

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

January 29, 2014

Present:	Chair	Dina Epstein
	Members	Kevin McGilloway
		Noel Griffin
		Ted Kopczynski
	Alternate Member	James Toner, Esq.
	Village Attorney	Brian S. Stolar, Esq.

The meeting was called to order at 8:02 pm.

The Chair noted that the meeting and the scheduled hearings were continued from January 21, 2014, as the scheduled Board meeting was adjourned that night due to a winter storm. Notice of the date and time of the rescheduled meeting was placed on both entries to Village Hall on January 21, 2014.

The Board opened the continued public hearing on the application of VIP Auto Enterprises, Inc. and Jaytom Realty, 270 Glen Cove Avenue, Sea Cliff to use the premises as an automobile body repair shop to include used car sales, which requires variances of Village Code §§138-901 and 902 in that the proposed use is not permitted. Premises are designated as Section 21, Block 118, Lots 142 and 144 on the Nassau County Land and Tax Map. The Board noted that the applicant requested additional time to submit a draft scoping document. The Board continued the public hearing to February 25, 2014 at 8:00pm.

The Board opened the public hearing on the application of John Gaeta, 74 Downing Avenue, Sea Cliff to construct additions to a single family residence, which construction requires variances of the following Village Code sections: (a) 138-504 to maintain a lot size of 9,849.69 square feet, where a minimum of 10,000 square feet is required; (b) 138-506 to maintain a front property line length of 89.57 feet, where a minimum of 100 feet is required; (c) 138-509 to maintain a lot width at the setback line of 89.57 feet, where a minimum of 100 feet is required; (d) 138-510 to maintain a lot width of 89.57 feet on a corner lot, where a minimum of 100 feet is required; (e) 138-508 to permit the front entry way to be located 23.3 feet from the front property line, where a minimum of 25 feet is required; (f) 138-511 to permit the second story addition to be located 10 feet from the side property line, where a minimum of 15 feet is required; and (g) 138-1102 to permit an intensification of the existing non-conformities, where no such intensification is permitted. Premises are designated as Section 21, Block 103, Lot 140 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 Robert Hoell, 16 Club Road, Sea Cliff to construct additions to a single family residence, which construction requires variances of the following Village Code sections: (a) 138-604 to maintain a lot size of 12,500 square feet, where a minimum of 15,000 square feet is required; (b) 138-606 to maintain a front property line length of 75 feet, where a minimum of 100 feet is required; (c) 138-608 to maintain a front yard setback of 25.3 feet, where the minimum required setback is 30 feet; (d)

138-611 to maintain a side yard setback of 9.9 feet, where a minimum of 15 feet is required; (e) 138-616 to maintain a garage extending 0.5 feet into an adjoining property, where the minimum required rear yard setback is 5 feet, and 3 feet from the side property line where the minimum required setback is 10 feet; (f) 138-613.1 in that the proposed construction will encroach into the height setback ratio where no such encroachment is permitted; and (g) 138-1102 to permit an intensification of the existing non-conformities, where no such intensification is permitted. Premises are designated as Section 21, Block 50, Lot 4 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board discussed the request by VIP Auto for additional time to submit a draft scoping document. The Board granted the request for an extension of time to submit the document through February 18, 2014, and noted that this was a final extension and that if the applicants failed to timely submit the document the application would be deemed abandoned.

The Board discussed the Hoell application. On motion duly made by Mr. McGilloway, seconded by Mr. Kopczynski, and adopted unanimously, the Board determined that the Hoell application is a Type II matter under SEQRA which requires no further environmental review, authorized the Chair to complete and execute the portions of the short environmental assessment form concluding that the proposed action will not result in any significant environmental impact, and granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Gaeta application. On motion duly made by the Chair, seconded by Mr. Toner, and adopted unanimously, the Board determined that the Gaeta application is a Type II matter under SEQRA which requires no further environmental review, authorized the Chair to complete and execute the portions of the short environmental assessment form concluding that the proposed action will not result in any significant environmental impact, and granted the application in accordance with the short form decision annexed hereto.

There being no further business, the meeting was adjourned at 8:38 pm.

DINA EPSTEIN, CHAIR

HOELL SHORT FORM DECISION
(as authorized by Village Code 138-1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 29, on motion of Mr. McGilloway, seconded by Mr. Kopczynski, 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 findings and determination:

1. Robert Hoell, 16 Club Road, Sea Cliff applied to construct additions to a single family residence, which construction requires variances of the following Village Code sections: (a) 138-604 to maintain a lot size of 12,500 square feet, where a minimum of 15,000 square feet is required; (b) 138-606 to maintain a front property line length of 75 feet, where a minimum of 100 feet is required; (c) 138-608 to maintain a front yard setback of 25.3 feet, where the minimum required setback is 30 feet; (d) 138-611 to maintain a side yard setback of 9.9 feet, where a minimum of 15 feet is required; (e) 138-616 to maintain a garage extending 0.5 feet into an adjoining property, where the minimum required rear yard setback is 5 feet, and 3 feet from the side property line where the minimum required setback is 10 feet; (f) 138-613.1 in that the proposed construction will encroach into the height setback ratio where no such encroachment is permitted; and (g) 138-1102 to permit an intensification of the existing non-conformities, where no such intensification is permitted. Premises are designated as Section 21, Block 50, Lot 4 on the Nassau County Land and Tax Map..
2. The applicant is the record owners of the subject premises. The encroachment into the sky exposure plane is minimal.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The application was referred to the Nassau County Planning Commission in accordance with the streamlining agreement between the Village and the Planning Commission, and no response was received from the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform substantially with the plans submitted with the application, and (b) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

Dina Epstein, Chair

Filed in the Office of the Village Clerk
the day of January 2014

Marianne Lennon, Village Clerk

GAETA SHORT FORM DECISION
(as authorized by Village Code 138-1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 29, 2014, on motion of the Chair, seconded by Mr. Toner, 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 findings and determination:

1. John Gaeta, 74 Downing Avenue, Sea Cliff to construct additions to a single family residence, which construction requires variances of the following Village Code sections: (a) 138-504 to maintain a lot size of 9,849.69 square feet, where a minimum of 10,000 square feet is required; (b) 138-506 to maintain a front property line length of 89.57 feet, where a minimum of 100 feet is required; (c) 138-509 to maintain a lot width at the setback line of 89.57 feet, where a minimum of 100 feet is required; (d) 138-510 to maintain a lot width of 89.57 feet on a corner lot, where a minimum of 100 feet is required; (e) 138-508 to permit the front entry way to be located 23.3 feet from the front property line, where a minimum of 25 feet is required; (f) 138-511 to permit the second story addition to be located 10 feet from the side property line, where a minimum of 15 feet is required; and (g) 138-1102 to permit an intensification of the existing non-conformities, where no such intensification is permitted. Premises are designated as Section 21, Block 103, Lot 140 on the Nassau County Land and Tax Map.
2. The applicant is 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 application was referred to the Nassau County Planning Commission in accordance with the streamlining agreement between the Village and the Planning Commission, and no response was received from the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction shall conform substantially with the plans submitted with the application, and (b) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

Dina Epstein, Chair

Filed in the Office of the Village Clerk
the day of January 2014

Marianne Lennon, Village Clerk