## VILLAGE OF HEWLETT NECK

INCORPORATED 1927



NASSAU COUNTY, N.Y.
30 PIERMONT AVENUE, HEWLETT N.Y. 11557
TELEPHONE 516.295.1400
FACSIMILE 516.295.1406

Ross H. Epstein, Mayor

APPLICATION DENIAL

MICHELLE BLANDINO, CLERK TREASURER BRIAN S. STOLAR, VILLAGE ATTORNEY DENNIS FROMIGIA, BUILDING INSPECTOR



Date: October 20, 2022

ARON SCHNELL, DEPUTY MAYOR

MICHAEL R. LEVINE, TRUSTEE

KENNETH FRENKEL, TRUSTEE

MOSHE BLINDER, TRUSTEE

Applicant: Mohamad Khan Address: 200 Curtis Road

Hewlett Neck, Woodmere NY 11598

Architect: John Capobianco 159 Doughty Blvd Inwood, NY 11096

Re: Scope of work: Maintain two gazebos and an outdoor kitchen on and next to a drainage easement.

We have reviewed your site plan dated 6/8/22 and found that the scope of work is non-compliant with the following Village Codes:

- 1. 195-12.C Side Yards. There shall be a side setback of 20 feet in a Residence C Zone.
  - a. The proposed plans show a gazebo with an outdoor kitchen of 13 feet from the side property line.
- 2. 195-12. D Rear Yards. There shall be a rear setback of 30 feet in a Residence C Zone.
  - a. The proposed plans show a gazebo of 10 feet 6 inches from the rear property line.
- 3. 195-20.2 Maximum permitted impervious surface. The maximum permitted impervious surface on a lot size of 28,881.67 ft is 8,691 sf.
  - a. The proposed plans show impervious surfaces of 8,973.64 square feet where the Village Code permits only 8,691 square feet, 282.64 square feet more than Village Code permits.
- 4. 195-20.3 Construction in Areas Abutting a Drainage Easement Area. No building, structure, wall, patio, deck or similar structure, including any structure above, at or below grade containing pervious or impervious elements, may be constructed within 10 feet of a drainage easement area or other area designated for protection, or intended, for drainage purposes, unless such improvement is designed to direct stormwater away from the drainage easement area and direct all stormwater into a non-site drainage facility. Any drywell or similar facility shall be located at least 10 feet from a drainage retention area or

any property line. Fences located along or a butting a drainage reserve area, are excluded from this prohibition.

a. The proposed plan shows a gazebo with an outdoor kitchen on the 20 ft drainage easement, 13 feet from the property line and the second gazebo is 4 ft from the drainage easement.

If you wish to pursue this application, you may seek approval from the Board of Trustees to maintain structures on a drainage easement and you may seek a variance from the Board of Appeals for the other matters. Application must be made within sixty days of the filing of this determination and must include 1 original, 8 copies and 1 thumb drive of the application, related documents and plans, and a filing fee of \$500.00. Additionally, a deposit of \$2,000 is due to defray costs. If the deposit is insufficient, an additional deposit will be assessed. If the deposit exceeds actual costs, the unused portion will be returned within 120 days of the hearing.

Sincerely,

Dennis Fromigia

**Building Inspector** 

# BOARD OF ZONING APPEALS INCORPORATED VILLAGE OF HEWLETT NECK

IN THE MATTER OF THE APPLICATION OF MR. MOHAMED KHAN 200 CURTIS ROAD HEWLETT NECK, NY 11598

FOR VARIANCES OF THE BUILDING ZONE ORDINANCE OF THI INCORPORATED VILLAGE OF HEWLETT NECK

To: THE BOARD OF ZONING APPEALS INCORPORATED VILLAGE OF HEWLETT NECK

The petition of Mr. Mohamed Khan respectfully alleges as follows

1. The petitioner is a resident of Nassau County, currently residing at 200 Curtis Road, Hewlett Neck.

MAR 0 9 2023

- 2. The petitioner owns the property which is the subject of this application located on the South East corner of Curtis Road and Dolphin Drive, within the Incorporated Village of Hewlett Neck. The premises is also designated as Section:41 Block: 106 Lot:26 on the Nassau County Land & Tax Map.
- 3. The subject premises is located within the Residence District "C".
- 4. The subject application seeks a Variance of Section 195-12(C), 195-12(D),195-20.2, and 195-20.3 of the Village Code of the Incorporated Village of Hewlett Neck in order to maintain a gazebo and a covered outdoor kitchen on and next to a drainage easement, in accordance with plans submitted herewith.
- 5. A Variance of Section 195-12(C) is required because the covered outdoor kitchen is now located 13 feet from the side property line where a minimum of 20 feet to the side property line is required. a Variance of Section 195-12(D) is required because the existing gazebo is 10 feet 6 inches from the rear property line where a minimum of 30 feet to the rear property line is required. A Variance of Section 195-20.2 is required because the plans submitted herewith show an impervious surface coverage of 8,973.64 sf where a maximum of 8,691 sf is allowed. A Variance of Section 195-20.3 is required because both structures are on and next to a drainage easement where the codes requires a 10 foot setback.
- 6. The requested Variance will have no adverse effect upon the surrounding properties, will provide for a reasonable use of the subjects premises compatible with the surrounding properties and in conformity with the

standards prescribed for granting of such a Variance, as set in the Building Zone Ordinance of the Incorporated Village of Hewlett Neck.

Wherefore, petitioners respectfully request that the Board of Zoning Appeals grant the Variance as requested herein along with such other and further relief as may be just and proper.

DATED: <u>3-7-26</u>	- A my	

BOARD OF ZONING APPEALS

VILLAGE OF HEWLETT NECK In the Matter of the application of MOHAMED KHAN STATE OF NEW YORK: ss: COUNTY OF NASSAU : MOHAMEN KHAN being duly sworn, deposes and says: I am the applicant with respect to / owner of the premises which is the subject of (cross out whichever is not applicable) the within application. I make this affidavit for the purposes of complying with the requirements of General Municipal Law §809. No officer of the State of New York, and no officer or employee of the County of Nassau, the Town of Hempstead or the Village of Hewlett Neck and no party officer of any political party, has an interest in the within application within the meaning of General Municipal Law §809, except as stated hereinafter (if none, state "NONE"): POSITION NATURE OF INTEREST NAME ADDRESS NONE In the event there is any change in the information set forth herein between the date hereof and the final determination of this application, a supplemental affidavit will be filed to provide that further information. (SIGNATURE) Sworn to before me on (NOTARY PUBLIC)

STATE OF NEW YORK

SS.; PETITIONER VERIFICATION

COUNTY OF NASSAU

I (WE), MOHAMEY KHAN	(AND	.),
BEING DULY SWORN, DEPOSE(S) AN	ND SAY(S): I <del>(WE)</del> AM ( <del>ARE)</del> T	THE
PETITIONER( <del>S)</del> IN THE WITHIN ACTIO	ON; I <del>(WE)</del> HAVE READ THE FOREGOI	INC
PETITION AND KNOW THE CONTENTS TH	EREOF; THE SAME IS TRUE TO OUR O	IWC
KNOWLEDGE, EXCEPT AS TO THE MATTER	S THEREIN STATED TO BE ALLEGED UP	2OI
INFORMATION AND BELIEF AND AS TO	THOSE MATTERS WE BELIEVE IT TO	BE
TRUE.		
X Q CONTINUE	PETITIONER #2 SIGNATURE	
PETITIONER'S SIGNATURE	LETITIONER #5 SIGNATORE	

sworn to before me this \_

NOTARY PUBLIC, NASSAU COUNTY



FENCES \_\_\_\_\_CLFENCE WESTER FENCE - CITY MONUMENT JOB NUMBER: N41-106-26 MOTES:
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BETWEND THE STRUCTURES AND PROPERTY LIVES ARE FOR SPECIFIC
PURPOSE AND USE AND THEREFORE ARE MOT INFORM THOUGH TO GUIDE
BEECTION OF FEMALS, REFLAINING WALLS, POOLS, PLANTING AREAS,
ADDITIONS TO STRUCTURES. SHOEDS, GRAPESS AND ANY OTHER
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DO NOT USE THIS SLAVEY LIVES THE PRICE PROPERTY OR THIS SLAVEY. SUYWRE CE ILE UTILITY POLE -PROPERTY ADDRESS: 200 CURTIS ROAD - SET NAIL C 8. WITH INLET - 🖽 сэ CATCH BASIN -SET STAKE BUILDING DEPARTMENT PURPOSES ONLY PARKING METER --Ou- whitehold O-⇒ SET MARK (PAINTED) TRAFFIC LIGHT -AREA=28881.7 SQ.FT. SET BENCHMARK LIGHT ---FIRE ESCAPE FE.

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— EAST OF PROPERTY LINE N:EED DIMEMS'ONS, FEATURES AN'OR LOCATIONS MAY NOT BE DRAWN TO TO PROVIDE CLARITY DOLPHIN DRIVE 148.273' S85'30'07"E STONE CURR (c) PLANTE BRICK GRASS GRASS ò DIRT/EARTH COLUMN 1.0'E b SHAMING 126.728° חת ka: BOROUGH: NASSAU phone:718-354-7279 718-470-2358 surveying fax:718-247-5854 718-470-2264 TOWN: WOODMERE LOT: 26

338 JERICHO TURNPIKE, FLORAL PARK, NY 11001 SURVEYS@KABAPLS.COM

SURVEYED & GUARANTEED FOR: DEPARTMENT OF BUILDINGS



SECTION: 41 **BLOCK: 106** 

SURVEYED: MAY 9, 2022

UNAUTHORIZED ALTERATION OR ADDITION TO THE SURVEY IS A VIOLATION OF SECTION 720 DE LANGUES OF THE PERSON FOR MICH. CLIPS OF THE SURVEY MAP HOT BEARING THE LAND SURVEYORS INTEL SEAL OR EMPOSED WELL SHALL NOT SECOND THE SURVEY IS PREPARED AND ON HIS GENUE TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION OF SUBSCILLING OWNERS.

#### 617.20 Appendix **B**

## Short Environmental Assessment Form

## **Instructions for Completing**

DECEUVED MAR 0 9 2023

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project:  KHAN RESIDENCE			
Project Location (describe, and attach a location map):			
_			
200 CURTIS ROAD, HEWLETT	NECK INY 11596		
Brief Description of Proposed Action:			
MAINTAIN GALEBO #	COVERED OUTDOOR I	E ITCH	EN
<b>'</b>	·		
N. CA P. A. C.	Telephone: full 2.10 G2	2.0	
Name of Applicant or Sponsor:	Telephone: 646 - 342 -936		
MOHAMED KITAN	E-Mail: MARIYNKHAN 550	D Hom	11.00
Address:	1 - 0		
200 CURTIS ROAD			
City/PO:		Code:	
HEWLETT	NV	1596	)
1. Does the proposed action only involve the legislative adoption of a plan, l	ocal law, ordinance,	NO	YES
administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and	the environmental resources that	$  \times  $	
may be affected in the municipality and proceed to Part 2. If no, continue to		, ,	7.770
2. Does the proposed action require a permit, approval or funding from any	other governmental Agency?	NO	YES
If Yes, list agency(s) name and permit or approval:		$  \times  $	
		/`	
3.a. Total acreage of the site of the proposed action?	.75 acres		
b. Total acreage to be physically disturbed?	.75 acres		
c. Total acreage (project site and any contiguous properties) owned	,75		
or controlled by the applicant or project sponsor?	acres		- 1
4. Check all land uses that occur on, adjoining and near the proposed action			
Urban □ Rural (non-agriculture) □ Industrial □ Comm	ercial Residential (suburban)		
` ,	(specify):		
□ Parkland	Same and Same		
a i aikianu			

5. Is the proposed action,	NO	TITIO	77/4
a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?	1	X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	1	NO	YES
			<i>&gt;</i>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental A If Yes, identify:	геа?	NO	YES
		X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation service(s) available at or near the site of the proposed action?		X	
		7	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed ac	tion?		
9. Does the proposed action meet or exceed the state energy code requirements?  If the proposed action will exceed requirements, describe design features and technologies:		NO	YES
			$ \lambda $
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
[If Yes, does the existing system have capacity to provide service?   NO Y YES]  If No, describe method for providing potable water:			X
11 140, describe method for providing potable water.			, I
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
[If Yes, does the existing system have capacity to provide service? \( \square\) NO YES]  If No, describe method for providing wastewater treatment:			X
11 110, describe memod for providing wastewater treatment.			ı ı
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?  b. Is the proposed action located in an archeological sensitive area?		$\lambda$	
		X	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	n	NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		X	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
	- 3		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a	all that c	mmlerr	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successi		ippiy.	
□ Wetland □ Urban \ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed		NO	YES
by the State or Federal government as threatened or endangered?		X	
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	X
If Yes,		NO	YES
a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES		X	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain	ıs)?		
If Yes, briefly describe: □ NO □ YES			
	l l		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain purpose and size:	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?  If Yes, describe:	NO X	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE		
Applicant/sponsor name: MOHAMED KHAN Date: 3-7-23 Signature:		====

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

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

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

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

that the proposed action may result in one or more pote environmental impact statement is required.	rmation and analysis above, and any supporting documentation, entially large or significant adverse impacts and an
Check this box if you have determined, based on the info that the proposed action will not result in any significant	rmation and analysis above, and any supporting documentation, adverse environmental impacts.
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

	200 CURTIS ROAD 300 FT RADIUS MAP	00 FT RADIUS MAP	5	
NAME	ADDRESS	VILLAGE	CITY STATE ZIP	CITY #2
190 PRISCILLA RD LLC	190 PRISCILLA RD	HEWLETT NECK	WOODMERE NY 11598	
MICHAEL & JANE FINNERAN	189 CURTIS RD	HEWLETT NECK	WOODMERE, NY 11598	
BOCZKO, STANLEY & FAERELL	199 CURTIS RD	HEWLETT NECK	WOODMERE, NY 11598	
GRUSHKOVSKIY MAKSIM & SMELYANSKY, SVETLANA	150 DOLPHIN DRIVE	HEWLETT NECK		
SETH & LORRAINE PAUL	190 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
STEVEN & PERI COHEN	200 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
MALIGOLD, SARA	210 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
SAUNDRA SHANE		HEWLETT NECK	WOODMERE, NY 11598	
JOSHUA & BONNIE KURTZ	145 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
FELDMAN, DANIEL & AMY	155 DOLPHIN DR.	HEWLETT NECK	WOODMERE, NY 11598	
PODVAL, MARK & GLANTS, YELENA	165 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
BARI, ADAM & MICHELE	175 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
ARONOV, SVETLANA	185 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
COHEN, JONATHAN & COHEN, JAMIE	195 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
ISIDRO & ANGELA TAVAREZ	205 DOLPHIN DR	HEWLETT NECK	WOODMERE, NY 11598	
GDRA REALTY LLC	1 MADISON ST	HEWLETT NECK	WOODMERE, NY 11598	
ABRAMOVICH, ERIC & ELENA	930 MADISON ST	HEWLETT NECK	WOODMERE, NY 11598	
AMY LYNN & ROSS EPSTEIN	925 MONROE LN	HEWLETT NECK	WOODMERE, NY 11598	
NASSAU COUNTY CLERK	240 OLD COUNTRY ROAD	MINEOLA, NY 11501		
TOWN CLERK	TOWN OF HEMPSTEAD	1 WASHINGTON ST	HEMPSTEAD, NY 11550	
CLERK OF N.C. LEGISLATURE	1550 FRANKLIN AVENUE	MINEOLA, NY 11501		
NYS DEPT OF TRANSPORTATION	STATE OFFICE BLDG.	250 VETERANS MEMORIAL HWY	HAUPPAUGE, NY 11788	
VILLAGE CLERK	VILLAGE OF WOODSBURGH	30 PIERMONT AVE	HEWLETT, NY 11557	
VILLAGE CLERK	VILLAGE OF HEWLETT BAY PARK	30 PIERMONT AVE	HEWLETT, NY 11557	
NYS OFFICE OF PARKS,	RECREATION & HISTORIC PRESERVATION	EMPIRE STATE PLAZA	AGENCY BLDG 1	ALBANY, NY 12238-0001
VILLAGE CLERK	VILLAGE OF HEWLETT HARBOR	449 PEPPERIDGE ROAD	HEWLETT, NY 11557	



