

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

April 28, 2015

|          |                  |                       |
|----------|------------------|-----------------------|
| Present: | Chair            | Noel Griffin          |
|          | Members          | Ted Kopczynski        |
|          |                  | James Toner, Esq.     |
|          | Alternate Member | Timothy O'Donnell     |
|          | Village Attorney | Brian S. Stolar, Esq. |

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

The Board opened the public hearing on the application of Sue Fortman, 347 Glen Avenue, Sea Cliff, New York to construct a wrap-around porch, a new side entrance and a 1 story kitchen addition, which requires variances of the following Village Code sections: (a) 138-404 to maintain a lot area of 3,600 square feet, where a minimum of 7,500 square feet is required; (b) 138-406 to maintain a front property line length of 60 feet, where a minimum of 75 feet is required; (c) 138-409 to maintain a lot width at the setback line of 60 feet, where a minimum of 75 feet is required; (d) 138-1002 to maintain a dwelling without the required two (2) parking spaces; (e) 138-413.1 to maintain encroachments into the height-setback ratio plane where no such encroachments are permitted; (f) 138-405 to increase lot coverage to 35.47%, where a maximum of 30% is permitted; (g) 138-408 to permit a front yard setback of 13.083 feet in the northerly front yard and 2.583 feet in the southerly front yard, where a minimum setback of 20 feet is required; (h) 138-413 to permit a height of 35.75 feet, where the maximum permitted height is 30 feet and the pre-existing height of the dwelling is 34.75 feet; (i) 138-413.1 to permit an encroachment into the southerly height-setback ratio

plane where no encroachment is permitted; and (j) 138-1102 in that the proposed additions increase the existing non-conformities where no such increase is permitted. Premises are designated as Section 21, Block 171, Lot 97 on the Nassau County Land and Tax Map. The Board noted that the legal notice included the increase in the height of the house as proposed by the applicant. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Justin and Jenna DiPietro, 31 Ransom Avenue, Sea Cliff, New York to construct a new one story addition, second story dormer, new deck and roof over porch, which work requires variances of the following Village Code sections: (a) 138-506 to maintain a front property line length of 50 feet, where a minimum of 100 feet is required; (b) 138-509 to maintain a lot width at the setback line of 50 feet, where a minimum of 100 feet is required; (c) 138-511 to permit a side yard setback of 13.33 feet (front porch), 14.42 feet (roof over porch and westerly side deck) and 11.75 feet (east side deck), where a minimum of 15 feet is required; and (d) 138-1102 in that the proposed additions increase the existing non-conformities where no such increase is permitted. Premises are designated as Section 21, Block 95, Lot 211 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 Kyle Novellano, 222 Franklin Avenue, Sea Cliff, New York to demolish a deck and install a patio, which construction requires variances of the following Village Code sections: (a) 138-416, to permit the patio in a front yard, where no such accessory structures are permitted; and (b) 138-1103, to permit the enlargement of a non-conforming structure, where no such enlargement is permitted. Premises are designated as Section 21, Block 181, Lot s 305 and 364 on the Nassau County Land and Tax Map. The applicant's wife presented

testimony on behalf of the applicant. The Board closed the public hearing and reserved decision.

The Board discussed the Fortman application. On motion duly made by Mr. Kopczynski, seconded by the Chair, and adopted three votes in favor and Mr. O'Donnell abstaining, the Board determined that the Fortman 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.

The Board discussed the DiPietro application. On motion duly made by Mr. Toner, seconded by Mr. Kopczynski, and adopted unanimously, the Board determined that the DiPietro 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.

The Board discussed the Novellano application. On motion duly made by the Chair, seconded by Mr. O'Donnell, and adopted unanimously, the Board determined that the Novellano 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 7:53 pm.

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NOEL GRIFFIN, CHAIR

**FORTMAN 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 April 28, 2015, on motion of Mr. Kopczynski, seconded by the Chair, and adopted three votes in favor and Mr. O'Donnell abstaining, the Board, having duly considered the matters brought forth at the public hearing and other matters properly within the Board's consideration and discussed the application, rendered the following findings and determination:

1. Sue Fortman, 347 Glen Avenue, Sea Cliff, New York applied to construct a wrap-around porch, new side entrance and a 1 story kitchen addition, which requires variances of the following Village Code sections: (a) 138-404 to maintain a lot area of 3,600 square feet, where a minimum of 7,500 square feet is required; (b) 138-406 to maintain a front property line length of 60 feet, where a minimum of 75 feet is required; (c) 138-409 to maintain a lot width at the setback line of 60 feet, where a minimum of 75 feet is required; (d) 138-1002 to maintain a dwelling without the required two (2) parking spaces; (e) 138-413.1 to maintain encroachments into the height-setback ratio plane where no such encroachments are permitted; (f) 138-405 to increase lot coverage to 35.47%, where a maximum of 30% is permitted; (g) 138-408 to permit a front yard setback of 13.083 feet in the northerly front yard and 2.583 feet in the southerly front yard, where a minimum setback of 20 feet is required; (h) 138-413 to permit a height of 35.75 feet, where the maximum permitted height is 30 feet and the pre-existing height of the dwelling is 34.75 feet; (i) 138-413.1 to permit an encroachment into the southerly height-setback ratio plane where no encroachment is permitted; and (j) 138-1102 in that the proposed additions increase the existing non-conformities where no such increase is permitted. Premises are designated as Section 21, Block 171, Lot 97 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. Notice of the application was provided 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 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, (b) applicants shall comply with all requirements of the Village Code and the Building Department, including compliance with the requirements related

to storm water runoff, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

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Noel Griffin, Chair

Filed in the Office of the Village Clerk  
the    day of \_\_\_\_\_ 2015

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Marianne Lennon, Village Clerk

**DIPIETRO 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 April 28, 2015, on motion of Mr. Toner, 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. Justin and Jenna DiPietro, 31 Ransom Avenue, Sea Cliff, New York applied to construct a new one story addition, second story dormer, new deck and roof over porch, which work requires variances of the following Village Code sections: (a) 138-506 to maintain a front property line length of 50 feet, where a minimum of 100 feet is required; (b) 138-509 to maintain a lot width at the setback line of 50 feet, where a minimum of 100 feet is required; (c) 138-511 to permit a side yard setback of 13.33 feet (front porch), 14.42 feet (roof over porch and westerly side deck) and 11.75 feet (east side deck), where a minimum of 15 feet is required; and (d) 138-1102 in that the proposed additions increase the existing non-conformities where no such increase is permitted. Premises are designated as Section 21, Block 95, Lot 211 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. Notice of the application was provided 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, (b) applicants shall comply with all requirements of the Village Code and the Building Department, including compliance with the requirements related to storm water runoff, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

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Noel Griffin, Chair

Filed in the Office of the Village Clerk  
the    day of \_\_\_\_\_ 2015

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Marianne Lennon, Village Clerk

**NOVELLANO 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 April 28, 2015, on motion of the Chair, seconded by Mr. O'Donnell, 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. Kyle Novellano, 222 Franklin Avenue, Sea Cliff, New York applied to demolish a deck and install a patio, which construction requires variances of the following Village Code sections: (a) 138-416, to permit the patio in a front yard, where no such accessory structures are permitted; and (b) 138-1103, to permit the enlargement of a non-conforming structure, where no such enlargement is permitted. Premises are designated as Section 21, Block 181, Lots 305 and 364 on the Nassau County Land and Tax Map.
2. The applicant is the owner of the subject premises, and the proposed patio is located between the house and the garage. The subject premises is a through lot with two front yards.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. Notice of the application was provided 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, (b) applicants shall comply with all requirements of the Village Code and the Building Department, including compliance with the requirements related to storm water runoff, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

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Noel Griffin, Chair

Filed in the Office of the Village Clerk  
the    day of \_\_\_\_\_ 2015

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Marianne Lennon, Village Clerk