

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

August 16, 2016

Present: Members

Ted Kopczynski, Tim O'Donnell and
Andrew Janusas

Village Attorney

Brian Stolar, Esq.

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

In the absence of the Chair, on motion duly made by Mr. O'Donnell, seconded by Mr. Janusas, and adopted unanimously, the Board designated Mr. Kopczynski to serve as Acting Chair for the meeting.

The Board opened the public hearing on the application of Jason Stroot, 22 Arlington Street, Sea Cliff, New York to install air conditioner condenser units in a front yard, which requires variances of Village Code §138-416 in that no accessory structure is permitted in a front yard, and §138-1102 in that the proposal increases an existing non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block 61, Lot 138 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 Todd and Colleen Mitgang, 134 17th Street, Sea Cliff, New York to install a hot tub in a front yard, which requires variances of Village Code §138-416 in that no accessory structure is permitted in a front yard, and §138-1102 in that the proposal increases an existing non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block 152, Lot 32 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 Michele Puckett, 3 Prospect Avenue, Sea Cliff, New York to install a generator within 10 feet of a side property line, where Village Code §138-516 requires a minimum of 10 feet. Premises are designated as Section 21, Block 117, Lot 12 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 Brendon Trudden, 154 Dayton Street, Sea Cliff to increase a curb cut to a width of 30 feet, where Village Code §138-1007 permits a maximum curb cut of 25 feet. Premises are designated as Section 21, Block 182, Lot 230 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 William and Doreen Crawford, 125 Dayton Street, Sea Cliff to demolish an existing dwelling and construct a new dwelling, which construction requires variances of the following Village Code sections: (a) 138-504 in that the existing lot area is 8,658 square feet, where a minimum of 10,000 square feet is required; (b) 138-508 in that the front yard setback will be 14.3 feet, where a minimum of 25 feet is required; (c) 138-511 in that the side yard setback will be 10 feet, where a minimum of 15 feet is required; (d) 138-512 in that the rear yard setback will be 22 feet, where a minimum of 30 feet is required; (e) 138-513.1 in that the dwelling will encroach into the height setback ratio plane, where no such encroachment is permitted; (f) 138-517 in that the air conditioner condenser unit is 22 feet from the rear property line, where a minimum of 26 feet is required; and (g) 138-1102 in that the proposed construction will increase an existing non-conformity where no increase is permitted. Premises are designated as Section 21, Block K, Lot 757 on the Nassau County Land and Tax Map. Neighboring property owners commented on the application. The Board continued the public hearing to October 18, 2016 at 7:30pm.

The Chair announced that the application of Richard LaSalle, 168 Prospect Avenue is adjourned to October 18, 2016 at 7:30pm.

The Board announced that the application of Andrea Costa Rothstock has been withdrawn.

The Board discussed the Stroot, Mitgang, Puckett and Trudden applications. After such discussion, on motion made by Mr. O'Donnell, seconded by Mr. Janusas, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review for the Stroot, Mitgang, Puckett and Trudden applications, the actions are Type II matters under SEQRA that require no further environmental review, and granted the Stroot, Mitgang, Puckett and Trudden applications in accordance with the short form decisions annexed hereto.

There being no further business, the meeting was adjourned at 8:35pm.

NOEL GRIFFIN, CHAIR

STROOT SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on September 20, 2016, on motion duly made by Mr. O'Donnell, seconded by Mr. Janusas, 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. Jason Stroot, 22 Arlington Street, Sea Cliff, New York applied to install air conditioner condenser units in a front yard, which requires variances of Village Code §138-416 in that no accessory structure is permitted in a front yard, and §138-1102 in that the proposal increases an existing non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block 61, Lot 138 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises, which premises contains two front yards.
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 shall conform substantially with the plans submitted with the application, (b) applicant shall comply with all requirements of the Village Code and the Building Department and shall install landscaping around the perimeter of the units to provide a visual and noise buffer in a manner approved by the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

MITGANG SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on September 20, 2016, on motion duly made by Mr. O'Donnell, seconded by Mr. Janusas, 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. Todd and Colleen Mitgang, 134 17th Street, Sea Cliff, New York applied to install a hot tub in a front yard, which requires variances of Village Code §138-416 in that no accessory structure is permitted in a front yard, and §138-1102 in that the proposal increases an existing non-conformity, where no such increase is permitted. Premises are designated as Section 21, Block 152, Lot 32 on the Nassau County Land and Tax Map.
2. The applicants are the record owners of the subject premises, which premises contains two front yards. The hot tub will be installed in a sunken patio area.
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 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, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

PUCKETT SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on September 20, 2016, on motion duly made by Mr. O'Donnell, seconded by Mr. Janusas, 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. Michele Puckett, 3 Prospect Avenue, Sea Cliff, New York applied to install a generator within 10 feet of a side property line, where Village Code §138-516 requires a minimum of 10 feet. Premises are designated as Section 21, Block 117, Lot 12 on the Nassau County Land and Tax Map. The proposed generator will be located 7.5 feet from the side property line.
2. The applicant is the record 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 shall conform substantially with the plans submitted with the application, (b) applicant shall comply with all requirements of the Village Code and the Building Department, (c) at all times, applicant shall maintain screening along the side yard area where the generator is located, in a manner as approved by the Building Department; and (d) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

TRUDDEN SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on September 20, 2016, on motion duly made by Mr. O'Donnell, seconded by Mr. Janusas, 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. Brendon Trudden, 154 Dayton Street, Sea Cliff applied to increase a curb cut to a width of 30 feet, where Village Code §138-1007 permits a maximum curb cut of 25 feet. Premises are designated as Section 21, Block 182, Lot 230 on the Nassau County Land and Tax Map.
2. The applicant is the record owner of the subject premises. The premises presently includes two curb cuts, each 20 feet in width and the proposed revision will create one curb cut and reduce the overall curb cut width to 30 feet.
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 shall conform substantially with the plans submitted with the application, (b) applicant shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.