18	5:14, 7:5, 7:7, 7:19, 7:20, 7:21, 7:23, 8:22
<b>1,585</b> [1] - 6:6	<b>Abruzzare</b> [1] - 3:24	<b>Chairman</b> [3] - 1:15, 2:21, 3:20	<b>Delimitros</b> [1] - 3:24	<b>flooded</b> [1] - 7:12
<b>11</b> [1] - 3:6	<b>accordingly</b> [1] - 3:2	<b>CHAIRMAN</b> [24] - 2:2, 3:21, 4:3, 4:15, 4:20, 5:5, 5:9, 5:13, 5:16, 5:20, 5:25, 6:8, 6:16, 6:20, 6:24, 7:4, 7:6, 7:13, 8:15, 8:24, 9:3, 9:21, 10:3, 10:20	<b>deny</b> [1] - 10:5	<b>floor</b> [2] - 6:7, 8:20
<b>12</b> [1] - 9:18	<b>Action</b> [1] - 2:15	<b>change</b> [2] - 6:17, 6:19	<b>Department</b> [1] - 2:16	<b>flow</b> [1] - 9:20
<b>15th</b> [1] - 11:14	<b>add</b> [1] - 6:14	<b>character</b> [2] - 2:13, 4:13	<b>Dept</b> [1] - 1:21	<b>FOR</b> [1] - 1:2
<b>17</b> [1] - 2:4	<b>address</b> [1] - 5:17	<b>choose</b> [1] - 10:8	<b>designated</b> [1] - 2:6	<b>foregoing</b> [1] - 11:9
<b>19.12</b> [1] - 6:12	<b>affidavit</b> [1] - 3:7	<b>Christian</b> [1] - 3:24	<b>detached</b> [1] - 10:9	<b>forward</b> [2] - 3:22, 9:13
<b>2</b>	<b>agreement</b> [1] - 3:15	<b>CLARK</b> [1] - 1:17	<b>determined</b> [1] - 2:14	<b>foundation</b> [1] - 2:10
<b>200</b> [1] - 1:8	<b>ahead</b> [1] - 7:4	<b>clerk</b> [1] - 4:24	<b>Discussion</b> [1] - 10:17	<b>four</b> [1] - 4:6
<b>2023</b> [4] - 1:11, 2:4, 3:6, 11:15	<b>allow</b> [1] - 9:19	<b>client</b> [1] - 3:25	<b>dormer</b> [1] - 9:17	<b>front</b> [5] - 4:11, 4:12, 5:22, 6:10, 6:14
<b>265-36</b> [1] - 2:13	<b>allowed</b> [2] - 5:14, 6:4	<b>closer</b> [1] - 8:12	<b>down</b> [1] - 5:8	<b>full</b> [1] - 11:10
<b>265-42.1A</b> [1] - 2:12	<b>Anthony</b> [1] - 3:23	<b>Code</b> [1] - 2:11	<b>driveway</b> [3] - 8:3, 8:10, 8:12	<b>G</b>
<b>265-43.D</b> [1] - 2:12	<b>appeal</b> [1] - 3:4	<b>collusion</b> [1] - 3:7	<b>drop</b> [1] - 5:8	<b>garage</b> [20] - 4:6, 4:8, 4:9, 5:21, 6:21, 6:22, 6:25, 7:11, 7:18, 7:19, 7:23, 8:4, 8:8, 8:11, 10:5, 10:6, 10:9, 10:14, 10:16
<b>265-8</b> [1] - 2:11	<b>applicant</b> [7] - 1:6, 2:5, 2:7, 2:10, 3:8, 3:21, 10:21	<b>Commission</b> [2] - 3:17, 3:18	<b>duly</b> [1] - 3:7	<b>garages</b> [1] - 2:11
<b>3</b>	<b>APPLICATION</b> [1] - 1:2	<b>Commissioner</b> [1] - 7:15	<b>E</b>	<b>General</b> [1] - 3:5
<b>30</b> [1] - 6:5	<b>application</b> [7] - 2:4, 2:15, 3:11, 3:19, 5:6, 5:7, 9:23	<b>compliant</b> [4] - 7:7, 7:11, 7:13, 7:16	<b>EDELMAN</b> [2] - 1:18, 8:16	<b>given</b> [1] - 3:18
<b>31</b> [1] - 1:11	<b>Architects</b> [1] - 3:25	<b>condition</b> [1] - 7:19	<b>Elchanan</b> [4] - 1:4, 2:4, 3:8, 4:2	<b>GOLDFEDER</b> [3] - 1:20, 2:21, 10:15
<b>33</b> [4] - 5:2, 5:8, 5:14, 5:16	<b>area</b> [10] - 4:18, 4:21, 4:22, 6:4, 6:5, 6:13, 8:13, 8:23, 9:9, 9:16	<b>conflict</b> [1] - 3:14	<b>elevation</b> [1] - 8:19	<b>grade</b> [1] - 5:2
<b>336/Lot</b> [1] - 2:7	<b>areas</b> [1] - 9:17	<b>connected</b> [1] - 3:11	<b>elevations</b> [1] - 4:25	<b>granted</b> [1] - 10:21
<b>364</b> [2] - 1:5, 2:6	<b>arise</b> [1] - 5:4	<b>consideration</b> [1] - 3:19	<b>employed</b> [1] - 3:11	<b>ground</b> [1] - 8:16
<b>39/Block</b> [1] - 2:7	<b>assigned</b> [1] - 2:3	<b>constitute</b> [1] - 3:13	<b>employees</b> [1] - 3:13	<b>H</b>
<b>4</b>	<b>assume</b> [1] - 10:4	<b>construct</b> [1] - 2:8	<b>encroaching</b> [1] - 8:17	<b>half</b> [3] - 8:21, 9:16, 9:18
<b>4</b> [3] - 7:12, 8:21, 9:18	<b>attorney</b> [1] - 2:19	<b>continuance</b> [2] - 10:19, 10:20	<b>encroachment</b> [6] - 2:12, 4:10, 5:22, 6:9, 6:12	<b>hand</b> [1] - 11:14
<b>49.1</b> [1] - 9:15	<b>Attorney</b> [1] - 1:20	<b>Control</b> [1] - 2:17	<b>entities</b> [1] - 3:10	<b>hear</b> [1] - 3:4
<b>5</b>	<b>audience</b> [1] - 9:22	<b>correct</b> [4] - 5:15, 7:8, 8:9, 11:10	<b>Environmental</b> [2] - 2:17, 2:18	<b>hearing</b> [2] - 2:25, 10:19
<b>5</b> [1] - 6:14	<b>August</b> [2] - 1:11, 3:6	<b>COUNTY</b> [1] - 11:5	<b>error</b> [1] - 4:24	<b>height</b> [5] - 2:13, 4:23, 5:6, 5:8, 8:19
<b>5,300</b> [1] - 6:4	<b>Avenue</b> [1] - 1:8	<b>County</b> [2] - 3:16, 3:17	<b>essentially</b> [1] - 5:20	<b>hereby</b> [1] - 11:9
<b>5,400</b> [1] - 6:4	<b>B</b>	<b>coverage</b> [1] - 10:11	<b>estimated</b> [1] - 4:25	<b>hereunto</b> [1] - 11:13
<b>5-minute</b> [1] - 9:24	<b>basement</b> [1] - 7:22	<b>crawl</b> [2] - 7:18, 7:22	<b>exactly</b> [1] - 8:5	<b>high</b> [1] - 8:16
<b>50</b> [2] - 4:14, 4:17	<b>becomes</b> [1] - 5:11	<b>criteria</b> [1] - 8:23	<b>excludes</b> [1] - 6:13	<b>homes</b> [1] - 7:16
<b>6</b>	<b>between</b> [1] - 3:15	<b>crown</b> [1] - 5:3	<b>executed</b> [1] - 3:8	<b>house</b> [7] - 6:2, 6:15, 7:7, 7:21, 8:7, 8:19, 9:20
<b>617.3</b> [1] - 2:16	<b>Bldg</b> [1] - 1:21	<b>current</b> [1] - 10:7	<b>existing</b> [3] - 2:9, 4:5, 4:11	<b>houses</b> [1] - 7:14
<b>7</b>	<b>BLEIBERG</b> [1] - 1:16	<b>D</b>	<b>expansion</b> [1] - 4:5	<b>I</b>
<b>7:12</b> [1] - 1:12	<b>Board</b> [9] - 1:16, 1:17, 1:18, 1:19, 2:14, 2:22, 3:4, 3:20, 9:4	<b>damage</b> [1] - 8:3	<b>F</b>	<b>II</b> [1] - 2:15
<b>7:36</b> [1] - 10:23	<b>break</b> [1] - 9:24	<b>damaged</b> [2] - 8:8, 8:11	<b>family</b> [1] - 2:8	<b>Impact</b> [1] - 2:18
<b>8</b>	<b>building</b> [3] - 4:18, 6:5, 7:6	<b>DAVID</b> [1] - 1:19	<b>favor</b> [1] - 9:22	<b>IN</b> [2] - 1:3, 11:13
<b>809</b> [1] - 3:6	<b>Building</b> [1] - 7:14	<b>decision</b> [1] - 9:25	<b>feet</b> [9] - 5:2, 5:8, 6:4, 6:6, 6:12, 6:14, 7:12, 8:21, 9:17	<b>include</b> [1] - 9:12
<b>9</b>	<b>C</b>	<b>DELIMITROS</b> [21] - 3:23, 4:4, 4:17, 4:22, 5:7, 5:11, 5:19, 5:24, 6:3, 6:11, 6:18, 6:23, 7:2, 7:9, 8:18, 9:2,	<b>FEMA</b> [4] - 7:7, 7:11, 7:13, 7:16	<b>increase</b> [1] - 10:10
<b>96</b> [1] - 2:7	<b>calculation</b> [1] - 9:6		<b>FEMA-compliant</b> [4] - 7:7, 7:11, 7:13, 7:16	<b>indicated</b> [1] - 3:9
<b>960</b> [1] - 9:16	<b>calendar</b> [1] - 2:3		<b>first</b> [2] - 6:7, 8:20	
	<b>car</b> [3] - 8:2, 8:9, 8:11		<b>flat</b> [7] - 4:14, 4:16, 4:19, 9:5, 9:7, 9:8, 9:16	
	<b>case</b> [2] - 2:2, 8:25		<b>flood</b> [11] - 5:10, 5:13,	
	<b>Case</b> [1] - 2:3			
	<b>Cedarhurst</b> [5] - 1:8, 1:9, 2:11, 3:12, 3:16			

**involved** [1] - 3:10  
**issue** [2] - 5:3, 5:12  
**issues** [1] - 7:16

---

## J

---

**JARED** [1] - 1:17  
**jurisdiction** [2] - 3:2,  
 3:4  
**justification** [1] - 6:25

---

## K

---

**KAPLAN** [2] - 11:7,  
 11:18  
**keep** [1] - 5:16  
**known** [1] - 2:5  
**KRENGEL** [25] - 1:15,  
 2:2, 3:21, 4:3, 4:15,  
 4:20, 5:5, 5:9, 5:13,  
 5:16, 5:20, 5:25, 6:8,  
 6:16, 6:20, 6:24, 7:4,  
 7:6, 7:13, 8:15, 8:24,  
 9:3, 9:21, 10:3,  
 10:20

---

## L

---

**Lavon** [1] - 3:8  
**law** [2] - 3:2, 3:14  
**Law** [1] - 3:6  
**less** [2] - 4:13, 4:17  
**local** [1] - 2:24  
**low** [1] - 8:13  
**low-lying** [1] - 8:13  
**lying** [1] - 8:13

---

## M

---

**mailing** [1] - 2:23  
**maintaining** [1] - 2:9  
**matches** [1] - 8:18  
**MATTER** [1] - 1:3  
**matters** [1] - 10:4  
**maximize** [1] - 4:8  
**meet** [1] - 9:18  
**MEIR** [1] - 1:15  
**Member** [4] - 1:16,  
 1:17, 1:18, 1:19  
**members** [2] - 2:21,  
 3:20  
**MICHAEL** [1] - 1:16  
**minimum** [1] - 8:23  
**minute** [1] - 10:4  
**modified** [1] - 10:22  
**MR** [37] - 2:21, 3:23,  
 4:2, 4:4, 4:17, 4:22,  
 5:7, 5:11, 5:15, 5:19,  
 5:24, 6:3, 6:11, 6:18,  
 6:23, 7:2, 7:3, 7:5,

7:9, 7:10, 7:17, 8:2,  
 8:5, 8:7, 8:9, 8:14,  
 8:18, 9:2, 9:5, 9:8,  
 9:10, 9:11, 9:14,  
 9:15, 10:13, 10:15,  
 10:18

**MS** [1] - 8:16  
**Municipal** [1] - 3:6

---

## N

---

**name** [1] - 3:23  
**Nassau** [2] - 3:16,  
 3:17  
**Navon** [3] - 1:4, 2:5,  
 4:2  
**NAVON** [4] - 4:2, 7:3,  
 7:5, 7:10  
**necessary** [1] - 3:3  
**New** [4] - 1:9, 2:16,  
 3:5, 11:8  
**new** [1] - 2:8  
**NEW** [1] - 11:3  
**newspaper** [1] - 2:24  
**nineteen** [2] - 6:16,  
 6:18  
**non** [1] - 3:7  
**non-collusion** [1] -  
 3:7  
**Notary** [1] - 11:7  
**noted** [1] - 10:23  
**notes** [1] - 11:11  
**notice** [1] - 3:18  
**notices** [1] - 2:25  
**Number** [1] - 2:3

---

## O

---

**obtained** [1] - 3:3  
**OF** [3] - 1:3, 11:3, 11:5  
**officers** [1] - 3:12  
**one** [2] - 2:8, 6:21  
**one-family** [1] - 2:8

---

## P

---

**p.m** [2] - 1:12, 10:23  
**parcel** [1] - 2:5  
**parked** [1] - 8:2  
**parking** [1] - 8:9  
**part** [1] - 4:24  
**partial** [1] - 4:13  
**parties** [1] - 3:3  
**patio** [1] - 4:12  
**percent** [4] - 4:14,  
 4:18, 6:5, 9:16  
**percentage** [1] - 9:7  
**permitted** [2] - 2:12,  
 4:10  
**persons** [1] - 3:10

**pitch** [2] - 9:18, 9:20  
**place** [1] - 4:9  
**Planning** [2] - 3:17,  
 3:18  
**plans** [2] - 9:10, 9:12  
**porch** [4] - 5:22, 8:17,  
 8:18  
**portion** [1] - 2:9  
**present** [1] - 4:5  
**pressure** [1] - 7:21  
**proceedings** [1] -  
 11:10  
**prompted** [1] - 5:3  
**proof** [1] - 2:23  
**property** [1] - 4:8  
**proportion** [1] - 6:10  
**proposes** [1] - 2:7  
**proposing** [2] - 4:16,  
 6:7  
**provided** [1] - 2:23  
**provisions** [1] - 7:24  
**Public** [1] - 11:7  
**publication** [1] - 2:24  
**purposes** [1] - 7:25  
**Pursuant** [1] - 3:15  
**pursuant** [2] - 2:15,  
 3:5

---

## Q

---

**QUEENS** [1] - 11:5  
**questions** [1] - 9:3  
**quickly** [1] - 6:2

---

## R

---

**read** [1] - 2:19  
**really** [1] - 10:13  
**recess** [1] - 10:2  
**record** [5] - 2:20, 2:22,  
 2:24, 10:17, 11:9  
**regular** [1] - 7:21  
**Regulations** [1] - 2:17  
**relieve** [1] - 7:20  
**representative** [1] -  
 3:22  
**request** [1] - 10:18  
**requesting** [1] - 4:7  
**require** [1] - 2:18  
**required** [3] - 2:11,  
 2:25, 10:6  
**requirement** [1] - 6:6  
**requirements** [1] -  
 9:19  
**residence** [2] - 2:8,  
 4:5  
**residents** [1] - 10:16  
**Road** [2] - 1:5, 2:6  
**roof** [12] - 4:13, 4:14,  
 4:16, 4:19, 4:20,

4:22, 5:23, 9:5, 9:7,  
 9:9, 9:16, 9:18  
**roofs** [1] - 2:13  
**run** [1] - 6:2

---

## S

---

**safety** [1] - 7:25  
**second** [1] - 6:22  
**Section** [3] - 2:6, 2:16,  
 3:6  
**see** [1] - 7:19  
**seeks** [1] - 2:10  
**September** [1] - 11:14  
**serve** [1] - 9:19  
**set** [1] - 11:14  
**setback** [3] - 4:11,  
 4:12, 6:13  
**SHIFRA** [1] - 1:18  
**showing** [1] - 9:6  
**SHTEIERMAN** [7] -  
 1:19, 8:2, 8:7, 8:14,  
 9:5, 9:10, 9:14  
**space** [2] - 7:18, 7:22  
**square** [3] - 6:4, 6:6,  
 9:17  
**ss** [1] - 11:4  
**stair** [1] - 6:13  
**stairs** [1] - 4:12  
**STATE** [1] - 11:3  
**State** [3] - 2:16, 3:5,  
 11:8  
**Statement** [1] - 2:18  
**statement** [1] - 2:19  
**stenographic** [1] -  
 11:11  
**step** [1] - 3:22  
**straight** [2] - 6:9, 6:22  
**street** [1] - 8:12  
**structure** [1] - 10:7  
**Supt** [1] - 1:21  
**surpassing** [1] - 8:22

---

## T

---

**table** [1] - 5:17  
**THE** [1] - 1:3  
**therein** [1] - 11:12  
**thereof** [1] - 3:20  
**third** [1] - 2:2  
**tonight** [2] - 2:3, 10:8  
**total** [4] - 4:18, 4:20,  
 4:22, 6:3  
**transcript** [1] - 11:11  
**trying** [1] - 4:7  
**Type** [1] - 2:15

---

## U

---

**under** [2] - 3:14, 6:5

**unfortunately** [1] -  
 10:15

---

## V

---

**VARIANCE** [1] - 1:2  
**variance** [4] - 2:10,  
 4:7, 5:10, 10:10  
**variances** [1] - 4:6  
**vents** [1] - 7:20  
**versus** [1] - 5:2  
**village** [2] - 2:19,  
 10:16  
**Village** [3] - 1:20,  
 3:12, 3:16  
**vote** [2] - 10:3, 10:7

---

## W

---

**wait** [1] - 5:13  
**waived** [1] - 3:19  
**water** [5] - 7:16, 7:17,  
 7:19, 7:24, 9:20  
**Wayne** [1] - 9:13  
**WAYNE** [1] - 1:21  
**Westminster** [2] - 1:5,  
 2:6  
**wherein** [1] - 3:9  
**WHEREOF** [1] - 11:13  
**WITNESS** [1] - 11:13

---

## Y

---

**YAFFA** [2] - 11:7,  
 11:18  
**yard** [1] - 4:12  
**YARNELL** [5] - 1:21,  
 5:15, 7:17, 8:5, 8:9  
**YOEL** [1] - 1:20  
**YORK** [1] - 11:3  
**York** [4] - 1:9, 2:16,  
 3:5, 11:8

---

## Z

---

**zone** [8] - 5:14, 7:5,  
 7:7, 7:21, 7:23, 8:22  
**ZONING** [1] - 1:2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
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Proceedings - Shimon and Rachel Weiner

-----  
APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF  
Rachel and Shimon Weiner  
259 Oakwood Avenue

Applicant.

-----  
200 Cedarhurst Avenue  
Cedarhurst, New York

August 31, 2023

7:37 p.m.

B E F O R E

- MEIR KRENGEL, Chairman
- MICHAEL BLEIBERG, Board Member
- JARED CLARK, Board Member
- SHIFRA EDELMAN, Board Member
- DAVID SHTEIERMAN, Board Member
- YOEL GOLDFEDER, Village Attorney
- WAYNE YARNELL, Supt. Bldg. Dept.



1 Proceedings - Shimon and Rachel Weiner

2 CHAIRMAN KRENGEL: The fourth case on  
3 the calendar tonight has been assigned Case  
4 Number 12 of 2023. It is an application of  
5 Rachel and Shimon Weiner, the applicant of the  
6 parcel known as 259 Oakwood Avenue and  
7 designated as Section 39/Block 260/Lot 315.  
8 The applicant proposes a two-story renovation.  
9 The applicant seeks variance from Cedarhurst  
10 Code 265-36, height, 265-42.1A and C,  
11 character of roof.

12 This Board has determined that the  
13 application is a Type II Action pursuant to  
14 Section 617.3 of the New York State Department  
15 of Environmental Control Regulations and does  
16 not require an Environmental Impact Statement.  
17 The village attorney will now read a statement  
18 into the record.

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

1           Proceedings - Shimon and Rachel Weiner  
2           Board has jurisdiction to hear this appeal.

3           Pursuant to New York State General  
4           Municipal Law Section 809, on May 30, 2023, a  
5           non-collusion affidavit has been duly executed  
6           by the applicant, Shimon Weiner, wherein he  
7           stated that there are no other persons or  
8           entities involved in this application that are  
9           employed by or connected to the Village of  
10          Cedarhurst, its officers, or employees, which  
11          would in any way constitute a conflict under  
12          the law.

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

19          MR. YOONS: Good evening. My name is  
20          Young Yoons with Yoons Group. We are the  
21          architects for the Weiner residence situated  
22          at 259 Oakwood Avenue. The house is located  
23          in R1 zone. Our client has filed a building  
24          permit application to which it was denied as  
25          it deviated from the code. As such, we have

1           Proceedings - Shimon and Rachel Weiner  
2           filed an application with the Board of Zoning  
3           Appeals seeking a variance from Section 265-36  
4           as the renovation exceeds the permitted height  
5           of 30 feet from the crown of the road. We are  
6           proposing 32 feet to the top of the flat roof.  
7           265-42.1A, where flat roofs are not permitted,  
8           we are proposing 48.1 percent roof area to be  
9           flat. We believe that the request is minor.

10           The work being proposed is a renovation,  
11           an addition to an existing two-story,  
12           single-family dwelling to the right side of  
13           the existing house. Ninety percent of their  
14           foundation and basement will remain intact  
15           with no alterations to the existing kitchen  
16           and family room on the first floor. The  
17           existing living room and dining room with the  
18           ceiling height of 10 feet will be modified to  
19           a new study, foyer, and powder room, removing  
20           the existing powder room from the kitchen.

21           The first floor is at 28.03 elevation,  
22           which is 5 feet 8 inches above the crown of  
23           road. The first floor ranges from 8-foot  
24           ceiling height to upwards of 10-foot ceiling  
25           height. The second floor is set at 9-foot

1           Proceedings - Shimon and Rachel Weiner  
2           ceiling height, and these are heights that are  
3           pretty typical of this style house.

4           We originally proposed a roof height of  
5           33 feet 9 and a half inches in our original  
6           submission back in May of this year to match  
7           the existing roof height. Upon further review  
8           of surrounding properties of previously  
9           granted variances, we have altered the height  
10          of this home and reduced overall height to 32  
11          feet. The drawing should have been presented  
12          to you -- I believe today Wayne said -- with  
13          the house being very deep and wide, with  
14          limited height requirements. It doesn't allow  
15          for gable roofs, which is typical of the  
16          modern farmhouse design, which is why we  
17          revisited the design and went with the mansard  
18          roof design.

19          And then given how high the first floor  
20          is from the crown of road, we are requesting a  
21          variance of 32 feet to keep the roof in  
22          proportion of the design of the house. From  
23          the eave of the roof to the top of the roof is  
24          approximately 6 feet 6 inches, whereas the  
25          mean grade of the house to the eave is about

1           Proceedings - Shimon and Rachel Weiner  
2           24 feet, making the roof portion one quarter  
3           of the overall height. So anything less than  
4           that, we feel that the mansard roof in  
5           relationship to the house would appear very  
6           squatted and disproportionate.

7           The attic is not habitable with a height  
8           of 4 feet 4 inches taken from the attic deck  
9           to the underside of the ridge. And then with  
10          trace ceiling in some of the rooms and bumping  
11          up the height, the attic space would be  
12          reduced down to about 3 feet 4 inches, give or  
13          take.

14          We do believe the house is in character  
15          with a lot of the homes in the neighborhood.  
16          There are a lot of homes in this area with  
17          31-foot height. Like 44 Barnard Avenue, 31  
18          feet 6 inches, 572 Kensington, and most  
19          recently approved, 31 feet for 407 Church  
20          Avenue. And we believe that we are not  
21          setting new precedent here. The house would  
22          not have any detrimental impact on the  
23          neighborhood, nor cause undesirable change to  
24          the character of the neighborhood, and with  
25          the growing family and the desperate need for

1           Proceedings - Shimon and Rachel Weiner  
2           space, we are requesting that the Board grant  
3           this variance.

4           CHAIRMAN KRENGEL:   You just mentioned a  
5           bunch of houses at 31.  Can you bring this  
6           down to 31?

7           MR. YOONS:   I knew that was going to  
8           happen.  I did mention a 31.6 could be --

9           CHAIRMAN KRENGEL:   Can you bring it down  
10          to 31?

11          MR. YOONS:   All right.  Thirty-one.

12          CHAIRMAN KRENGEL:   Any questions?

13          MR. SHTEIERMAN:   You don't have an attic  
14          plan here, right?

15          MR. YOONS:   No attic plan but there is  
16          no --

17          MR. SHTEIERMAN:   I just see a full stair  
18          going up to the attic.  That's why I asked.

19          MR. GOODMAN:   That -- that was based on  
20          the original drawing plans.  So that was --  
21          that will be removed.  The stairs going into  
22          the attic.

23          CHAIRMAN KRENGEL:   You mentioned the  
24          attic being 3.4 feet.  It's impossible to have  
25          reuseable attic space.

1 Proceedings - Shimon and Rachel Weiner

2 MR. YOONS: So there won't be any stairs  
3 and you are correct. There are stairs but the  
4 plan, the redesign was kind of a rush, you  
5 know, and especially after the last hearing I  
6 went into panic mode knowing that we had to  
7 bring this down.

8 CHAIRMAN KRENGEL: Okay.

9 MR. SHTEIERMAN: Any calculations  
10 showing what percentage of this roof is flat?

11 MR. YOONS: 48.1.

12 MR. SHTEIERMAN: You don't have any  
13 calculations here showing that, do you?

14 CHAIRMAN KRENGEL: Do you have  
15 calculations?

16 MR. YOONS: It's on the first page on  
17 the zoning chart. On T000 and it says that  
18 1,491.6 square feet of the 3,100.6 square feet  
19 is a roof area which is 48.1 percent being  
20 flat.

21 CHAIRMAN KRENGEL: Any questions on the  
22 roof?

23 MR. SHTEIERMAN: I am good.

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

1 Proceedings - Shimon and Rachel Weiner

2 MR. YOONS: Yes, sir.

3 CHAIRMAN KRENGEL: Any other questions?  
4 Anybody would like to speak against this  
5 application? Anybody would like to speak in  
6 favor of the application? Okay. We will take  
7 a 5-minute break and come back with a  
8 decision.

9 (Recess taken.)

10 CHAIRMAN KRENGEL: We are going to make  
11 a motion to approve the application with a  
12 slight modification. Member Shteierman will  
13 say the narrative.

14 MR. SHTEIERMAN: As this Board has  
15 stated many times before, there is no  
16 precedent set on prior cases. We take every  
17 case individually. With that said, in this  
18 particular case, considering that there is  
19 only 4 and a half feet structural headroom in  
20 the attic, no more, considering that you are  
21 keeping the house 34 foot back, considering  
22 that the crown of the road is significantly  
23 lower than your legal grade at the point of  
24 the house, taking those issues into  
25 consideration, we make a motion to approve the



1           Proceedings - Shimon and Rachel Weiner  
2           height at 31 feet and to approve the flat roof  
3           as shown. I think it's 48 percent.

4           MR. YOONS: Yes.

5           MR. SHTEIERMAN: At 48 percent of it  
6           flat. Maintaining a strict headroom of only  
7           4.6 in the attic.

8           CHAIRMAN KRENGEL: Make a motion to  
9           approve this modified.

10          MS. EDELMAN: Approved.

11          MR. BLEIBERG: Approved as modified.

12          MR. CLARK: Approved.

13          MR. SHTEIERMAN: Approved.

14          CHAIRMAN KRENGEL: Approved as modified.

15          Thank you very much. We are adjourned.

16          (Time noted: 7:51 p.m.)

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Proceedings - Shimon and Rachel Weiner

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 September,  
2023.

-----  
YAFFA KAPLAN

<b>1</b>	<b>7</b>	<b>basement</b> [1] - 4:14	<b>board</b> [1] - 1:19	<b>DAVID</b> [1] - 1:19	<b>filed</b> [2] - 3:23, 4:2
<b>1,491.6</b> [1] - 8:18	<b>7:37</b> [1] - 1:12	<b>between</b> [1] - 3:13	<b>Bldg</b> [1] - 1:21	<b>decision</b> [1] - 9:8	<b>first</b> [5] - 4:16, 4:21, 4:23, 5:19, 8:16
<b>10</b> [1] - 4:18	<b>7:51</b> [1] - 10:16	<b>Bldg</b> [1] - 1:21	<b>BLEIBERG</b> [2] - 1:16, 10:11	<b>deck</b> [1] - 6:8	<b>flat</b> [7] - 4:6, 4:7, 4:9, 8:10, 8:20, 10:2, 10:6
<b>10-foot</b> [1] - 4:24	<b>8</b>	<b>Board</b> [1] - 1:16, 1:17, 1:18, 1:19, 2:12, 2:20, 3:2, 3:18, 4:2, 7:2, 9:14	<b>Board</b> [1] - 1:16, 1:17, 1:18, 1:19, 2:12, 2:20, 3:2, 3:18, 4:2, 7:2, 9:14	<b>deep</b> [1] - 5:13	<b>floor</b> [5] - 4:16, 4:21, 4:23, 4:25, 5:19
<b>12</b> [1] - 2:4	<b>8</b> [1] - 4:22	<b>break</b> [1] - 9:7	<b>bring</b> [3] - 7:5, 7:9, 8:7	<b>denied</b> [1] - 3:24	<b>foot</b> [1] - 9:21
<b>15th</b> [1] - 11:14	<b>8-feet</b> [1] - 4:23	<b>bring</b> [3] - 7:5, 7:9, 8:7	<b>building</b> [1] - 3:23	<b>Department</b> [1] - 2:14	<b>FOR</b> [1] - 1:2
<b>2</b>	<b>809</b> [1] - 3:4	<b>bumping</b> [1] - 6:10	<b>bunch</b> [1] - 7:5	<b>Dept</b> [1] - 1:21	<b>foregoing</b> [1] - 11:9
<b>200</b> [1] - 1:8	<b>9</b>	<b>building</b> [1] - 3:23	<b>C</b>	<b>design</b> [4] - 5:16, 5:17, 5:18, 5:22	<b>foundation</b> [1] - 4:14
<b>2023</b> [4] - 1:11, 2:4, 3:4, 11:15	<b>9</b> [1] - 5:5	<b>bunch</b> [1] - 7:5	<b>calculations</b> [3] - 8:9, 8:13, 8:15	<b>designated</b> [1] - 2:7	<b>fourth</b> [1] - 2:2
<b>24</b> [1] - 6:2	<b>9-foot</b> [1] - 4:25	<b>A</b>	<b>calendar</b> [1] - 2:3	<b>desperate</b> [1] - 6:25	<b>foyer</b> [1] - 4:19
<b>259</b> [3] - 1:5, 2:6, 3:22	<b>9</b>	<b>accordingly</b> [1] - 2:24	<b>case</b> [4] - 2:2, 8:25, 9:17, 9:18	<b>determined</b> [1] - 2:12	<b>full</b> [2] - 7:17, 11:10
<b>260/Lot</b> [1] - 2:7	<b>9</b>	<b>Action</b> [1] - 2:13	<b>Case</b> [1] - 2:3	<b>detrimental</b> [1] - 6:22	<b>G</b>
<b>265-36</b> [2] - 2:10, 4:3	<b>9</b>	<b>addition</b> [1] - 4:11	<b>Cedarhurst</b> [5] - 1:8, 1:9, 2:9, 3:10, 3:14	<b>deviated</b> [1] - 3:25	<b>gable</b> [1] - 5:15
<b>265-42.1A</b> [2] - 2:10, 4:7	<b>9</b>	<b>adjourned</b> [1] - 10:15	<b>ceiling</b> [5] - 4:18, 4:24, 5:2, 6:10	<b>dining</b> [1] - 4:17	<b>General</b> [1] - 3:3
<b>28.03</b> [1] - 4:21	<b>9</b>	<b>affidavit</b> [1] - 3:5	<b>certify</b> [1] - 11:9	<b>disproportionate</b> [1] - 6:6	<b>given</b> [2] - 3:16, 5:19
<b>3</b>	<b>9</b>	<b>agreement</b> [1] - 3:13	<b>Chairman</b> [3] - 1:15, 2:19, 3:18	<b>down</b> [4] - 6:12, 7:6, 7:9, 8:7	<b>GOLDFEDER</b> [2] - 1:20, 2:19
<b>3</b> [1] - 6:12	<b>9</b>	<b>allow</b> [1] - 5:14	<b>CHAIRMAN</b> [13] - 2:2, 7:4, 7:9, 7:12, 7:23, 8:8, 8:14, 8:21, 8:24, 9:3, 9:10, 10:8, 10:14	<b>drawing</b> [2] - 5:11, 7:20	<b>GOODMAN</b> [1] - 7:19
<b>3,100.6</b> [1] - 8:18	<b>9</b>	<b>alterations</b> [1] - 4:15	<b>change</b> [1] - 6:23	<b>duly</b> [1] - 3:5	<b>grant</b> [2] - 5:25, 9:23
<b>3.4</b> [1] - 7:24	<b>9</b>	<b>altered</b> [1] - 5:9	<b>character</b> [3] - 2:11, 6:14, 6:24	<b>dwelling</b> [1] - 4:12	<b>grade</b> [1] - 7:2
<b>30</b> [2] - 3:4, 4:5	<b>9</b>	<b>appeal</b> [1] - 3:2	<b>chart</b> [1] - 8:17	<b>E</b>	<b>granted</b> [1] - 5:9
<b>31</b> [7] - 1:11, 6:17, 6:19, 7:5, 7:6, 7:10, 10:2	<b>9</b>	<b>Appeals</b> [1] - 4:3	<b>Church</b> [1] - 6:19	<b>eave</b> [2] - 5:23, 5:25	<b>Group</b> [1] - 3:20
<b>31-foot</b> [1] - 6:17	<b>9</b>	<b>appear</b> [1] - 6:5	<b>CLARK</b> [2] - 1:17, 10:12	<b>EDELMAN</b> [2] - 1:18, 10:10	<b>growing</b> [1] - 6:25
<b>31.6</b> [1] - 7:8	<b>9</b>	<b>applicant</b> [5] - 1:6, 2:5, 2:8, 2:9, 3:6	<b>client</b> [1] - 3:23	<b>elevation</b> [1] - 4:21	<b>H</b>
<b>315</b> [1] - 2:7	<b>9</b>	<b>APPLICATION</b> [1] - 1:2	<b>Code</b> [1] - 2:10	<b>employed</b> [1] - 3:9	<b>habitable</b> [1] - 6:7
<b>32</b> [3] - 4:6, 5:10, 5:21	<b>9</b>	<b>application</b> [9] - 2:4, 2:13, 3:8, 3:17, 3:24, 4:2, 9:5, 9:6, 9:11	<b>code</b> [1] - 3:25	<b>employees</b> [1] - 3:10	<b>half</b> [2] - 5:5, 9:19
<b>33</b> [1] - 5:5	<b>9</b>	<b>approve</b> [4] - 9:11, 9:25, 10:2, 10:9	<b>collusion</b> [1] - 3:5	<b>entities</b> [1] - 3:8	<b>hand</b> [1] - 11:14
<b>34</b> [1] - 9:21	<b>9</b>	<b>approved</b> [6] - 6:19, 10:10, 10:11, 10:12, 10:13, 10:14	<b>Commission</b> [2] - 3:15, 3:16	<b>Environmental</b> [2] - 2:15, 2:16	<b>headroom</b> [2] - 9:19, 10:6
<b>39/Block</b> [1] - 2:7	<b>9</b>	<b>architects</b> [1] - 3:21	<b>conflict</b> [1] - 3:11	<b>especially</b> [1] - 8:5	<b>hear</b> [1] - 3:2
<b>4</b>	<b>9</b>	<b>area</b> [3] - 4:8, 6:16, 8:19	<b>connected</b> [1] - 3:9	<b>evening</b> [1] - 3:19	<b>hearing</b> [2] - 2:23, 8:5
<b>4</b> [4] - 6:8, 6:12, 9:19	<b>9</b>	<b>assigned</b> [1] - 2:3	<b>consideration</b> [2] - 3:17, 9:25	<b>executed</b> [1] - 3:5	<b>height</b> [16] - 2:10, 4:4, 4:18, 4:24, 4:25, 5:2, 5:4, 5:7, 5:9, 5:10, 5:14, 6:3, 6:7, 6:11, 6:17, 10:2
<b>4.6</b> [1] - 10:7	<b>9</b>	<b>attic</b> [1] - 6:7, 6:8, 6:11, 7:13, 7:15, 7:18, 7:22, 7:24, 7:25, 9:20, 10:7	<b>conducting</b> [3] - 9:18, 9:20, 9:21	<b>existing</b> [6] - 4:11, 4:13, 4:15, 4:17, 4:20, 5:7	<b>heights</b> [1] - 5:2
<b>407</b> [1] - 6:19	<b>9</b>	<b>attorney</b> [1] - 2:17	<b>control</b> [1] - 2:15	<b>favor</b> [1] - 9:6	<b>hereby</b> [1] - 11:9
<b>44</b> [1] - 6:17	<b>9</b>	<b>Attorney</b> [1] - 1:20	<b>correct</b> [2] - 8:3, 11:10	<b>feet</b> [18] - 4:5, 4:6, 4:18, 4:22, 5:5, 5:11, 5:21, 5:24, 6:2, 6:8, 6:12, 6:18, 6:19, 7:24, 8:18, 9:19, 10:2	<b>hereunto</b> [1] - 11:13
<b>48</b> [2] - 10:3, 10:5	<b>9</b>	<b>August</b> [1] - 1:11	<b>County</b> [2] - 3:14, 3:15	<b>F</b>	<b>high</b> [1] - 5:19
<b>48.1</b> [3] - 4:8, 8:11, 8:19	<b>9</b>	<b>Avenue</b> [6] - 1:5, 1:8, 2:6, 3:22, 6:17, 6:20	<b>COUNTY</b> [1] - 11:5	<b>family</b> [3] - 4:12, 4:16, 6:25	<b>home</b> [1] - 5:10
<b>5</b>	<b>9</b>	<b>B</b>		<b>farmhouse</b> [1] - 5:16	<b>homes</b> [2] - 6:15, 6:16
<b>5</b> [1] - 4:22	<b>9</b>	<b>Barnard</b> [1] - 6:17		<b>favor</b> [1] - 9:6	<b>house</b> [1] - 3:22, 4:13, 5:3, 5:13, 5:22, 5:25, 6:5, 6:14, 6:21, 9:21, 9:24
<b>5-minute</b> [1] - 9:7	<b>9</b>	<b>based</b> [1] - 7:19		<b>feet</b> [18] - 4:5, 4:6, 4:18, 4:22, 5:5, 5:11, 5:21, 5:24, 6:2, 6:8, 6:12, 6:18, 6:19, 7:24, 8:18, 9:19, 10:2	<b>houses</b> [1] - 7:5
<b>572</b> [1] - 6:18	<b>9</b>			<b>I</b>	<b>impact</b> [1] - 6:22
<b>6</b>	<b>9</b>				
<b>6</b> [3] - 5:24, 6:18	<b>9</b>				
<b>617.3</b> [1] - 2:14	<b>9</b>				

**Impact** [1] - 2:16  
**impossible** [1] - 7:24  
**IN** [2] - 1:3, 11:13  
**inches** [6] - 4:22, 5:5, 5:24, 6:8, 6:12, 6:18  
**individually** [1] - 9:17  
**intact** [1] - 4:14  
**involved** [1] - 3:8  
**issues** [1] - 9:24

---

## J

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**JARED** [1] - 1:17  
**jurisdiction** [2] - 2:24, 3:2

---

## K

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**KAPLAN** [2] - 11:7, 11:18  
**keep** [1] - 5:21  
**keeping** [1] - 9:21  
**Kensington** [1] - 6:18  
**kind** [1] - 8:4  
**kitchen** [2] - 4:15, 4:20  
**knowing** [1] - 8:6  
**known** [1] - 2:6  
**KRENGEL** [14] - 1:15, 2:2, 7:4, 7:9, 7:12, 7:23, 8:8, 8:14, 8:21, 8:24, 9:3, 9:10, 10:8, 10:14

---

## L

---

**last** [1] - 8:5  
**law** [2] - 2:24, 3:12  
**Law** [1] - 3:4  
**legal** [1] - 9:23  
**less** [1] - 6:3  
**limited** [1] - 5:14  
**living** [1] - 4:17  
**local** [1] - 2:22  
**located** [1] - 3:22  
**lower** [1] - 9:23

---

## M

---

**mailing** [1] - 2:21  
**maintaining** [1] - 10:6  
**mansard** [2] - 5:17, 6:4  
**match** [1] - 5:6  
**MATTER** [1] - 1:3  
**mean** [1] - 5:25  
**MEIR** [1] - 1:15  
**member** [1] - 9:12  
**Member** [4] - 1:16, 1:17, 1:18, 1:19

**members** [2] - 2:19, 3:18  
**mention** [1] - 7:8  
**mentioned** [2] - 7:4, 7:23

**MICHAEL** [1] - 1:16  
**minor** [1] - 4:9  
**mode** [1] - 8:6  
**modern** [1] - 5:16  
**modification** [1] - 9:12  
**modified** [4] - 4:18, 10:9, 10:11, 10:14  
**most** [1] - 6:18  
**motion** [3] - 9:11, 9:25, 10:8  
**MR** [21] - 2:19, 3:19, 7:7, 7:11, 7:13, 7:15, 7:17, 7:19, 8:2, 8:9, 8:11, 8:12, 8:16, 8:23, 9:2, 9:14, 10:4, 10:5, 10:11, 10:12, 10:13  
**MS** [1] - 10:10  
**Municipal** [1] - 3:4

---

## N

---

**name** [1] - 3:19  
**narrative** [1] - 9:13  
**Nassau** [2] - 3:14, 3:15  
**necessary** [1] - 2:25  
**need** [1] - 6:25  
**neighborhood** [3] - 6:15, 6:23, 6:24  
**new** [2] - 4:19, 6:21  
**New** [4] - 1:9, 2:14, 3:3, 11:8  
**NEW** [1] - 11:3  
**newspaper** [1] - 2:22  
**ninety** [1] - 4:13  
**non** [1] - 3:5  
**non-collusion** [1] - 3:5  
**Notary** [1] - 11:7  
**noted** [1] - 10:16  
**notes** [1] - 11:11  
**notice** [1] - 3:16  
**notices** [1] - 2:23  
**Number** [1] - 2:4

---

## O

---

**Oakwood** [3] - 1:5, 2:6, 3:22  
**obtained** [1] - 2:25  
**OF** [3] - 1:3, 11:3, 11:5  
**officers** [1] - 3:10  
**one** [2] - 6:2, 7:11  
**original** [2] - 5:5, 7:20

**originally** [1] - 5:4  
**overall** [2] - 5:10, 6:3

---

## P

---

**p.m** [2] - 1:12, 10:16  
**page** [1] - 8:16  
**panic** [1] - 8:6  
**parcel** [1] - 2:6  
**particular** [1] - 9:18  
**parties** [1] - 2:25  
**percent** [5] - 4:8, 4:13, 8:19, 10:3, 10:5  
**percentage** [1] - 8:10  
**permit** [1] - 3:24  
**permitted** [2] - 4:4, 4:7  
**persons** [1] - 3:7  
**plan** [3] - 7:14, 7:15, 8:4  
**Planning** [2] - 3:15, 3:16  
**plans** [1] - 7:20  
**point** [1] - 9:23  
**portion** [1] - 6:2  
**powder** [2] - 4:19, 4:20  
**precedent** [2] - 6:21, 9:16  
**presented** [1] - 5:11  
**pretty** [1] - 5:3  
**previously** [1] - 5:8  
**proceedings** [1] - 11:10  
**proof** [1] - 2:21  
**properties** [1] - 5:8  
**proportion** [1] - 5:22  
**proposed** [2] - 4:10, 5:4  
**proposes** [1] - 2:8  
**proposing** [2] - 4:6, 4:8  
**provided** [1] - 2:21  
**Public** [1] - 11:7  
**publication** [1] - 2:22  
**Pursuant** [1] - 3:13  
**pursuant** [2] - 2:13, 3:3

---

## Q

---

**quarter** [1] - 6:2  
**QUEENS** [1] - 11:5  
**questions** [3] - 7:12, 8:21, 9:3

---

## R

---

**R1** [1] - 3:23  
**Rachel** [2] - 1:4, 2:5  
**ranges** [1] - 4:23

**read** [1] - 2:17  
**recently** [1] - 6:19  
**recess** [1] - 9:9  
**record** [4] - 2:18, 2:20, 2:22, 11:9  
**redesign** [1] - 8:4  
**reduced** [2] - 5:10, 6:12  
**Regulations** [1] - 2:15  
**relationship** [1] - 6:5  
**remain** [1] - 4:14  
**removed** [1] - 7:21  
**removing** [1] - 4:19  
**renovation** [3] - 2:8, 4:4, 4:10  
**request** [1] - 4:9  
**requesting** [2] - 5:20, 7:2  
**require** [1] - 2:16  
**required** [1] - 2:23  
**requirements** [1] - 5:14  
**residence** [1] - 3:21  
**reuseable** [1] - 7:25  
**review** [1] - 5:7  
**revisited** [1] - 5:17  
**ridge** [1] - 6:9  
**road** [4] - 4:5, 4:23, 5:20, 9:22  
**roof** [15] - 2:11, 4:6, 4:8, 5:4, 5:7, 5:18, 5:21, 5:23, 6:2, 6:4, 8:10, 8:19, 8:22, 10:2  
**roofs** [2] - 4:7, 5:15  
**room** [5] - 4:16, 4:17, 4:19, 4:20  
**rooms** [1] - 6:10  
**rush** [1] - 8:4

---

## S

---

**second** [1] - 4:25  
**Section** [4] - 2:7, 2:14, 3:4, 4:3  
**see** [1] - 7:17  
**seeking** [1] - 4:3  
**seeks** [1] - 2:9  
**September** [1] - 11:14  
**set** [3] - 4:25, 9:16, 11:14  
**setting** [1] - 6:21  
**SHIFRA** [1] - 1:18  
**Shimon** [3] - 1:4, 2:5, 3:6  
**showing** [2] - 8:10, 8:13  
**shown** [1] - 10:3  
**SHTEIERMAN** [9] - 1:19, 7:13, 7:17, 8:9,

8:12, 8:23, 9:14, 10:5, 10:13  
**Shtierman** [1] - 9:12  
**side** [1] - 4:12  
**significantly** [1] - 9:22  
**single** [1] - 4:12  
**single-family** [1] - 4:12  
**situated** [1] - 3:21  
**slight** [1] - 9:12  
**space** [3] - 6:11, 7:2, 7:25  
**square** [2] - 8:18  
**squatted** [1] - 6:6  
**ss** [1] - 11:4  
**stair** [1] - 7:17  
**stairs** [3] - 7:21, 8:2, 8:3  
**STATE** [1] - 11:3  
**State** [3] - 2:14, 3:3, 11:8  
**Statement** [1] - 2:16  
**statement** [1] - 2:17  
**stenographic** [1] - 11:11  
**story** [2] - 2:8, 4:11  
**strict** [1] - 10:6  
**structural** [1] - 9:19  
**study** [1] - 4:19  
**style** [1] - 5:3  
**submission** [1] - 5:6  
**Supt** [1] - 1:21  
**surrounding** [1] - 5:8

---

## T

---

**T000** [1] - 8:17  
**THE** [1] - 1:3  
**therein** [1] - 11:12  
**thereof** [1] - 3:18  
**thirty** [1] - 7:11  
**thirty-one** [1] - 7:11  
**today** [1] - 5:12  
**tonight** [1] - 2:3  
**top** [2] - 4:6, 5:23  
**trace** [1] - 6:10  
**transcript** [1] - 11:11  
**two** [2] - 2:8, 4:11  
**two-story** [2] - 2:8, 4:11  
**Type** [1] - 2:13  
**typical** [2] - 5:3, 5:15

---

## U

---

**under** [1] - 3:11  
**underside** [1] - 6:9  
**undesirable** [1] - 6:23  
**up** [2] - 6:11, 7:18  
**upwards** [1] - 4:24

---

**V**

---

**variance** [4] - 2:9, 4:3,  
5:21, 7:3  
**VARIANCE** [1] - 1:2  
**variances** [1] - 5:9  
**village** [1] - 2:17  
**Village** [3] - 1:20, 3:9,  
3:14

---

**W**

---

**waived** [1] - 3:17  
**Wayne** [1] - 5:12  
**WAYNE** [1] - 1:21  
**Weiner** [4] - 1:4, 2:5,  
3:6, 3:21  
**whereas** [1] - 5:24  
**wherein** [1] - 3:6  
**WHEREOF** [1] - 11:13  
**wide** [1] - 5:13  
**WITNESS** [1] - 11:13

---

**Y**

---

**YAFFA** [2] - 11:7,  
11:18  
**YARNELL** [1] - 1:21  
**year** [1] - 5:6  
**YOEL** [1] - 1:20  
**YOONS** [9] - 3:19, 7:7,  
7:11, 7:15, 8:2, 8:11,  
8:16, 9:2, 10:4  
**Yoons** [2] - 3:20  
**YORK** [1] - 11:3  
**York** [4] - 1:9, 2:14,  
3:3, 11:8  
**Young** [1] - 3:20

---

**Z**

---

**zone** [1] - 3:23  
**ZONING** [1] - 1:2  
**Zoning** [1] - 4:2  
**zoning** [1] - 8:17