

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

January 15, 2013

Present: Chair Kevin McGilloway
Members Dina Epstein
Noel Griffin
Ted Kopczynski
Jamie Weil
Village Attorney Brian Stolar

The meeting was called to order at 8:05 pm.

The Board opened the public hearing on the application of Paul Chartier, as contract vendee, and Cory Hattem, as owner, 190 Littleworth Lane, Sea Cliff, New York to construct additions to a single family dwelling, which requires variances of the following Village Code sections: (a) 138-406 to maintain a front property line of 59.86 feet, where the minimum required front property line is 75 feet; (b) 138-408 to increase a non-conforming setback from 9.4 feet to 5.6 feet and construct a second story at a setback of 12.1 feet, where the minimum required setback is 20 feet; (c) 138-409 to maintain a lot width of 59.86 feet at the setback, where the minimum required setback is 75 feet; (d) 138-413.1 to permit encroachments into the height/setback ratio plane; (e) 138-414.1 to permit a floor area of 2,652 square feet (32.2%), where a maximum of 2,553 square feet (31%) is permitted; and (f) 138-416 to maintain two accessory structures 1.9 feet from the property line, where the minimum required setback is 10 feet. Premises

are designated as Section 21, Block 186, Lot 143 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 Carolyn Quenon, 158 15th Avenue, Sea Cliff, New York to maintain a porch/deck extension, which requires variances of the following Village Code sections: (a) 138-404 to maintain a lot size of 4,850 square feet, where a minimum of 7,500 square feet is required; (b) 138-406 to maintain a front property line of 40 feet, where the minimum required front property line is 75 feet; and (c) 138-411 to maintain the proposed porch/deck 7.75 feet and 9.46 feet from the side property lines, where a minimum setback of 10 feet is required. Premises are designated as Section 21, Block F, Lot 1726 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 Adam and Michele Fedechko, 14 Harbor Way, Sea Cliff, New York to construct a front entrance addition, which requires variances of the following Village Code sections: (a) 138-604 to maintain a lot size of 7,500 square feet, where a minimum of 15,000 square feet is required; (b) 138-606 to maintain a front property line of 75 feet, where the minimum required front property line is 100 feet; and (c) 138-608 to provide a front yard setback of 12.25 feet, where the minimum required setback is 26 feet (inclusive of a permitted 4 foot encroachment into a 30 foot required setback). Premises are designated as Section 21, Block 68, Lot 8 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 Doug and Karin Barnaby, 404 Littleworth Lane, Sea Cliff, New York to subdivide a lot with an existing non-conforming use into three residential lots and a private roadway, which requires variances of the following Village Code sections: (a) 138-501 and 138-1103 to increase an existing non-conformity of a property and use, where no such increase is permitted; (b) 138-506 to permit a front property line of 92.18 feet on one lot and 25.02 feet on another lot, where the minimum required front property line is 100 feet; (c) 138-509 to permit a lot width of 92.18 feet, where a minimum required width of 100 feet is required; (d) 138-511 to permit a side yard setback of 11 feet, where a minimum of 15 feet is required; (e) 138-512 to permit a rear yard setback of 20 feet, where a minimum of 30 feet is required; (f) 138-1002 and 138-1001(A) in that the required number of off-street parking spaces are not provided; and (g) 138-1007 in that (i) the proposed subdivision exacerbates an existing non-conforming condition by creating a property line with less than the required 4 foot setback, and (ii) the driveway depicted on parcel B exceeds the minimum permitted width of 25 feet. Premises are designated as Section 21, Block L1, Lot 306 on the Nassau County Land and Tax Map. The Board requested that the applicants clarify the parking proposed, as well as various items, including portions of the long environmental assessment form provided with the application. The Board continued the public hearing to February 19, 2013 at 8:00pm.

The Board discussed the Chartier application. After such discussion, on motion duly made by Ms. Epstein, seconded by Mr. Weil, and adopted

unanimously, the Board determined that it is the lead agency with respect to environmental review, that the application is a Type II matter under SEQRA, and granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Quenon application. After such discussion, on motion duly made by Mr. Weil, seconded by Ms. Epstein, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, that the application is a Type II matter under SEQRA, and granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Fedechko application. After such discussion, on motion duly made by the Chair, seconded by Mr. Kopczyński, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, that the application is a Type II matter under SEQRA, and granted the application in accordance with the short form decision annexed hereto.

The Board discussed the environmental issues concerning the Barnaby application. The Board determined that it would serve as the lead agency with respect to environmental review, but that it would defer to the Planning Board if the Planning Board intended to serve as the lead agency.

There being no further business, the meeting was adjourned at 10:25 pm.

KEVIN MCGILLOWAY, CHAIR

CHARTIER/HATTEM SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 15, 2013, on motion duly made by Ms. Epstein, seconded by Mr. Weil, 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. Paul Chartier, as contract vendee, and Cory Hattem, as owner, 190 Littleworth Lane, Sea Cliff, New York applied to construct additions to a single family dwelling, which requires variances of the following Village Code sections: (a) 138-406 to maintain a front property line of 59.86 feet, where the minimum required front property line is 75 feet; (b) 138-408 to increase a non-conforming setback from 9.4 feet to 5.6 feet and construct a second story at a setback of 12.1 feet, where the minimum required setback is 20 feet; (c) 138-409 to maintain a lot width of 59.86 feet at the setback, where the minimum required setback is 75 feet; (d) 138-413.1 to permit encroachments into the height/setback ratio plane; (e) 138-414.1 to permit a floor area of 2,652 square feet (32.2%), where a maximum of 2,553 square feet (31%) is permitted; and (f) 138-416 to maintain two accessory structures 1.9 feet from the property line, where the minimum required setback is 10 feet. Premises are designated as Section 21, Block 186, Lot 143 on the Nassau County Land and Tax Map.
2. The applicant is the contract vendee of the subject premises, and the application has been authorized by the owner.
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, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is performed in accordance with the plans submitted with the application and all requirements of the building department; and (b) the work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

QUENON SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 15, 2013, on motion duly made by Mr. Weil, seconded by Ms. Epstein, 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. Carolyn Quenon, 158 15th Avenue, Sea Cliff, New York applied to maintain a porch/deck extension, which requires variances of the following Village Code sections: (a) 138-404 to maintain a lot size of 4,850 square feet, where a minimum of 7,500 square feet is required; (b) 138-406 to maintain a front property line of 40 feet, where the minimum required front property line is 75 feet; and (c) 138-411 to maintain the proposed porch/deck 7.75 feet and 9.46 feet from the side property lines, where a minimum setback of 10 feet is required. Premises are designated as Section 21, Block F, Lot 1726 on the Nassau County Land and Tax Map.
2. The applicant is the 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, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is performed in accordance with the plans submitted with the application and all requirements of the building department; and (b) the work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

FEDECHKO SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 15, 2013, on motion duly made by the Chair, 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. Adam and Michele Fedechko, 14 Harbor Way, Sea Cliff, New York applied to construct a front entrance addition, which requires variances of the following Village Code sections: (a) 138-604 to maintain a lot size of 7,500 square feet, where a minimum of 15,000 square feet is required; (b) 138-606 to maintain a front property line of 75 feet, where the minimum required front property line is 100 feet; and (c) 138-608 to provide a front yard setback of 12.25 feet, where the minimum required setback is 26 feet (inclusive of a permitted 4 foot encroachment into a 30 foot required setback). Premises are designated as Section 21, Block 68, Lot 8 on the Nassau County Land and Tax Map.
2. The applicants are the 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, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the construction is performed in accordance with the plans submitted with the application and all requirements of the building department; and (b) the work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.