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Proceedings - 525 Underhill LLC

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

525 UNDERHILL LLC
316 Westminster Road
Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

April 21, 2026
7:02 p.m.

- B E F O R E:
- DAVID SHTEIERMAN, Chairman
 - DANIEL BURG, Board Member
 - MICHAEL BLEIBERG, Board Member
 - ROBERT ZIMMERMANN, Board Member
 - YOEL GOLDFEDER, Village Attorney
 - WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - 525 Underhill LLC

2 CHAIRMAN SHTEIERMAN: First case on the
3 calendar tonight has been assigned Case Number
4 2026-009 and is the application of 525
5 Underhill LLC, the applicant, of a parcel
6 known as 316 Westminster Road and designated
7 as 39/336/85 in an R1 zone.

8 The applicant seeks variances from
9 Cedarhurst Code Sections 265-125, Location
10 Restricted, and 265-126, Area Limitations.

11 The village attorney will now read a
12 statement into the record.

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

21 Pursuant to New York State General
22 Municipal Law Section 809, on February 13,
23 2026, a non-collusion affidavit has been duly
24 executed by the applicant, Michael Rafailov,
25 wherein he stated that there are no other

1 Proceedings - 525 Underhill LLC
2 persons or entities involved in this
3 application that are employed by or connected
4 to the Village of Cedarhurst, its officers, or
5 employees, which would in any way constitute a
6 conflict under the law.

7 Pursuant to an agreement between the
8 Village of Cedarhurst and Nassau County
9 Planning Commission, the Nassau County
10 Planning Commission has been given notice of
11 this application and has waived consideration
12 thereof.

13 Mr. Chairman, members of the Board.

14 CHAIRMAN SHTEIERMAN: Applicant?

15 MR. SAVALDI: Good evening to the Board.
16 My name is Amiel Savaldi, architect, 1 Meadow
17 Drive, Woodsburgh, New York. And good evening
18 to the Board. I am here representing Mr.
19 Rafailov who is sitting there. He recently
20 completed the renovation of this house and he
21 moved in with his family and his kids and he
22 wants to have a swimming pool to entertain his
23 -- so that the kids would have something to do
24 in the summer. And we have two variances.

25 We are exceeding a bit -- the pool is

1 Proceedings - 525 Underhill LLC

2 exceeding a bit the permitted area in the
3 backyard. And because it's a tight lot, we
4 are requesting a variance for a 5-foot rear
5 yard instead of a setback of -- instead of a
6 10-foot. So that's the two variances that we
7 have.

8 MR. GOLDFEDER: What is the proposed
9 area of the pool?

10 MR. SAVALDI: The proposed area is 421.3
11 square feet, which is 20.8 percent and which
12 is exceeding the permitted 20 percent.

13 MR. GOLDFEDER: Now, this is a
14 substandard lot. It's 100 by 50 as opposed to
15 the standard, which is 60 by 100.

16 MR. SAVALDI: Correct. It's a
17 preexisting --

18 CHAIRMAN SHTEIERMAN: Behind the
19 property is?

20 MR. SAVALDI: Behind the property is the
21 gas station on one side and the residents on
22 the other side of the rear yard. Lot 11 and
23 12. Lot 6 through 10 is the gas station.

24 CHAIRMAN SHTEIERMAN: Is that your case?

25 MR. SAVALDI: Pardon me?

1 Proceedings - 525 Underhill LLC

2 CHAIRMAN SHTEIERMAN: Is that your case?

3 MR. SAVALDI: Yes.

4 CHAIRMAN SHTEIERMAN: Any questions for
5 the Board? Anybody would like to speak in
6 favor or against this case? Please step
7 forward.

8 MR. GOLDFEDER: State your name and
9 address for the record.

10 MR. SICILIANO: Fred Siciliano, 328
11 Westminster Road, Cedarhurst.

12 S-I-C-I-L-I-A-N-O. Is this in-ground? Above
13 ground? Half and half?

14 CHAIRMAN SHTEIERMAN: This is a proposed
15 in-ground pool. Fully in-ground in the rear
16 yard of the house.

17 MR. SICILIANO: And the depth is what?

18 MR. GOLDFEDER: It's not really --

19 CHAIRMAN SHTEIERMAN: It's not shown on
20 this plan.

21 MR. GOLDFEDER: You are more than happy
22 to ask, but it's not important for our
23 determination.

24 MR. SICILIANO: Except we have a very
25 high water table.

1 Proceedings - 525 Underhill LLC

2 MR. GOLDFEDER: I understand the water
3 table. That's their issue if they hit water,
4 but for variance purposes, it's their location
5 and size of it.

6 MR. SICILIANO: That's it.

7 MR. GOLDFEDER: Okay. Not a problem.

8 CHAIRMAN SHTEIERMAN: Well, any decision
9 made here tonight is based on being a fully
10 in-ground pool?

11 MR. SAVALDI: Yes.

12 CHAIRMAN SHTEIERMAN: Make a motion to
13 approve.

14 MR. ZIMMERMANN: Second the motion.

15 MR. BLEIBERG: Approved.

16 MR. BURG: Approved.

17 (Time noted: 7:07 p.m.)
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Proceedings - 525 Underhill 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
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 4th day of May, 2026.

YAFFA KAPLAN

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Proceedings - Menachem and Shayna Landau

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

MENACHEM AND SHAYNA LANDAU
335 Summit Avenue

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

April 21, 2026
7:07 p.m.

- B E F O R E:
- DAVID SHTEIERMAN, Chairman
 - DANIEL BURG, Board Member
 - MICHAEL BLEIBERG, Board Member
 - ROBERT ZIMMERMANN, Board Member
 - YOEL GOLDFEDER, Village Attorney
 - WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Menachem and Shayna Landau

2 CHAIRMAN SHTEIERMAN: Second case on the
3 calendar tonight has been assigned 2026-10 and
4 is the application of Menachem and Shayna
5 Landau, the applicant, of a parcel known as
6 335 Summit Avenue and designated as 39/424/101
7 in an R1 zone.

8 The applicant seeks variances from
9 Cedarhurst Code Sections 265-125, Location
10 Restricted.

11 The village attorney will now read a
12 statement into the record.

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

21 Pursuant to New York State General
22 Municipal Law Section 809, on March 17, 2026,
23 a non-collusion affidavit has been duly
24 executed by the applicant, Menachem Landau,
25 wherein he stated that there are no other

1 Proceedings - Menachem and Shayna Landau
2 persons or entities involved in this
3 application that are employed by or connected
4 to the Village of Cedarhurst, its officers, or
5 employees, which would in any way constitute a
6 conflict under the law.

7 Pursuant to an agreement between the
8 Village of Cedarhurst and Nassau County
9 Planning Commission, the Nassau County
10 Planning Commission has been given notice of
11 this application and has waived consideration
12 thereof.

13 Mr. Chairman, members of the Board.

14 CHAIRMAN SHTEIERMAN: Will the applicant
15 or their representative please step forward.

16 MS. NAGEL: Sharonne Nagel for Menachem
17 Landau. Unfortunately, due to the overseas
18 situation, he tried, he couldn't get here, so
19 I am his last resort. Apologies. I am
20 better-looking and have more hair. But that's
21 okay.

22 So basically I am going to read off my
23 notes because obviously it's not my case, so I
24 am not privy to a lot of information except
25 for the fact that the pool was installed by a

1 Proceedings - Menachem and Shayna Landau
2 reputable pool company. The application code
3 requiring a 10-foot rear yard setback. Upon
4 subsequent inspection, the severity of the
5 setback measures approximately 8.4 foot on one
6 side and 9.4 on the other side. It was not an
7 intentional error. And it was in good faith
8 that the pool guy did what he was supposed to
9 do, and now we are unfortunately in the
10 position where we have to request a 10-foot
11 rear yard relief from the 10-foot rear yard
12 setback requirement and thank you. How did I
13 do?

14 CHAIRMAN SHTEIERMAN: You did great.

15 MR. GOLDFEDER: Are you familiar with
16 the property at all?

17 MS. NAGEL: I am very very much so.

18 MR. GOLDFEDER: So it's my understanding
19 that the rear of the property abuts against
20 not a residential.

21 MS. NAGEL: No, I don't believe it does.
22 It's got property on one side. Even the
23 second neighbor is like around the corner.
24 There is only one property that I think hits
25 their fence and it's --

1 Proceedings - Menachem and Shayna Landau

2 MR. GOLDFEDER: And the rear, it's just
3 a commercial property?

4 MS. NAGEL: Correct.

5 MR. GOLDFEDER: Okay.

6 CHAIRMAN SHTEIERMAN: Okay. Is that
7 your case?

8 MS. NAGEL: That's it.

9 CHAIRMAN SHTEIERMAN: Thank you for your
10 time. Any questions from the Board? Anybody
11 in the audience have anything to say for or
12 against this case? Make a motion to approve.

13 MR. BURG: Second the motion to approve.

14 MR. ZIMMERMAN: Approved.

15 MR. BLEIBERG: Approved.

16 (Time noted: 7:11 p.m.)

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Proceedings - Menachem and Shayna Landau

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 4th day of May, 2026.

YAFFA KAPLAN

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Proceedings - Heimowitz Simon and Schlam Atara

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

HEIMOWITZ SIMON AND SCHLAM ATARA
323 Livingston Place
Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

April 21, 2026
7:13 p.m.

B E F O R E:

DAVID SHTEIERMAN, Chairman

DANIEL BURG, Board Member

MICHAEL BLEIBERG, Board Member

ROBERT ZIMMERMANN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Heimowitz Simon and Schlam Atara

2 CHAIRMAN SHTEIERMAN: Third case on the
3 calendar tonight has been assigned Case Number
4 2026-11, and is the application of Heimowitz
5 Simon and Schlam Atara, the applicant, of a
6 parcel known as 323 Livingston Place and
7 designated as 39/346/37 in an R1 zone.

8 The applicant seeks variances from
9 Cedarhurst Code Sections 265-38.C, Building
10 Area, 265-41.A, Side Yards, and 265-42.1.A,
11 Character of Roofs.

12 The village attorney will now read a
13 statement into the record.

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

22 Pursuant to New York State General
23 Municipal Law Section 809, on March 18, 2026,
24 a non-collusion affidavit has been duly
25 executed by the applicant, Simon Heimowitz,

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2 wherein he stated that there are no other
3 persons or entities involved in this
4 application that are employed by or connected
5 to the Village of Cedarhurst, its officers, or
6 employees, which would in any way constitute a
7 conflict under the law.

8 Pursuant to an agreement between the
9 Village of Cedarhurst and Nassau County
10 Planning Commission, the Nassau County
11 Planning Commission has been given notice of
12 this application and has waived consideration
13 thereof.

14 Mr. Chairman, members of the Board.

15 MS. ADLER: Good evening, Chairman,
16 members of the Board. My name is Esther
17 Adler. I am at 781 Hillcrest Place in North
18 Woodmere. I am here representing Atara and
19 Simon Heimowitz. Thank you for the
20 opportunity to present this application.

21 My clients have a residence in this
22 neighborhood for over eight years. During
23 that time they built strong ties to the
24 community and truly value the character of
25 their block. As their family has grown to

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2 five children, they made genuine efforts to
3 find a larger home within the area to suit
4 their needs. They have been unable to find an
5 option. As a result, we are proposing to
6 build a new home that could recently
7 accommodate their family's needs while
8 remaining consistent with the surrounding
9 neighborhood.

10 This property, it stands to note, is an
11 existing noncompliant lot. It measures only
12 50 feet in width. If we apply the current
13 zoning setbacks, the buildable width of the
14 whole building would be 34 feet. This creates
15 a very narrow and impractical layout for a
16 home intended for a family of seven. To
17 address this, we are requesting to maintain
18 the existing side yard setback of the current
19 house of 6 feet on either side, which are
20 consistent with the current conditions and in
21 keeping with the neighborhood pattern.

22 We are also requesting a modest increase
23 in lot coverage from the permitted 30 to 34
24 percent. This allows for a more functional
25 interior layout without significantly

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2 impacting the overall character of the lot or
3 neighboring properties.

4 Thirdly and last, we are requesting
5 relief to permit a partial flat roof design.
6 This is proposed for aesthetic reasons to
7 create a cohesive and modern architectural
8 expression while still maintaining
9 compatibility with the surrounding homes.

10 I would like to note we made a concerted
11 effort to engage with all the surrounding
12 neighbors, including the adjacent properties
13 on both sides. We have letters to submit to
14 the Board from both sides and from a few
15 neighbors across the street. They are all
16 supportive of this application. We believe
17 that the request for relief represents the
18 minimum necessary to achieve reasonable use of
19 the property and that the practical difficulty
20 arises from the condition of the undersized
21 lot. This proposal will not create any
22 undesirable change in the character of the
23 neighborhood, so we respectfully ask the Board
24 for your consideration and approval.

25 MR. GOLDFEDER: Just for clarification

1 Proceedings - Heimowitz Simon and Schlam Atara
2 for the record, what's the nature of your
3 representation? Attorney? Architect?

4 MS. ADLER: I am the architectural
5 designer.

6 MR. GOLDFEDER: But you are not the
7 architect?

8 MS. ADLER: I am not the architect of
9 record.

10 MR. GOLDFEDER: Okay.

11 CHAIRMAN SHTEIERMAN: Is that your case?

12 MS. ADLER: Yes.

13 CHAIRMAN SHTEIERMAN: Any questions from
14 the Board?

15 MR. GOLDFEDER: So this is a new
16 construction. You are knocking down the
17 existing home and putting up a brand-new one.

18 MS. ADLER: Yes. Trying to maintain the
19 side yard setbacks.

20 MR. GOLDFEDER: Well, unfortunately you
21 don't have the right to maintain anything
22 because you are building a new construction.
23 It's different if you maintained the structure
24 and added onto it or altered it but this is
25 a --

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2 MS. ADLER: Which we can technically --
3 I mean, we can technically keep the foundation
4 walls.

5 MR. GOLDFEDER: But you are not.

6 MS. ADLER: Would it help the Board if
7 we did?

8 MR. ZIMMERMANN: We have to respond
9 based on the drawings.

10 MR. BURG: On the plan.

11 MS. ADLER: So.

12 CHAIRMAN SHTEIERMAN: So this is a
13 6,000-square-foot lot. While it's narrower,
14 6,250 square feet. So it's a little bit
15 narrower than a typical lot but doesn't meet
16 the similar 6,000-square-foot requirement of a
17 lot.

18 MS. ADLER: Yes.

19 CHAIRMAN SHTEIERMAN: So area-wise --

20 MS. ADLER: Area-wise it complies but
21 width-wise it does not.

22 CHAIRMAN SHTEIERMAN: But width is
23 substandard, not area.

24 MS. ADLER: Correct. It's 50 by 125.

25 MR. BURG: You have an egress on the

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2 side, so that cuts into your 6-foot. If you
3 really have 2 feet on the side really --

4 MS. ADLER: We have close to 3.

5 MR. BURG: So it's not even 6.

6 MR. ZIMMERMANN: On both sides.

7 MS. ADLER: But that's not for the
8 entire length of the house.

9 MR. BURG: The reason we do it is so the
10 fire department can get to the back in case
11 anything happens, so 3 feet is really tight.

12 CHAIRMAN SHTEIERMAN: You mentioned the
13 side yards. The proposed side yard are in
14 line with the neighborhood. Do you know what
15 the side yards on the block are? I see from
16 the survey the house on either side has
17 substantially larger side yards.

18 MS. ADLER: They are also larger lots.

19 CHAIRMAN SHTEIERMAN: I understand.
20 Preexisting but it's in line with the side
21 yards. Do other houses on the block have?

22 MS. ADLER: I believe some others do. I
23 don't know exactly which ones do.

24 CHAIRMAN SHTEIERMAN: You don't have a
25 study of the yards?

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2 MS. ADLER: No.

3 MR. GOLDFEDER: You know, while the
4 requirements for the side yard used to be 6
5 feet.

6 MS. ADLER: Now it's 7.

7 MR. GOLDFEDER: The board of trustees
8 has gotten generous and made it 7.

9 MR. ZIMMERMANN: When the house was
10 built, it was compliant.

11 CHAIRMAN SHTEIERMAN: Off the record a
12 second.

13 (Discussion off the record.)

14 CHAIRMAN SHTEIERMAN: So if you had to
15 make this house 2 foot narrower just looking
16 at the plan, is there any reason why it
17 wouldn't work? It looks like it would work.

18 MS. ADLER: I think it will make
19 everything very tight.

20 CHAIRMAN SHTEIERMAN: Nine-foot entryway
21 would go to 7 foot 8. Main foyer if you kept
22 the width of all the rooms would be 5 foot 3
23 instead of 7 foot 3.

24 MS. ADLER: The second floor gets very
25 tight also. Bedrooms get very small. Nine

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2 foot 7 bedroom. We already pushed the stairs
3 to the back of the house because there wasn't
4 so much room in the center for them with that
5 kind of narrow.

6 MR. GOLDFEDER: We are trying to figure
7 out how to accommodate, but in light of the
8 fact that it is a new construction, 34 percent
9 is a big ask. We haven't traditionally done
10 that high on new construction. And you know,
11 the Board is less inclined to give other
12 variances when you are building from scratch.

13 CHAIRMAN SHTEIERMAN: Thirty-four
14 percent has nothing to do with new
15 construction. The yards, it's a substantial
16 variance. Thirty-four percent whether it's
17 renovation or alteration is excessive, and
18 while there is no precedent, the Board has not
19 been giving that. So we would like -- I would
20 recommend if you want, either we can take vote
21 on it of 32 percent or if you want to resubmit
22 a plan showing what 32 percent would look
23 like.

24 MS. ADLER: Well, I just want to push
25 back one thing. Sorry, but as far as the side

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2 yards go with the foundation walls being
3 existing or not, I mean, I have seen those
4 plans where people show that they are keeping
5 the foundation walls. We all know they don't
6 really keep them. Nobody leaves their
7 foundation walls and builds a whole new house.

8 MR. GOLDFEDER: We don't inspect the
9 houses that are built.

10 MS. ADLER: We could have easily kept
11 the foundation walls, but in the spirit of
12 being honest and submitting like an accurate
13 set --

14 MR. GOLDFEDER: Keeping foundation walls
15 would not necessarily have made an impact. At
16 the end of the day, 34 percent is a big ask.
17 Although -- you know, although it a narrower
18 lot, you have the 125-foot, you know, excess,
19 so it's not like it's a truly substandard lot.

20 MR. ZIMMERMANN: If you brought it down
21 to 32 percent as suggested you will solve both
22 problems.

23 CHAIRMAN SHTEIERMAN: And your proposed
24 rear yard is 44.9 foot, so in theory you can
25 make the house longer and have less of an

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2 impact on the anesthetics of the neighborhood.

3 I think this Board will feel more comfortable

4 giving you a proposed 14-foot side yard

5 aggregate, so 7 and 7 and a 32 percent

6 coverage.

7 MS. ADLER: Can we try for a 33 percent

8 coverage?

9 CHAIRMAN SHTEIERMAN: The options on the

10 table -- we will take a vote on it and

11 approved as noted and you submit the plans

12 with the Building Department or you come back

13 to us with plans showing that and make a case

14 why it doesn't work. That doesn't mean you

15 will get it, but we can consider it further

16 and continue the case. Would you like us to

17 take a vote on that? You can talk to your

18 client.

19 MS. ADLER: Let me consult with the

20 clients.

21 MR. DAVIDOWITZ: Can I say something?

22 CHAIRMAN SHTEIERMAN: Any other

23 questions for the Board? The Board is good.

24 Anybody want to speak in favor or against the

25 application?

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2 MR. DAVIDOWITZ: Yes, please. In favor.
3 Yehuda Davidowitz. I live on the same block,
4 and I am here to say in favor because I think
5 it would be a terrible loss for the
6 neighborhood if they now need to go and find a
7 different place to move, different block.
8 They are a big asset to the neighborhood to
9 the block.

10 Other people told me they wanted to be
11 here. They just weren't able to. A guy was
12 coming from Monsey. The block does feel that
13 way, so as a neighbor, even if there is
14 something aesthetic which I don't understand
15 that part as much, we all would be very happy
16 and I know that because I have spoken to not
17 every single neighbor but most of them. They
18 would be very happy if it would be approved as
19 is. We all chill in their house, we go over,
20 we have great times with them, our kids hang
21 out in the house all the time.

22 MR. BURG: You are saying the house is
23 big enough now. You said you all hang out.

24 MR. DAVIDOWITZ: We hang out there
25 tightly. We need a bigger house. Bigger

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2 comfortable chairs.

3 MR. ZIMMERMAN: It's not a personal -- I
4 am sure they are great people. It's not a
5 personal decision. It's not a personal
6 decision, but there are guidelines and
7 guidelines are these are -- this is a big ask.
8 Like the chairman said.

9 MR. DAVIDOWITZ: Of course.

10 CHAIRMAN SHTEIERMAN: Acting chairman.

11 MR. ZIMMERMANN: Acting chairman.

12 CHAIRMAN SHTEIERMAN: Would anybody else
13 like to speak on behalf of this case?

14 MS. ADLER: If we can --

15 MR. ZIMMERMANN: Is this a
16 representation of the house?

17 MS. ADLER: It's not 1,000 percent
18 accurate. The roof is not exactly like that,
19 but it's relatively close. The roof is
20 angled. Good catch.

21 If we agree to hold the 7 foot on either
22 side and like you said, can we push back and
23 still keep the 34 percent? I know it's a big
24 ask, but we will need the space.

25 MR. GOLDFEDER: I get it. This isn't a

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2 horse-trading operation. This isn't a
3 negotiation. There are many houses, many lots
4 in the neighborhood, all different sizes.
5 Thirty-four, I will be honest, is just an
6 unreasonable ask. I mean, let me correct
7 that. People ask for a lot more unreasonable
8 things. It's not something that -- I don't
9 think we could grant that because the
10 precedent would be absurd.

11 CHAIRMAN SHTEIERMAN: I can also tell
12 you I feel confident you will not even notice
13 the house at 32 percent. You will not lose
14 rooms. You will be able to make this work.
15 You look like you know what you are doing.
16 You can make it work with 32 percent.

17 MR. HEIMOWITZ: It's just the chairman
18 just said we can push back and retain, you
19 know, and add space there which sounds like
20 with the lot coverage we would not. With that
21 limitation, we wouldn't necessarily be able
22 to.

23 CHAIRMAN SHTEIERMAN: You have to see if
24 you could stick to 32 percent. I didn't
25 calculate what happens once you made the side

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2 yard 7 feet on either side. If you are below
3 32 percent, you can push back to get to the 32
4 percent. Again, if you would like to continue
5 the hearing and resubmit drawings, you can or
6 we can vote on 32 percent and 14 percent
7 aggregate.

8 MR. GOLDFEDER: Hopefully they can
9 accommodate it.

10 CHAIRMAN SHTEIERMAN: If it gets
11 approved, then the case is closed.

12 MS. ADLER: Seven foot either side,
13 14-foot aggregate. Thirty-two percent.

14 CHAIRMAN SHTEIERMAN: Make a motion to
15 grant the flat roof, grant a partial variance
16 on the side yard. They are 7 feet and 7 feet
17 and 32 percent lot coverage.

18 MR. ZIMMERMANN: I second the motion.

19 MR. BLEIBERG: Approved.

20 MR. BURG: Motion approved.

21 CHAIRMAN SHTEIERMAN: Approved as noted.

22 (Time noted: 7:29 p.m.)
23
24
25

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2 C E R T I F I C A T E

3 STATE OF NEW YORK)

4 : ss.

5 COUNTY OF QUEENS)

6
7 I, YAFFA KAPLAN, a Notary Public
8 within and for the State of New York, do
9 hereby certify that the foregoing record of
10 proceedings is a full and correct
11 transcript of the stenographic notes taken
12 by me therein.

13 IN WITNESS WHEREOF, I have hereunto
14 set my hand this 4th day of May, 2026.

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16 _____
17 YAFFA KAPLAN

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Proceedings - Isaac and Diana Abraham

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

ISAAC AND DIANA ABRAHAM
304 Leroy Avenue

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

April 21, 2026
7:31 p.m.

- B E F O R E:
- DAVID SHTEIERMAN, Chairman
 - DANIEL BURG, Board Member
 - MICHAEL BLEIBERG, Board Member
 - ROBERT ZIMMERMANN, Board Member
 - YOEL GOLDFEDER, Village Attorney
 - WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Isaac and Diana Abraham

2 CHAIRMAN SHTEIERMAN: Fourth case on the
3 calendar tonight has been assigned Case Number
4 2026-07 and is the application of Isaac and
5 Diana Abraham, the applicant, of a parcel
6 known as 304 Leroy Avenue and designated as
7 39/343/128 in an R1 zone.

8 The applicant seeks variances from
9 Cedarhurst Code Sections 265-38.C, Building
10 Area, 265-41.A, Side Yards, and 265-41.1.A,
11 Character of Roofs.

12 This is a continuance, and the Board's
13 attorney will not read a statement into the
14 record.

15 MR. AKRAB: Good afternoon.

16 CHAIRMAN SHTEIERMAN: State your case.

17 MR. AKRAB: Good afternoon. Ariel
18 Akrab, 1137 East 73rd Street, Brooklyn,
19 New York 11224. As you said we are going for
20 a variance for lot coverage. We are asking
21 for 33 percent, 33.14 percent. We are asking
22 for a variance for the side yards. On either
23 side. We have an existing noncompliant side
24 yard for a portion on the -- depending on how
25 you look at it, on the right side. It's

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2 existing noncompliant.

3 Our new side yards for the second floor
4 and the first-floor extensions on that side,
5 we have it as 6 foot 2 and a half, and then
6 the other side yard, I believe we have it as 8
7 foot -- 8 foot 4 if I am not mistaken. And
8 let me just double check. Yes, 7 foot 9.
9 Seven foot 9. It's an angled partially skewed
10 lot. And then we are asking for the flat roof
11 variance. We have flat roof area of 41.65
12 percent.

13 CHAIRMAN SHTEIERMAN: Is that your case?

14 MR. AKRAB: Yes.

15 CHAIRMAN SHTEIERMAN: You are again
16 the --

17 MR. AKRAB: Architect.

18 CHAIRMAN SHTEIERMAN: Architect. Is
19 there an actual site plan? Oh, this is a
20 proposed plot plan.

21 MR. AKRAB: We have the survey on page 2
22 and then we have the existing plot plan and
23 then the proposed, so the side yards we are
24 compliant with the side yard. Technically
25 with all the side yards that were going to on

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2 both sides, we are compliant with the minimum
3 requirement, but we are not compliant with the
4 aggregate.

5 MR. GOLDFEDER: Well, you are not
6 complying with the minimum either.

7 MR. AKRAB: We have a minimum of the 6
8 feet, but even with the 7 feet we are
9 compliant because we made everything -- I
10 think the minimum is 7 foot 4.

11 MR. GOLDFEDER: One side you have 7.9.
12 The other side is 4 feet 5 inches.

13 MR. AKRAB: That's on the existing so we
14 are not changing that.

15 MR. GOLDFEDER: Correct but keep in
16 mind --

17 MR. AKRAB: We are not increasing that.

18 MR. GOLDFEDER: You currently meet the
19 aggregate and even though --

20 MR. AKRAB: Yes. We meet the aggregate
21 without an extension.

22 MR. GOLDFEDER: -- the reality is --

23 MR. AKRAB: If I leave the house there.

24 MR. GOLDFEDER: The reality is if
25 everybody does the minimum on each side, you

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2 still don't meet the requirement because you
3 are still below the aggregate.

4 MR. AKRAB: Obviously if the aggregate
5 is 16 or whatever it is, so we are asking for
6 that variance, right, the aggregate.

7 CHAIRMAN SHTEIERMAN: So in order to
8 make the aggregate comply, right now your
9 aggregate, proposed aggregate is how much?
10 Fourteen?

11 MR. AKRAB: Yes, 14. Twelve foot -- oh,
12 okay. So.

13 MR. AKRAB: Seven foot 9 and 6.2.

14 MR. YARNELL: Seven foot 9 and 6.2.

15 CHAIRMAN SHTEIERMAN: Right.

16 MR. ZIMMERMANN: Why 6.2 and not 6.5.

17 MR. AKRAB: We are 6.5 at the existing
18 portion there. And then because the angle at
19 the side lot line kind of angles.

20 CHAIRMAN SHTEIERMAN: If I may say, the
21 survey does not show your side lot line at an
22 angle. Are you sure it angles?

23 MR. AKRAB: I have the CAD file of the
24 survey so --

25 CHAIRMAN SHTEIERMAN: For the record --

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2 MR. AKRAB: Well, if you look at the
3 survey, it's hard to see. I don't have the
4 big one, but if you look at the extension on
5 the side, the noncompliant portion there are
6 two different measurements there.

7 CHAIRMAN SHTEIERMAN: So the house might
8 be at an angle not the lot line.

9 MR. AKRAB: Okay yes.

10 CHAIRMAN SHTEIERMAN: But you stated
11 twice already that the lot is not on an angle
12 according to this survey.

13 MR. AKRAB: The house is on an angle to
14 the lot line. My mistake. I misspoke.

15 CHAIRMAN SHTEIERMAN: So look at your
16 proposed site plan. You have an existing in
17 the portion of the building in the front which
18 is 4 foot 5, 4 foot 4 goes on a slight angle.
19 The portion beyond that you are proposing to
20 be 6 foot 2.

21 MR. AKRAB: Right towards the back at
22 the worst case.

23 CHAIRMAN SHTEIERMAN: If you make that
24 8-foot-2 --

25 MR. AKRAB: If I make that 8-foot-2, it

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2 would comply.

3 CHAIRMAN SHTEIERMAN: Yes. Is that
4 funny?

5 MR. AKRAB: No just because I already
6 this is the second time I am here so I kind
7 of --

8 CHAIRMAN SHTEIERMAN: And you heard the
9 last case, so you know where this is going.

10 MR. AKRAB: Absolutely.

11 CHAIRMAN SHTEIERMAN: Excellent. Well,
12 then we can save a lot of time. So looking at
13 your floor plan, I personally feel and we can
14 chime in from the other members that this
15 floor plan can easily work if you set that
16 back 2 feet. The portion beyond the existing
17 and the new -- the extension of this house
18 would comply with the aggregate, and it
19 doesn't seem to have much of a negative impact
20 on your floor plan.

21 MR. AKRAB: Right.

22 CHAIRMAN SHTEIERMAN: Right.

23 MR. AKRAB: Yes. That's true.

24 CHAIRMAN SHTEIERMAN: Okay. Your
25 proposed rear yard is 30-foot-7?

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2 MR. AKRAB: Yes, 30-foot-7.

3 CHAIRMAN SHTEIERMAN: And a half.

4 MR. AKRAB: Thirty foot 3. Thirty foot
5 3 is the smallest portion. The whole house is
6 on a skew.

7 CHAIRMAN SHTEIERMAN: Because in some
8 places your rear yard seems to total
9 30 foot 4. Now let's talk about coverage. So
10 if you did that, your coverage would be
11 reduced.

12 MR. AKRAB: Then my lot coverage would
13 be reduced if I take 2 feet off the south side
14 yard. I think it's the south if I am not
15 mistaken.

16 CHAIRMAN SHTEIERMAN: Those are the two
17 variances you are coming for?

18 MR. AKRAB: And the flat roof which I
19 will need.

20 CHAIRMAN SHTEIERMAN: I'm sorry. Wrong
21 page. I apologize.

22 MR. AKRAB: I don't know if I comply
23 with 30 percent. I just -- I didn't do the
24 math.

25 CHAIRMAN SHTEIERMAN: Any questions from

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2 the Board? No questions from the Board.
3 Anybody in the audience would like to speak?
4 No. Is that your case?

5 MR. AKRAB: Yes.

6 CHAIRMAN SHTEIERMAN: I propose to have
7 what is shown as the 6 foot 2 and a half and 6
8 foot 5 portion of the side yard increased to 8
9 feet. So that the aggregate width will be 16
10 and change depending on which numbers we
11 follow in your plan to allow the one-story
12 portion in the front that is existing and has
13 a 4-foot-5 side yard. I make a motion to
14 allow that.

15 But the portion beyond that 13 foot 3
16 and a half section should go to 8 feet,
17 thereby reducing your lot coverage. The lot
18 coverage should not exceed 32 percent. As far
19 as the roof, I don't see calculations here,
20 but no more than 50 percent of this roof
21 should be flat.

22 MR. AKRAB: It's after.

23 MR. YARNELL: It was 49.8.

24 CHAIRMAN SHTEIERMAN: 41.65 so it will
25 be 41.65 or less. So again, I make a motion.

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2 MR. AKRAB: It will be less.

3 CHAIRMAN SHTEIERMAN: I make a motion to
4 have a flat roof of no more than 41.65
5 percent, an 8-foot side yard once we get
6 beyond the one-story existing portion on the
7 right side.

8 MR. AKRAB: The second floor I am
9 keeping set back as well.

10 CHAIRMAN SHTEIERMAN: And no more than
11 32 percent coverage. That's the motion on the
12 table.

13 MR. ZIMMERMANN: But that includes the
14 second floor the coverage.

15 MR. AKRAB: The second-floor extension I
16 am not extending over that 4 and a half foot.

17 CHAIRMAN SHTEIERMAN: Correct. One
18 story. Okay. So again, the motion on the
19 table is to keep the one-story existing as one
20 story with a 4-foot-5 side yard to allow that
21 to remain. Beyond that, an 8-foot side yard,
22 a lot coverage of no more than 32 percent, and
23 a percentage of flat roof no more than 41.65
24 percent.

25 MR. YARNELL: It's got to be less than

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8. I will make it more than 8.

MR. YARNELL: Because at 8 it's 32.25 percent lot coverage.

CHAIRMAN SHTEIERMAN: Thirty-two. They will figure it out. Thirty-two percent.

MR. AKRAB: Minimum of 8. I got it.

CHAIRMAN SHTEIERMAN: Motion to approve as modified.

MR. ZIMMERMANN: Second the motion to approve as modified.

MR. BURG: Motion approved.

MR. BLEIBERG: Approved.

(Time noted: 7:44 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 4th day of May, 2026.

YAFFA KAPLAN

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