1		1
2	VILLAGE OF NORTH HILLS	
3	BOARD OF APPEALS	
4	X	
5	IN THE MATTER OF THE	
6	APPLICATION OF Case #24-10z	a
7	HOWARD POMERANZ & ALLAN GRABKOWITZ, 24 F	οх
8	Run, Roslyn Heights, New York,	
9	Applicants.	
10	X	
11		
12	BEFORE: DOUGLAS S. WEIGLER, Chairman BRUCE SPENADEL, Member	
13	MICHAEL STRAUSS, Member HOWARD FOX, Alternate Member	
14	RAY DISPALTRO, Alternate Member	
15	DATE: October 22, 2024	
16	TIME: 7:30 p.m.	
17	PLACE: VILLAGE HALL	
18	One Shelter Rock Road Roslyn, New York 11576	
19	VILLAGE ATTORNEY: A. THOMAS LEVIN, ESQ.	
20	DEPUTY CLERK/TREASURER: WENDY RUSSO	
21	REPORTED BY: JOANNE HORROCKS, CSR	
22		
23		
24		**************************************
25		

CHOCT 20 PM 1:34

1	Pomeranz - Grabkowitz 2
2	THE CHAIRMAN: Before I call the
3	next application, I want to state that
4	I am associated with Total Community
5	Management which does manage the
6	community. But this is not the
7	community coming before us. This is an
8	individual homeowner. I just want that
9	on the record that I am associated with
10	Total Community Management.
11	Application 24-10za, application
12	of Howard Pomeranz and Alan Grabkowitz,
13	24 Fox Run, Roslyn Heights for relief
14	from the provisions of Village Code
15	215-24(F)(8), to permit the extension
16	of a rear open deck with a boundary
17	line setback of 31 feet 10 inches where
18	a minimum of 50 feet is required.
19	For the applicant, please state
20	your name and address, sir.
21	MR. SOSA: My name is Ydelfonso
22	Sosa, Y-D-E-L-F-O-N-S-O S-O-S-A.
23	THE CHAIRMAN: Mr. Sosa?
24	MR. SOSA: We're just asking for

a variance of the existing deck 10 feet

1	Pomeranz - Grabkowitz	3
2	to the rear yard which is 50 feet a	n d
3	we have 31 feet.	
4	THE CHAIRMAN: I know that.	Wе
5	see that in the application. But o	ther
6	than I want, I need, we need reason	ing.
7	Just because a homeowner wants a la	rger
8	deck is not sufficient for us grant	ing
9	a variance going against what the	
10	Village has created as a code for	
11	setbacks which were done to protect	all
12	homeowners.	
13	MR. SOSA: Understood. If yo	u
L 4	see on page two, the section side v	iew,
15	it's a big slope in the back. So t	hе
16	backyard is now plain. So it's	
17	difficult to enjoy the backyard. S	0
18	the deck will provide a nice, bigge	r
19	surface area.	
20	MR. SPENADEL: This shows an	
21	existing concrete block, I'm not su	re,
22	a wall or foundation. Was that the	
23	extent of the existing deck?	
24	MR. SOSA: Yes, that's part o	f

25

the existing.

1	Pomeranz - Grabkowitz	4
2	MR. SPENADEL: So you have to	
3	walk down steps to get to that lowe	r
4	level?	
5	MR. SOSA: Yes. If you see o	n
6	the plan, the front of the steps,	
7	that's only close to the house. An	d
8	also on the section, on the rearvie	W
9	section, you can see it, the steps.	
10	And they will follow the existing.	
11	THE CHAIRMAN: There is an	
12	existing deck there today?	
13	MR. SOSA: Ten feet, yes.	
14	MR. SPENADEL: It looks like	they
15	are expanding from the existing ste	ps
16	outward.	
17	MR. SOSA: Correct.	
18	MR. SPENADEL: I don't know,	ten
19	feet or so?	
20	MR. SOSA: Ten feet.	
21	THE CHAIRMAN: And the existi	n g
22	deck, which I don't see over here -	_
23	MR. SOSA: It's on the second	
24	page on the left.	
25	THE CHAIRMAN: That I can see	

1	Pomeranz - Grabkowitz 5
2	But I don't see how far the existing
3	deck is from the current property line
4	MR. SOSA: Oh, from the property
5	line?
6	THE CHAIRMAN: You're asking for
7	a variance now to, I'm assuming, to
8	shorten the distance to 31 feet. What
9	is the current deck?
10	MR. SOSA: It's 10 feet from the
11	house, a little bit to like 41.
12	THE CHAIRMAN: The current
13	deck
14	MR. LEVIN: They're asking for 33
15	feet 10 inches.
16	MR. SPENADEL: If the existing
17	deck is 10 feet deep and there's a 50
18	foot setback, it's still not clear
19	because there's a jog in the house.
20	THE CHAIRMAN: I mean looking at
21	page one, Z-100, I see the existing
22	home and an enlarged open wood deck.
23	Is that the deck that is that the
24	current deck that we are talking about
25	enlarging?

1	Pomeranz - Grabkowitz 6
2	MR. SOSA: Yes.
3	MR. SPENADEL: That's the
4	enlarged deck.
5	THE CHAIRMAN: Again, I don't see
6	where the current deck is.
7	MR. SPENADEL: It would be nice
8	for us to know when you mention from
9	the property line to the existing deck.
10	You have given us from the property
11	line to the new deck. So how much
12	bigger we want to understand how
13	much bigger you are making that deck.
14	MR. SOSA: Ten feet more. We are
15	making it 10 feet more.
16	MR. LEVIN: So the current
17	setback would be about 41 feet?
18	MR. SOSA: Forty-one.
19	MR. LEVIN: And they're asking
20	for 31' 10".
21	THE CHAIRMAN: The existing deck
22	is 21 feet, from here to here is 21,
23	and now they're asking for 31. Okay.
24	MR. LEVIN: Mr. Chairman, are you

talking about the distance from the

1	Pomeranz - Grabkowitz 7
2	house or the distance from the property
3	line?
4	THE CHAIRMAN: It's a little
5	confusing, because the length of the
6	deck, proposed deck is 31 feet. It's
7	also 31 feet from the property line.
8	MR. LEVIN: I'm asking when you
9	were talking about 21 feet, that 21
10	feet is from the house or from the
11	property line?
12	MR. SOSA: From the house.
13	THE CHAIRMAN: Correct. Which
14	makes it currently 41 feet from the
15	property line.
16	MR. LEVIN: 41' 10". They're
17	asking for a further variance of 10
18	feet.
19	THE CHAIRMAN: Correct. Now that
20	we figured that one out.
21	MR. SPENADEL: Do you know if any
22	of your neighbors have decks that are
23	closer to the property line than 50
24	feet?
25	MR. POMERANZ: I am Howard

1	Pomeranz - Grabkowitz 8
2	Pomeranz, the homeowner of 24 Fox Run.
3	So our neighbor at 25 has an extension
4	of their deck out to actually what we
5	are proposing. Everybody else on the
6	same side of the street as we are
7	facing Old Powerhouse Road has a deck
8	that is roughly about the length of our
9	deck but our neighbor next to us,
10	whether they went through this process
11	what we're going through now to get
12	their deck extended 20 years ago, I
13	don't know, but their deck is about the
14	same length that we are proposing.
15	MR. LEVIN: Mr. Pomeranz, if I
16	can explain. The Board's not concerned
17	about the length of the deck. The
18	Board is concerned about the distance
19	between the deck on the property line.
20	MR. POMERANZ: What we're
21	proposing is the same for what our
22	neighbor has currently at 25.
23	MR. LEVIN: Same setback?
24	MR. POMERANZ: Yes.
25	In answer to your question that

In answer to your question that

1	Pomeranz - Grabkowitz	9
2	you asked originally is why are we	
3	asking to do this, number one is out	r
4	deck is quite crowded as it is with	,
5	you know, a table and chairs and so	on.
6	And the other thing that I wou	ıld
7	add that my partner, Allan Grabkowi	tz,
8	is disabled. He uses a walker at t	imes
9	to ambulate, and it's difficult to	
10	ambulate around the deck at its cur:	rent
11	length around the table and chairs a	a n d
12	so on, our furniture basically around	n d
13	the deck, and the part of the reason	n we
14	are proposing the extension is to	
15	ambulate around the deck with his	
16	walker.	
17	MR. FOX: What happens from yo	ur
18	deck to the property line? What's a	эt
19	that property line? Is that another	r
20	house, is this a road?	
21	MR. POMERANZ: It's still	
22	Powerhouse Road. All of our propert	ties
23	are on the same side of Fox Run all	
24	face Powerhouse Road.	

MR. SPENADEL: I think it would

I will further state that we're

Pomeranz - Grabkowitz

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1	FOWELOUS GISDYOMICS II
2	not able to or allowed to, by Village
3	Law, to come as a group. So we will be
4	coming one or two at a time. So I'm
5	going to need you to arrange,
6	Mr. Pomeranz, with the gate that and
7	we'll give you the name of the missing
8	gentleman, you'll need to give those
9	names to the gate so that we can come
10	in and once it's all staked, if you
11	advise Wendy, she can advise us.
12	Are there any other questions?
13	Any other comments?
1.4	Then I will accept a motion to
15	continue this hearing until November
16	17th.
17	MR. FOX: Motion.
18	THE CHAIRMAN: Motion made by
19	Mr. Fox.
20	MR. STRAUSS: Second.
21	THE CHAIRMAN: Second by Mr.
22	Strauss.
23	MR. LEVIN: The date you gave was
2.4	the 19th of November. Would you amend

25

your motion?

1	Pomeranz - Grabkowitz 12
2	THE CHAIRMAN: November 19th is
3	correct.
4	MR. LEVIN: Please amend your
5	motion.
6	THE CHAIRMAN: Motion was made by
7	Mr. Fox, seconded by Mr. Spenadel.
8	MR. STRAUSS: I'll amend it to
9	the 19th.
10	THE CHAIRMAN: All in favor of
11	continuing the hearing, please raise
12	your hand?
13	(Whereupon, all Board members
14	indicate in the affirmative.)
15	THE CHAIRMAN: Unanimous. Thank
16	you.
17	MR. POMERANZ: Thank you.
18	* * * * * *
19	This is certified to be a true and accurate
20	transcript of my stenographic notes taken in
21	the above-captioned matter.
22	
23	
24	Anna Harragha GGB
25	doanne Horrocks, CSR fficial Court Reporter

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