

BOARD OF APPEALS
VILLAGE OF NORTH HILLS
ONE SHELTER ROCK ROAD
NORTH HILLS, NEW YORK

December 16, 2025
7:30 pm

PRESENT: Douglas Weigler, Chair
Anthony Lobosco, Bruce Spenadel, Michael Strauss,
Members
Ray Dispaltro, Howard Fox, Alternate Members
Wendy Russo, Deputy Village Clerk
A. Thomas Levin, Village Attorney

EXCUSED: Philip Goodman, Deputy Chair

The Chair called the meeting to order at 7:30 pm. On motion by Mr. Strauss, seconded by Mr. Lobosco and adopted unanimously, the Board convened in executive session to obtain legal advice from the Village Attorney.

The Board returned to public session at 7:50 pm, on motion by Mr. Spenadel, seconded by Mr. Strauss and adopted unanimously.

The Chair announced that the next regular meetings of the Board would be January 27, 2026 and February 24, 2026.

The Chair opened the public hearing for Case 25-19za. Application of Kelly Chin, 2 Aldgate Drive, Manhasset, New York 11030, for special use permits pursuant to Village Code §215-33(A) to maintain two existing retaining walls located in the front yard of the property. Premises are also known as Section 3, Block 205, Lot 3 on the Nassau County Land and Tax Map. Artem Myagkov appeared for the applicant. The minutes of the hearing were transcribed stenographically and are on file with these minutes. There were no public comments. On motion by Mr. Fox, seconded by Mr. Lobosco and adopted unanimously, the hearing was closed and decision reserved.

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. The Chair opened the public hearing on the applications of Toll Brothers, Inc., 42 Old Ridgebury Road, Danbury, Connecticut, for variances of Village Code §215-24(F)(1), to permit construction of rear yard decks having setbacks less than the required 150 feet from a property line on a County Road, at various locations, all at premises on Sequoia Circle, Manhasset, North Hills, New York in Section 2, Block 240 on the Nassau County Land and Tax Map, as follows:

Case 25-20za, Lot 23, 144.6 feet from property line
Case 25-21za, Lot 24, 134.5 feet from property line
Case 25-22za, Lot 25, 135.4 feet from property line
Case 25-23za, Lot 26, 137.8 feet from property line
Case 25-24za, Lot 27, 132.3 feet from property line.

Dan Masterson appeared for the applicant, with Tom Dixon (Nelson & Pope). The minutes of the hearing were transcribed stenographically and are on file with these minutes. It was noted that no recommendation had yet been received from the Nassau County Planning Commission, and that the Board would continue the hearing to January 27, 2026 in order to comply with General Municipal Law section 239-m. The Chair disclosed on the record that he is affiliated with Total Community Management, Inc., which is the property manager for this project, but that neither he nor Total Community Management, Inc. have a financial interest in this application. After hearing all interested persons, the hearing was continued to January 27, 2026 at 7:30 pm on motion by Mr. Spenadel, seconded by Mr. Lobosco and adopted unanimously.

The Board deliberated with respect to Case 25-19za, as to which the public hearing had been concluded earlier in the meeting. On motion by Mr. Strauss, seconded by Mr. Lobosco and adopted unanimously, the Board rendered the

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following decision with respect to this application:

WHEREAS, THE Board of Appeals has duly held and concluded public hearings with respect to Application of Kelly Chin, 2 Aldgate Drive, Manhasset, New York 11030, for special use permits pursuant to Village Code §215-33(A) to maintain two existing retaining walls located in the front yard of the property. Premises are also known as Section 3, Block 205, Lot 3 on the Nassau County Land and Tax Map, and

WHEREAS, the records of the Board demonstrate that due notice was given for the hearing of this application, and that after referral pursuant to General Municipal Law §239-m and the Streamlining Agreement between the Village and Commission no comments or objections have been received from the Nassau County Planning Commission,

NOW, THEREFORE, BE IT

RESOLVED, that the relief sought in this application is a Type II Matter pursuant to the State Environmental Quality Review Act, which requires no particularized environmental impact review, and it is further

RESOLVED, pursuant to Village Code §215-44.1, the Board issues its decision with respect to this application as follows,

- (1) The standards for special use permits having been satisfactorily met, the requested special permits are granted in all respects, except as otherwise stated herein, and subject to the conditions hereinafter stated;
- (2) Construction and site improvements shall conform to the requirements of the Village Code, and the plans submitted and reviewed by the Board, except with such minor (zoning compliant) variations as may be approved by the Building Department upon a determination that exigent circumstances exist;
- (3) This grant of relief pursuant to the provisions of the Village Code shall not relieve the applicants from obtaining any necessary permission or consents from any other agency, including any condominium or homeowners' association, having any jurisdiction;
- (4) The applicants shall obtain all necessary building permits for construction within six (6) months from the date of filing of this decision, and shall obtain all certificates of occupancy or completion within one (1) year after obtaining such building permits, in default of which this variance approval shall be null and void. Such time periods may be extended upon letter application submitted prior to the expiration of the time period sought to be extended, and no public hearing shall be required unless otherwise directed by the Board.

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There being no further business, on motion by Mr. Strauss, seconded by Mr. Spenadel, the meeting was adjourned at 8:30 pm.

**THE ABOVE MINUTES WERE FILED IN
THE OFFICE OF THE VILLAGE CLERK
OF THE INCORPORATED VILLAGE OF
NORTH HILLS AT**

TIME: 11:09 ~~A.M.~~ /P.M.

DATE: 1/5, 2026

W. Strauss