

January 9, 2023

A Regular Meeting of the Board of Zoning Appeals of the Village of Old Westbury was held at Village Hall on the above date at 7:00 p.m.

Present:	Pamela Barnett	-	Chairwoman
	Kavneet Sethi	-	Member
	Jonathan Miller	-	Member
	Amy W. Xu	-	Member
	Joshua D. Brookstein	-	Attorney, Sahn Ward, PPLC
	Fara Gaertner	-	Village Administrator
	Michael Malatino	-	Superintendent of Building Department
	Tracy Reese	-	Assistant to the Building Superintendent
Absent:	Pasquale Zito	-	Member

On motion by Member Sethi, seconded by Member Miller and carried, the Board approved the minutes of the December 12, 2022 meeting.

The following matter came before the Board:

**APPLICATIONS BEFORE THE BOARD:**

1. Application of Howard Furst– 66 Wheatley Road– request for a variance Article IV §216-14 B (1) Volume, propose to construct a cabana with a 65,318cf existing as per BZA resolution dated May 5, 2022, 4,983cf as the requested additional volume, 64,493cf allowable, 70,301cf proposed and 5,808cf variance required. The above said property is known and located on the Nassau County Land and Tax Map as Section 19, Block A, Lot 142 and is situated in the Residence BB Zoning District. Al Sutton / Architect was present on behalf of the applicant and provided an overview of the proposed application. Also present was James Brogan, Landscape Architect. They are proposing seven 16’ Norway Spruce trees for screening the cabana, however the number of trees may be subject to change if additional screening is needed. Al Sutton agreed to submit copies of the Landscape Plan, signed and sealed by the Landscape Architect, to the Village. On motion by Member Miller, seconded by Member Xu and carried, the Board approved the application and directed Counsel to draft the approval Decision and Order.

**DECISION AND ORDER RESOLUTION:**

1. Application of Erchless, LLC – 75 Post Road. Request for variances in connection with an application to subdivide the property into two separate parcels. Specifically: 1) a variance from 216-22.8 (A)(1) to permit Parcel 2 to have a front yard depth of 58 feet, where a depth of 150 feet is required; 2) a variance from 216-22.10(A) to maintain an accessory structure on Parcel 2 with a property line setback of 24.8 feet, where a setback of 75 feet is required; 3) a variance from 216-22.10(C) to maintain an accessory structure on Parcel 2 which is nearer to the street line than the main dwelling of Parcel 2. On motion by Member Sethi, and seconded by Member Miller and carried, the Board adopted the Decision and Order Resolution.

2. Application of Vjay Alreja– 81 Wheatley Road– request for a variance Article IV §216-22.5 B Volume, proposing to add the sunscreen to the existing terrace, the maximum volume for the property is exceeded by approximately 7.4%. The sunscreen with a 142,620cf existing as per BZA resolution dated April 13, 2015, 11,119cf proposed, having a 153,379cf as the total volume; 142,620cf allowable and 11,191cf variance required. The above said property is known and located on the Nassau County Land and Tax Map as Section 19, Block D, Lot 48A, 48B, 49B and 51 and is situated in the Residence BB Zoning District. On motion by Member Sethi, seconded by Member Xu and carried, the Board adopted the Decision and Order Resolution.

On motion by Member Sethi, seconded by Member Xu and carried, the Board adjourned at 7:30 p.m. For a complete record of the Regular Meeting, see the minutes of the stenographer.

Tracy Reese  
Assistant to the Building Superintendent