

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

December 17, 2013

Present:	Chair	Dina Epstein
	Members	Noel Griffin
		Jamie Weil
	Alternate Member	James Toner, Esq.
	Village Attorney	Brian S. Stolar, Esq.

The meeting was called to order at 8:00 pm.

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 is required to submit a draft scoping document on or before January 7, 2014 for review by the Board, and that no further action could be taken pending the continued environmental review of the application. The applicant was present and advised The Board continued the public hearing to January 21, 2014 at 8:00pm.

The Board opened the public hearing on the application of Tara Naughton and Walter Smith, 29 Adams Street, Sea Cliff, New York for a variance of Village Code §138-416 to permit a patio in a front yard where no such structure is

permitted. Premises are designated as Section 21, Block 177, Lot 136 on the Nassau County Land and Tax Map. The Board noted that the applicant proposed to construct the patio in an area that does not extend beyond the front line of the dwelling. Under such circumstances, no variance for the location of the patio in the front yard would be required, and the application was deemed moot.

The Board opened the public hearing on the application of Michael George and JoAnn Laskaris, 6 Gates Way, Sea Cliff, New York to to maintain a barbeque oven, which requires variances of Village Code §138-616(C) in that the structure is located 2.5 feet from a rear property line, where a minimum of 5 feet is required, and Village Code §138-616(F) in that the structure, which is a second accessory structure, is 12 feet high, where the maximum permitted height is 8 feet. Premises are designated as Section 21, Block M, Lot 599 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board discussed the George/Laskaris application. On motion duly made by Mr. Griffin, seconded by the Chair, and adopted unanimously, the Board determined that the George/Laskaris 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 decision annexed hereto.

The Board opened the public hearing on the application of James and Miranda Best, 116 Glen Avenue, Sea Cliff, New York to construct additions to a single family residence, which requires variances of the following sections of the Village Code sections to maintain existing conditions: (a) 138-504 to maintain a lot size of 7,500 square feet, where a minimum of 10,000 square feet is required; (b) 138-506 to maintain a front property line of 50 feet, where a minimum of 100 feet is required; and (c) 138-509 to maintain a lot width at the setback line of 50 feet, where a minimum of 100 feet is required. Applicants also require variances of the following Village Code sections: (a) 138-511 in that the proposal will result in side yard setbacks of 8.7 feet (west side) and 6 feet (east side), where a minimum of 15 feet is required; and (b) 138-1102 in that the proposed additions will increase an existing non-conformity. Premises are designated as Section 21, Block 94, Lot 4 on the Nassau County Land and Tax Map. Mr. Griffin recused himself in connection with the application, and left the meeting. The Board closed the hearing, and reserved decision.

The Board discussed the Best application. On motion duly made by the Chair, seconded by Mr. Toner, and adopted unanimously, the Board determined that the Best 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 decision annexed hereto.

There being no further business, the meeting was adjourned at 8:25 pm.

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DINA EPSTEIN, CHAIR

**GEORGE/LASKARIS 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 December 17, 2013, on motion of Mr. Griffin, seconded by the Chair, 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. Michael George and JoAnn Laskaris, 6 Gates Way, Sea Cliff, New York applied to maintain a barbeque oven, which requires variances of Village Code §138-616(C) in that the structure is located 2.5 feet from a rear property line, where a minimum of 5 feet is required, and Village Code §138-616(F) in that the structure, which is a second accessory structure, is 12 feet high, where the maximum permitted height is 8 feet. Premises are designated as Section 21, Block M, Lot 599 on the Nassau County Land and Tax Map.
2. The applicants are the record owners of the subject premises. The rear of the adjoining properties contains a substantial line of trees and the nearest residential structure is over 100 feet from the barbeque.
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.

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Dina Epstein, Chair

Filed in the Office of the Village Clerk  
the     day of December 2013

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Marianne Lennon, Village Clerk

**BEST 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 December 17, 2013, 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. James and Miranda Best, 116 Glen Avenue, Sea Cliff, New York to construct additions to a single family residence, which requires variances of the following sections of the Village Code sections to maintain existing conditions: (a) 138-504 to maintain a lot size of 7,500 square feet, where a minimum of 10,000 square feet is required; (b) 138-506 to maintain a front property line of 50 feet, where a minimum of 100 feet is required; and (c) 138-509 to maintain a lot width at the setback line of 50 feet, where a minimum of 100 feet is required. Applicants also require variances of the following Village Code sections: (a) 138-511 in that the proposal will result in side yard setbacks of 8.7 feet (west side) and 6 feet (east side), where a minimum of 15 feet is required; and (b) 138-1102 in that the proposed additions will increase an existing non-conformity. Premises are designated as Section 21, Block 94, Lot 4 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 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.

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Dina Epstein, Chair

Filed in the Office of the Village Clerk  
the     day of December 2013

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Marianne Lennon, Village Clerk