

**MINUTES
ZONING BOARD OF APPEALS
VILLAGE OF SEA CLIFF
VILLAGE HALL
300 SEA CLIFF AVENUE
SEA CLIFF, NEW YORK 11579**

October 24, 2023

**Present: Chair
Members**

**Tim O'Donnell
Frank D'Errico, Jim Mozer
and Beth Rechner
Brian S. Stolar, Esq.**

Village Attorney

The meeting was called to order at 7:00pm.

The Board noted that the application of Pezzi Pizza, Inc., 500 Glen Cove Avenue, Sea Cliff, New York, to construct additions is adjourned to November 28, 2023, at 7:00pm.

The Board opened the public hearing on the application of Barry and Tobi LeBron, 28 Main Avenue, Sea Cliff, New York, to construct a 3rd floor dormer, which construction requires variances of the following Village Code sections: (a) 138-408, to permit a front yard setback of 15.12 feet, where a minimum of 20 feet is required, and (b) 138-413.1, to permit an encroachment into the height setback ratio, where no such encroachment is permitted. Premises are designated as Section 21, Block 126, Lot 5 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of Maximo and Karen Buschfrers, 174 15th Avenue, Sea Cliff, New York, to construct a detached garage, which construction requires variances of the following Village Code

sections: (a) 138-416(A) to permit the garage in a front yard, where no accessory structure is permitted, (b) 138-416(E) to permit a height of 20 feet, where a maximum height of 15 feet is permitted, and (c) 138-1001, to permit a curb cut within 25 feet of an intersection, where no such curb cut is permitted. Premises are designated as Section 21, Block F, Lot 729 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. The applicant presented a revised plan depicting a garage compliant with the maximum permitted height. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of John Cilia, 16 The Boulevard, Sea Cliff, New York, to (a) maintain an existing second floor addition, which maintenance requires variances of the following Village of Sea Cliff Village Code sections: (i) 138-511, to permit a side yard setback of 3.95 feet, where a minimum of 15 feet is required, (ii) 138-513.1, to permit an encroachment into the height setback area, where no such encroachment is permitted, and (iii) 138-514.1, to permit a floor area of 2,459 square feet, where a maximum of 1,824 square feet is permitted, and (b) to install an air conditioner condensing unit 3.13 feet from the side property line, where Village Code §138-516 requires a minimum setback of 15 feet. Premises are designated as Section 21, Block A, Lot 31 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of 68 Glenlawn LLC, 68 Glenlawn Avenue, Sea Cliff, New York, to obtain a certificate of occupancy for two (2) existing dwelling units and construct a second story dormer on the eastern dwelling structure, which requires variances of the following Village of Sea Cliff Village Code sections: (a) 138-501, to permit two (2) dwelling units, where such use is not permitted, (b) 138-506, to permit a street frontage of 84.83 feet, where a minimum of 100 feet is required, (c) 138-511, to permit an side yard setbacks of 11.6 and 2.5 feet, where a minimum of 15 feet is required, (d) 138-512, to permit a rear yard setback of 6.8 feet, where a minimum of 30 feet is required, (e) 138-513.1, to permit both dwelling structures to encroach into the height setback ratio, where no such encroachment is permitted, and (f) 138-514, to permit a dwelling unit with a 400 square foot first floor and total floor area of 800 square feet, where the required minimum first floor is 650 square feet and the required minimum total floor area is 1,000 square feet. Premises are designated as Section 21, Block 188, Lot 22 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. The applicant presented information relative to the history of the property and the Village Code. Interested parties also presented information relative to the use of the premises. The Board continued the public hearing to November 28, 2023, at 7:00pm.

The Board opened the public hearing on the application of Jessica and Joseph Bonvicino, 395 Littleworth Lane, Sea Cliff, New York, to construct a second story addition, which requires a variance of Village Code §138-614.1, to permit a floor area ratio of 23.8%, where a maximum of 23% is permitted. Premises are

designated as Section 21, Block M, Lot 578 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of 160 15th Avenue LLC, 160 15th Avenue, Sea Cliff, New York, for variances to construct a 24.83 feet high garage in a front yard, where Village Code §138-416 permits a maximum height of 15 feet and prohibits a garage from being located in a front yard. Premises are designated as Section 21, Block F, Lot 1727 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. A neighbor appeared and noted that the garage was being used for commercial purposes and not as a garage for vehicles. The Board noted that there remained certain open items and requested that the homeowner be present at the next Board meeting. The Board continued the public hearing to November 28, 2023 at 7:00pm.

The Board discussed the Lebron application. After such discussion, on motion duly made by Mr. Mozer, seconded by Mr. D'Errico, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the Lebron request for relief, in accordance with the short form decision annexed hereto.

The Board discussed the Buschfrers application. After such discussion, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, and adopted

unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the Buschfrers application for relief, as modified by the applicant, in accordance with the short form decision annexed hereto.

The Board discussed the Cilia application. After such discussion, on motion duly made by Mr. Mozer, seconded by Ms. Rechner, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the Cilia request for relief, in accordance with the short form decision annexed hereto.

The Board discussed the Bonvicino application. After such discussion, on motion duly made by Mr. D'Errico, seconded by Mr. Mozer, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the Boncivino application for relief, in accordance with the short form decision annexed hereto.

There being no further business, the meeting was adjourned at 9:18 pm.



TIM O'DONNELL

Filed in the Office of the Village Clerk

on November 3, 2023



Sarah Beaudin, Village Clerk

VILLAGE OF SEA CLIFF, NY

NOV 03 2023

VILLAGE CLERK

LEBRON SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on October 24, 2023, on motion duly made by Mr. Mozer, seconded by Mr. D'Errico, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following short-form determination:

1. Barry and Tobi LeBron, 28 Main Avenue, Sea Cliff, New York, applied to construct a 3rd floor dormer, which construction requires variances of the following Village Code sections: (a) 138-408, to permit a front yard setback of 15.12 feet, where a minimum of 20 feet is required, and (b) 138-413.1, to permit an encroachment into the height setback ratio, where no such encroachment is permitted. Premises are designated as Section 21, Block 126, Lot 5 on the Nassau County Land and Tax Map.
2. The applicants are the record owners of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform to the plans submitted with the application, (b) applicants shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

BUSCHFRERS SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on October 24, 2023, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following short-form determination:

1. Maximo and Karen Buschfrers, 174 15th Avenue, Sea Cliff, New York, applied to construct a detached garage, which construction requires variances of the following Village Code sections: (a) 138-416(A) to permit the garage in a front yard, where no accessory structure is permitted, (b) 138-416(E) to permit a height of 20 feet, where a maximum height of 15 feet is permitted, and (c) 138-1001, to permit a curb cut within 25 feet of an intersection, where no such curb cut is permitted. Premises are designated as Section 21, Block F, Lot 729 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises.
3. The applicant submitted modified plans reducing the height of the garage to 12.5 feet from the finished grade elevation, thus eliminating the need for a variance of Village Code 138-416(E).
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission.
5. The relief requested in the application, as amended to include a garage as shown on the plans entitled "Title, Notes, Site Plan, Exterior Elevations & Building Section", prepared by M. Buschfrers, drawing A-01, revision date 06.28.2023, reflecting a 12.5 high garage (the "Plans"), is granted provided that (a) the construction shall conform to the Plans, (b) applicant shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

CILIA SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on October 24, 2023, on motion duly made by Mr. Mozer, seconded by Ms. Rechner, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following short-form determination:

1. John Cilia, 16 The Boulevard, Sea Cliff, New York, applied to (a) maintain an existing second floor addition, which maintenance requires variances of the following Village of Sea Cliff Village Code sections: (i) 138-511, to permit a side yard setback of 3.95 feet, where a minimum of 15 feet is required, (ii) 138-513.1, to permit an encroachment into the height setback area, where no such encroachment is permitted, and (iii) 138-514.1, to permit a floor area of 2,459 square feet, where a maximum of 1,824 square feet is permitted, and (b) to install an air conditioner condensing unit 3.13 feet from the side property line, where Village Code §138-516 requires a minimum setback of 15 feet. Premises are designated as Section 21, Block A, Lot 31 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform to the plans submitted with the application, (b) applicant shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

BONVICINO SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on October 24, 2023, on motion duly made by Mr. D'Errico, seconded by Mr. Mozer, and adopted unanimously, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the consideration of this Board and discussed the subject application, rendered the following short-form determination:

1. Jessica and Joseph Bonvicino, 395 Littleworth Lane, Sea Cliff, New York, applied to construct a second story addition, which requires a variance of Village Code §138-614.1, to permit a floor area ratio of 23.8%, where a maximum of 23% is permitted. Premises are designated as Section 21, Block M, Lot 578 on the Nassau County Land and Tax Map.
2. The applicants are the record owners of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform to the plans submitted with the application, (b) applicants shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.