

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

July 15, 2014

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| Present: | Chair | Dina Epstein, Esq. |
| | Members | Ted Kopczynski |
| | | Noel Griffin |
| | | James Toner, Esq. |
| | | Amy Marion, Esq. |
| | Village Attorney | Brian S. Stolar, Esq. |

The meeting was called to order at 8:03 pm.

The Board opened the continued public hearing on the application of Cynthia Young. The applicant informed the Board that the request to place a shower or bathtub was being withdrawn, and that only a sink and/or toilet would be proposed for the accessory structure. The applicant also confirmed that the structure would not be furnished with heat. The Board closed the public hearing, and reserved decision.

The Board opened the continued public hearing on the application of Manish and Pooja Vira, 328 Carpenter Avenue, Sea Cliff, New York to reconstruct a residence, which construction requires variances of the following Village Code sections: (a) 138-513 to maintain a height of 38.6 feet where a maximum of 30 feet is permitted; (b) 138-514.1 to increase the floor area to 5,688 square feet, where a maximum of 4,389 square feet is permitted; and (c) 138-516 to maintain a side yard setback of 12.9 feet, where a minimum of 15 feet

is required. Premises are designated as Section 21, Block 60, Lot 256 on the Nassau County Land and Tax Map. Upon the opening of the public hearing, the Chair recused herself from participation in the hearing and stepped down from the dais. Upon motion duly made by Mr. Griffin, seconded by Ms. Marion, and adopted three votes in favor, Mr. Toner having not yet arrived, and the Chair not participating, the Board designated Mr. Kopczynski to serve as acting chair for the Vira hearing. Mr. Toner arrived at the meeting. The applicants were represented by William Wall, architect. The Board closed the hearing, and reserved decision.

The Chair resumed her position on the Board.

The Board opened the public hearing on the application of Philip and Dorothy Davidow, 93 Ransom Avenue, Sea Cliff, New York to construct a second floor addition, covered porch and wood deck, which construction requires variances of the following Village Code sections: (a) 138-506 to maintain a front property line length of 89.04 feet, where a minimum of 100 feet is required; (b) 138-507 to maintain a lot width of 89.04 feet, where a minimum of 100 feet is required; (c) 138-509 to maintain a lot width at the setback line of 89.04 feet, where a minimum of 100 feet is required; (d) 138-511 to maintain side yard setbacks of 10 and 10.6 feet, where the minimum required setback is 15 feet; (e) 138-513.1 in that the construction encroaches into the height-setback area, where no such encroachment is permitted; (f) 138-514.1 in that the floor area will be 4,550 square feet, where a maximum of 3,750 square feet is permitted; and (g) 138-1102 to permit an increase in a non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block 109, Lot 13 on the Nassau County Land and Tax Map. The applicants were represented by their architect Peter Albinski. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Rachel Gonzalez and Gerard Camarano, 21 Laurel Avenue, Sea Cliff to construct a second floor addition, which construction requires variances of the following Village Code sections: (a) 138-506 to maintain a front property line length of 75 feet, where a minimum of 100 feet is required; (b) 138-507 to maintain a lot width of 75 feet, where a minimum of 100 feet is required; (c) 138-509 to maintain a lot width at the setback line of 75 feet, where a minimum of 100 feet is required; (d) 138-511 to maintain side yard setbacks of 9.5 and 12.8 feet, where the minimum required setback is 15 feet; (e) 138-513.1 in that the construction will encroach into the height-setback ratio plane, where no such encroachment is permitted; and (f) 138-1102 in that the addition will increase a non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block K, Lot 4 on the Nassau County Land and Tax Map. The applicants were represented by their contractor Mr. Katevatis. The Board requested information and will be conducting an additional site visit. The Board continued the public hearing to August 19, 2014 at 8:00pm.

The Board discussed the Young application. The Board noted that the relief sought by the applicants, having been modified, was now clear. The Board will be referring the application to the Nassau County Planning Commission in accordance with the streamlining agreement with the County, and deferred any determination until such referral is made.

The Board discussed the Vira application. The Chair did not participate in the discussion of the Vira application. Mr. Toner moved to approve the application. The Board discussed the motion, but no member seconded the motion. The Board will further discuss the application at its next meeting.

The Board discussed the Davidow application. On motion duly made by Mr. Toner, seconded by Mr. Griffin, and adopted unanimously, the Board determined that the Davidow application is a Type II matter under SEQRA which requires no further environmental review and granted the application in accordance with the short form decision annexed hereto.

There being no further business, the meeting was adjourned at 9:35 pm.

DINA EPSTEIN, CHAIR

DAVIDOW 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 July 15, 2014, on motion of Mr. Toner, seconded by Mr. Griffin, 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. Philip and Dorothy Davidow, 93 Ransom Avenue, Sea Cliff, New York applied to construct a second floor addition, covered porch and wood deck, which construction requires variances of the following Village Code sections: (a) 138-506 to maintain a front property line length of 89.04 feet, where a minimum of 100 feet is required; (b) 138-507 to maintain a lot width of 89.04 feet, where a minimum of 100 feet is required; (c) 138-509 to maintain a lot width at the setback line of 89.04 feet, where a minimum of 100 feet is required; (d) 138-511 to maintain side yard setbacks of 10 and 10.6 feet, where the minimum required setback is 15 feet; (e) 138-513.1 in that the construction encroaches into the height-setback area, where no such encroachment is permitted; (f) 138-514.1 in that the floor area will be 4,550 square feet, where a maximum of 3,750 square feet is permitted; and (g) 138-1102 to permit an increase in a non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block 109, Lot 13 on the Nassau County Land and Tax Map.
2. The applicants are the record owner of the subject premises. The square footage in excess of the permitted square footage is 800 square feet, which includes a deck of 479 square feet and interior living space of 321 square feet.
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 July 2014

Marianne Lennon, Village Clerk