

MINUTES

PLANNING BOARD  
VILLAGE OF SEA CLIFF  
VILLAGE HALL  
300 SEA CLIFF AVENUE  
SEA CLIFF, NEW YORK 11579

April 13, 2016

Present:	Chair	Bruce Treiber
	Members	Laurie Martone
		Timothy Driscoll
		Dr. Nicholas Virgilio
		Edward Camiolo
	Village Attorney	Brian S. Stolar, Esq.

The meeting was called to order at 7:30 pm.

The Board opened the continued public hearing on the application of Digiovanni and Associates Architects, 26 Preston Avenue, Sea Cliff, as agent for Sloop Redhead Inc. for site plan approval pursuant to Village Code Chapter 107 to construct a new residence at premises located at 299 Prospect Avenue, Sea Cliff. Premises are designated as Section 21, Block K, Lot 759 on the Nassau County Land and Tax Map. Mr. Stolar recused himself as counsel to the Board in connection with this application. Interested parties indicated that there have been discussions regarding a revised plan that would address certain points and would relocate and clarify the existing easement. The Board continued the public hearing to May 11, 2016 at 7:30pm.

The Chair noted that the representatives of 14 Bay Avenue Commons, LLC have informed the Board that revised plans have been prepared and will be submitted to the Board. The public hearing on the 14 Bay Avenue Commons application was continued to May 11, 2016 at 7:30pm.

The Board opened the public hearing on the application of Steve Snayd, 173 Maple Avenue, Sea Cliff, New York to enlarge a driveway, which construction requires site plan approval pursuant to Village Code Chapter 107. Premises are designated as Section 21, Block 141, Lot 1103 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Frank Scavone, 88 Prospect Avenue, Sea Cliff, New York for a special permit pursuant to Village Code §64-3 to construct retaining walls in excess of four (4) feet in height and for amended site plan approval in accordance with Village Code chapter 107. Premises are designated as Section 21, Block F, Lot 1945 on the Nassau County Land and Tax Map. The proposed development requires an approval from Nassau County pursuant to General Municipal Law (GML) §239-f and also is a Type I matter under SEQRA as provided in Village Code Chapter 60 (based on the slope of the development area). The Board noted that it has to first render an environmental determination prior to referring the application to the Nassau County Planning Commission and that the Board cannot take final action until the referral process is complete. The Board also noted that the determination by Nassau County in accordance with GML 239-f could impact the final development of the premises and that a Planning Board decision should await the County's determination. The applicant requested that the Board consider aspects of the proposed development that are not within the sloped area of the premises and which are not likely to be impacted by the County's determination,

including the proposed fencing and the location of the electric meter. The Board advised that it would consider this request. The Board continued the public hearing to May 11, 2016 at 7:30pm and determined to discuss the fencing and electric meter location later in the meeting.

The Board discussed the Snayd application. On motion duly made by the Chair, seconded by Mr. Driscoll, and adopted unanimously, the Board determined that the application is a Type II matter under SEQRA and granted the application for site plan approval, subject to the following conditions: (a) the construction of the driveway and site improvements shall conform to the plans submitted with the application (b) the site preparation, and staging shall comply with all applicable laws and regulations and shall be performed in accordance with plans approved by the building department; (c) drainage facilities to accommodate stormwater runoff resulting from the proposed improvements shall be provided as required by the building department; and (d) applicant shall obtain a building permit for the work within 6 months.

The Board discussed the fencing and the electric meter proposed for the Scavone property. On motion duly made by Ms. Martone, seconded by the Chair, and adopted unanimously, the Board granted the portions of the application (a) for a special permit for the fencing in locations and materials depicted in the plans and subject to the following conditions: (i) no gates for the fencing shall be located so as to open onto any portion of the Prospect Avenue public right-of-way; (ii) a final survey depicting the location of the fencing shall be filed with the Village building department for review in accordance with this

approval, but such survey shall not be required until the Board renders a decision on the entire site plan amendment application, unless such survey is determined by the building department to be unnecessary; (iii) applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and (iv) applicant shall obtain a building permit for the work within 6 months, and (b) for site plan approval to install the electric meter panel in the location depicted in the plans filed with the application.

The Board discussed the environmental impact of the Scavone site plan application and special permit application to construct retaining walls. On motion duly made by the Chair, seconded by Dr. Virgilio, and adopted unanimously, the Board adopted the following resolution:

WHEREAS, the New York State Environmental Conservation Law and the regulations of the Department of Environmental Conservation as contained in 6 NYCRR Part 617 require review of the possible environmental consequences of various actions under consideration by the Planning Board; and

WHEREAS, the Planning Board has considered the nature of the proposed action and reviewed the Environmental Assessment Form (EAF),

NOW, THEREFORE, IT IS

RESOLVED, that the Board hereby finds and concludes that the proposed site plan approval and retaining wall permit is a Type I Action as defined in the State Environmental Quality Review Act and its regulations and Village Code §60-10(A), and

(a) the Board is the lead agency with respect to environmental review of this proposed action;

(b) the Board has considered the following factors and made the following conclusions in respect to its review of the environmental impacts of the proposed action:

(i) the proposed action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste

production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

(ii) the proposed action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

(iii) the proposed action would not impair the environmental characteristics of any Critical Environmental Area;

(iv) the proposed action would not conflict with the community's current plans or goals as official approved or adopted;

(v) the proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

(vi) the proposed action would not result in a major change in the use of either the quantity or type of energy;

(vii) the proposed action would not create a hazard to human health;

(viii) the proposed action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) the proposed action would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(x) the proposed action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) the proposed action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(xii) the proposed action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

(c) the proposed action would not have a significant adverse environmental impact;

(d) no further environmental review is required with respect to the proposed action, and

(e) the Chair, or his designee, is authorized to complete the Environmental Assessment Form in relation to this proposed action in a manner consistent with the foregoing findings.

There being no further business, the Chair closed the meeting at 8:30pm.

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BRUCE TREIBER, CHAIR