

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

November 28, 2023

Present: Chair	Tim O'Donnell
Members	Noel Griffin, Frank D'Errico, Jim Mozer and Beth Rechner
Village Attorney	Brian S. Stolar, Esq.

The meeting was called to order at 7:00pm.

The Board noted that the application of Michael Coffman and Leslie Beder, 101 Brown Street, Sea Cliff, New York, to construct a wrap-around porch, swimming pool, raised deck and one story addition was not being heard tonight as the applicants did not provide the required notice. Accordingly, the Board noted that the 101 Brown Street hearing would be adjourned to the next Board meeting date as determined by the Board tonight.

The Board opened the public hearing on the application of James Rizzo, 275 Carpenter Avenue, Sea Cliff, New York, to construct an unenclosed carport extension, which construction requires variances of Village Code §138-416, to permit a side yard setback of 5.2 feet, where a minimum of 10 feet is required, and a gross floor area of 852 square feet, where not more than 500 square feet is permitted. Premises are designated as Section 21, Block 98, Lot 16 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of Ryden and Lanette Rizzo, 335 Prospect Avenue, Sea Cliff, New York, to maintain a generator and 3 air conditioning condenser units in a front yard, where Village Code §138-516 does not permit accessory structures in a front yard. Premises are designated as Section 21, Block L, Lot 137 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. The applicant presented a revised plan depicting a garage compliant with the maximum permitted height. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of J & R 10th Ave LLC, as owner, and Terrance Cave, as tenant, 230-232 Sea Cliff Avenue, Sea Cliff, New York, for a special permit pursuant to Village Code §138-802, to use the premises as a coffee shop, and for a variance of Village Code §138-1002, to provide no parking spaces, where the proposed use requires an additional 3 parking spaces in relation to the the outdoor seating. Premises are designated as Section 21, Block 131, Lot 1376 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the public hearing on the application of DM Acquisitions, LLC, as owner, and SSS Foods LLC, as tenant, 1A Sea Cliff Avenue, Sea Cliff, New York, for a special use permit pursuant to Village Code §138-902, to use the premises as an off-premises catering business. Premises are designated as Section 21, Block 96, Lots 220 and 221 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. The applicant presented information relative to the history of the property and the Village Code. Interested parties also presented information relative to the use of the premises. The Board continued the public hearing to the next Board meeting as determined by the Board tonight.

The Board opened the public hearing on the application of Paola Martinez, 203 Prospect Avenue, Sea Cliff, New York, to replace an existing garage, which construction requires variances of Village Code §138-416, to permit a rear yard setback of 1.4 feet and a side yard setback of 4 feet, where minimum setbacks of 5 feet are required. Premises are designated as Section 21, Block 160, Lot 135 on the Nassau County Land and Tax Map.

Maximo Buschfrers appeared on behalf of the applicant. The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the continued public hearing on the application of 160 15th Avenue LLC, 160 15th Avenue, Sea Cliff, New York, for variances to construct a 24.83 feet high garage in a front yard, where Village Code §138-416 permits a maximum height of 15 feet and prohibits a garage from being located in a front yard. Premises are designated as Section 21, Block F, Lot 727 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. After hearing testimony from all interested persons, the Board closed the public hearing and reserved decision.

The Board opened the continued public hearing on the application of Pezzi Pizza, Inc., 500 Glen Cove Avenue, Sea Cliff, New York, to construct additions, which additions require variances of the following Village Code sections: (a) 138-913, to permit the staircase enclosure to be 15.1 feet from the rear property line, where a minimum of 20 feet is required; (b) 138-917, to permit a 3 foot buffer area, where a 20 foot buffer area is required; (c) 138-1002, to provide for no additional parking, where 5 additional parking spaces are required; and (d) 138-1102, to permit a building to be altered in a manner that will result in an increase in existing non-conformities. The proposed modifications also require an amendment of the special permit for the proposed use. Premises are designated as Section 21, Block 41, Lot 71 on the Nassau County Land and Tax Map.

The Board discussed the 275 Carpenter Avenue application. After such discussion, on motion duly made by Mr. Mozer, seconded by Mr. D'Errico, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and denied the request for relief, in accordance with the short form decision annexed hereto.

The Board discussed the 335 Prospect Avenue application. After such discussion, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the 335 Prospect Avenue application for relief, in accordance with the short form decision annexed hereto.

The Board discussed the 230-232 Sea Cliff Avenue application. After such discussion, on motion duly made by Mr. Griffin, seconded by Mr. D'Errico, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the 230-232 Sea Cliff Avenue request for relief, in accordance with the decision annexed hereto.

The Board discussed the 160 15th Avenue application. Mr. Griffin abstained from the discussion of the application. After such discussion, on motion duly made by Mr. Mozer, seconded by Mr. D'Errico, and adopted four votes in favor and Mr. Griffin abstaining, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and denied the 160 15th Avenue application for relief, in accordance with the short form decision annexed hereto.

The Board discussed the Pezzi Pizza application. After such discussion, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and approved the Pezzi Pizza application for relief, in accordance with the short form decision annexed hereto.

The Board discussed the 203 Prospect Avenue application. After such discussion, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires

no further environmental review, and approved the 203 Prospect Avenue application for relief, in accordance with the short form decision annexed hereto.

The Board determined to hold its next meeting on January 23, 2024, at 7:00pm.

There being no further business, the meeting was adjourned at 9:08 pm.



TIM O'DONNELL

Filed in the Office of the Village Clerk

on December 29, 2023



Sarah Beaudin, Village Clerk

VILLAGE OF SEA CLIFF, NY

DEC 29 2023

VILLAGE CLERK

**RIZZO-275 CARPENTER AVENUE SHORT FORM DECISION
(as authorized by Village Code §1302.1)**

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on November 28, 2023, on motion duly made by Mr. Mozer, seconded by Mr. D'Errico, 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 short-form determination:

1. James Rizzo, 275 Carpenter Avenue, Sea Cliff, New York, applied to construct an unenclosed carport extension, which construction requires variances of Village Code §138-416, to permit a side yard setback of 5.2 feet, where a minimum of 10 feet is required, and a gross floor area of 852 square feet, where not more than 500 square feet is permitted. Premises are designated as Section 21, Block 98, Lot 16 on the Nassau County Land and Tax Map.
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.
5. The relief requested in the application is denied in all respects.

**RIZZO- 335 PROSPECT AVENUE SHORT FORM DECISION
(as authorized by Village Code §1302.1)**

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on November 28, 2023, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, 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 short-form determination:

1. Ryden and Lanette Rizzo, 335 Prospect Avenue, Sea Cliff, New York, applied to maintain a generator and 3 air conditioning condenser units in a front yard, where Village Code §138-516 does not permit accessory structures in a front yard. Premises are designated as Section 21, Block L, Lot 137 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 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.
5. The relief requested in the application is granted provided that (a) the units shall remain in the location shown on 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.

**230-232 SEA CLIFF AVENUE SHORT FORM DECISION
(as authorized by Village Code §1302.1)**

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on November 28, 2023, on motion duly made by Mr. Griffin, seconded by Mr. D'Errico, 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 short-form determination:

1. J & R 10th Ave LLC, as owner, and Terrance Cave, as tenant, 230-232 Sea Cliff Avenue, Sea Cliff, New York, applied for a special permit pursuant to Village Code §138-802, to use the premises as a coffee shop, and for a variance of Village Code §138-1002, to provide no parking spaces, where the proposed use requires an additional 3 parking spaces in relation to the the outdoor seating. Premises are designated as Section 21, Block 131, Lot 1376 on the Nassau County Land and Tax Map.

2. The applicant seeks approval to continue to utilize the premises in the same manner as the previous occupant – Sea Cliff Bistro – utilized the premises and for which use had been the subject of a special use permit issued in July 2010. The premises will be utilized as a small bistro to include the preparation and serving of light food, baked goods, desserts and hot and cold beverages and seating for 8 people at 4 tables. Such use would require a new special permit, as the special permit issued for the Sea Cliff Bistro has expired and only permitted the use by the then operator.

3. The existing building has no front yard setback on Sea Cliff Avenue, and the premises contains eight (8) off-street parking spaces. The restaurant currently contains seating for eight (8) customers, and the applicant proposes no change to that seating arrangement or number. The applicant withdrew the request for additional seating outdoors that would require a variance for 3 additional parking spaces.

4. The Village Code requires a special permit to operate a restaurant, and the applicant seeks to renew the previously issued special permit subject to the same conditions, all in connection with a proposed bistro.

5. The Board has determined that the proposed continued use is a Type II application that requires no environmental review.

6. At the hearing, the applicant testified that the use would be similar to the previous operation, which would include the following :

- a. The proposed use would be limited to simple prepared foods, including hot and cold beverages, pastries and other desserts;

- b. The proposed use would include a convection oven and will not require the use of a hood or ventilation system;
 - c. The storage area is fireproofed;
 - d. The restaurant would be open to the public daily from 7:00am to 5:00pm;
 - e. The previous applicant has obtained Fire Marshal approval for the proposed use;
 - f. No fumes would extend across the property lines;
7. At the time of the 2010 approval, based on the existing use of the premises and the available on-site parking, the Board determined that the on-site parking area, which accommodates 8 spaces, was sufficient to accommodate the proposed use. In fact, as noted by the Board in the 2010 decision, since the application required only 1 additional parking space, and there are 8 spaces on site, no additional variances were then required with respect to parking.
8. The applicant requires a reinstatement of the special permit issued in 2010.
9. The proposed use requires a special permit. As a matter of law, special permits allow specific uses in a given district, provided that the applicant can demonstrate that he meets or complies with certain standards set forth in the zoning regulations related to such use and that the proposed use will not be a detriment to the neighborhood.
10. In connection with the granting of a special permit, the Board has the power to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property and which are not inconsistent with the provisions of the zoning regulations.
11. As a condition of the issuance of any building permit, the Building Department shall confirm that the applicant's lease shall provide for the use to be permitted as authorized in this decision for the period of time permitted in this decision.
12. To balance the potential adverse effect the proposed use of the applicant's business may have on nearby properties in the area against the obligation of this Board to issue a special permit where adequate, reasonable, and appropriate safeguards and restrictions can be imposed to minimize the adverse effects, this Board hereby grants applicant's application for a special permit modification, subject to the following conditions:
- a. The special permit is granted to the applicant only or to any business or entity in which the applicant has a controlling interest.
 - b. Seating for restaurant purposes shall be limited to the interior of the premises, and shall include seating for not more than eight (8) patrons. The applicant shall be permitted to place up to two non-permanent benches in front of the restaurant for use by the public,

which seats shall not be dedicated to use by patrons of the restaurant. The applicant shall place those benches inside the restaurant when the restaurant is not open for business.

- c. No deliveries shall be made by tractor trailer sized vehicles. No trucks in excess of 24 feet in length shall make any deliveries to or pick-ups from, the property. All deliveries and shipments shall be made so as not to obstruct or interfere with the flow of traffic on Sea Cliff Avenue or Tenth Avenue. No deliveries or shipments shall be made to or from the property before 7:00 am or after 6:00 pm on any day.
- d. No food, beverages or other material shall be stored outside.
- e. Except for the non-permanent benches identified above, there shall be no outside seating that would permit dining outdoors on the premises.
- f. No music or amplified sound shall be audible outside the building.
- g. The applicant shall control cooking odors, smoke, dust, and any other air pollution or emissions from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Village Building Superintendent.
- h. Prior to issuance of a certificate of occupancy, the applicant shall confirm that it has full approval, if necessary, from the Nassau County Department of Health and all other agencies for any cooking of food and the septic or water systems.
- i. Cooking equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, parking area, alleys, sidewalks, neighboring properties or storm sewers.
- j. The applicant shall place a garbage receptacle inside the premises near the building entrance on Sea Cliff Avenue.
- k. Any fire sprinkler system and use of the premises for cooking purposes shall conform to applicable NFPA requirements, as determined by the Building Superintendent or any municipal agency with jurisdiction.
- l. Construction, if any, shall be performed only during hours permissible for such construction.
- m. No employees or customers shall be permitted to smoke in the side yard of the premises, and as otherwise permitted under any applicable law related to smoking.
- n. Any new exterior lighting or building lighting shall be mounted at a height and in a location such that no light spillage of 0.1 foot-candle or higher shall extend beyond the property lines.
- o. All garbage disposal receptacles, including a dumpster and garbage cans, shall be located and screened in the parking area at the rear of the building behind a fence so as not be visible from Sea Cliff Avenue or from ground level at the neighboring property to the east. Such receptacles shall be fully enclosed and sealed at all times (excluding when trash is being placed in or removed from the receptacle) in a manner that prevents rodents or other animals from accessing the receptacle and prevents odors from travelling to neighboring properties. The receptacles shall be cleaned and sanitized at least

once per month and shall be emptied at least 2 times per week. No trash or debris shall be permitted to accumulate on site outside of these containers.

- p. As required by Village Code §§138-816(D) and 138-1007(A), all fences, plantings, buffer areas, and parking areas, shall be maintained in good and neat condition and shall be replaced as necessary to maintain the screening and planted areas in a clean, healthful, sanitary and aesthetically pleasing condition.
- q. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all special use permit conditions and requirements contained herein.
- r. The premises shall not be used for any use which will intensify or increase the usage or the parking requirements without further application to this Board.

13. Because of the potential for abuse which the proposed use presents if not supervised correctly and the resultant adverse effects on surrounding property owners and the Village and its residents which could result, this Board, mindful of its responsibility to protect nearby residents from the over commercialization of the area and other potential adverse effects and the limited ability of the applicant and/or the operator of the business to completely control the adverse effects which the business may generate, will grant the special permit modifications for a period of two (2) years commencing on the date that this decision is filed with the Village Clerk. To extend the special permit, at least four (4) months prior to the expiration of the special permit, the applicant shall make application to the Board for a renewal and extension of the special permit.

14. If one or more of the aforesaid conditions of this decision are violated, the Village shall have the right to suspend or revoke the special permit in accordance with the procedures set forth in the Village Code.

**160 15th AVENUE SHORT FORM DECISION
(as authorized by Village Code §1302.1)**

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on November 28, 2023, on motion duly made by Mr. Mozer, seconded by Mr. D'Errico, 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 short-form determination:

1. 160 15th Avenue LLC, 160 15th Avenue, Sea Cliff, New York, applied for variances to construct a 24.83 feet high garage in a front yard, where Village Code §138-416 permits a maximum height of 15 feet and prohibits a garage from being located in a front yard. Premises are designated as Section 21, Block F, Lot 727 on the Nassau County Land and Tax Map.
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.
5. The relief requested in the application is denied, and the applicant is authorized to reconstruct a garage in the location and of the size, footprint and height of the existing garage.

**PEZZI PIZZA SHORT-FORM DECISION
(as authorized by Village Code §1302.1)**

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on November 28, 2023, on motion duly made by Mr. D'Errico, seconded by Mr. Mozer, 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 short-form determination:

1. Pezzi Pizza, Inc., 500 Glen Cove Avenue, Sea Cliff, New York, applied to construct additions, which additions require variances of the following Village Code sections: (a) 138-913, to permit the staircase enclosure to be 15.1 feet from the rear property line, where a minimum of 20 feet is required; (b) 138-917, to permit a 3 foot buffer area, where a 20 foot buffer area is required; (c) 138-1002, to provide for no additional parking, where 5 additional parking spaces are required; and (d) 138-1102, to permit a building to be altered in a manner that will result in an increase in existing non-conformities. The proposed modifications also require an amendment of the special permit for the proposed use. Premises are designated as Section 21, Block 41, Lot 71 on the Nassau County Land and Tax Map.
2. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
3. 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.
4. The special permit and variances are granted subject to the following conditions: (a) the special permit is granted to the applicant and restaurant operator only or to any business or entity in which the applicant and the restaurant operator has a controlling interest; (b) the parking of vehicles by patrons of the premises, employees, or suppliers, and the loading or unloading of equipment and supplies, shall not interfere with the normal flow of traffic on the adjoining streets, (c) there shall be no outside storage of supplies, equipment, materials or any other items used in connection with the restaurant, (d) exterior lighting of the premises shall be designed so as to minimize any impact on the adjoining properties through shielding, directional lighting and reduction of glare and reflection. Any new exterior lighting or building lighting, including lighting of the rear stairs, shall be mounted at a height and in a location such that no light spillage of 0.1 foot-candle or higher shall extend beyond the property lines. There shall be no additional lighting for outdoor usage, except for table candlelight, (e) Seating shall be limited to the proposed

seating. If additional seating is necessary, applicant must reapply to the Board for appropriate relief as then identified by the Superintendent of Buildings, (f) cooking equipment shall be limited to the equipment presently on the premises, and as shown in plans approved Building Department, (g) no deliveries shall be made by tractor trailer sized vehicles. No trucks in excess of 24 feet in length shall make any deliveries to or pick-ups from, the property. No deliveries or shipments shall be made to or from the property before 7:00 am or after 6:00 pm on any day, (h) the applicant shall obtain or maintain, as the case may be, full approval, if necessary, from the Nassau County Department of Health and all other agencies for the cooking of food, the use of the cooking and cleaning equipment proposed to be used on-site and any required modifications to the septic or water systems, (i) any fire sprinkler system and use of the premises for cooking purposes shall conform to applicable NFPA requirements, as determined by the Building Superintendent or any municipal agency with jurisdiction, (j) cooking equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, parking area, alleys, sidewalks, neighboring properties or storm sewers, (k) no noise, fumes, or similar sources of nuisance are to emanate in a manner as to be unreasonably annoying to surrounding property owners, (l) except as provided elsewhere in this decision, there shall not be any outside seating on the Subject Premises without additional application to this Board, (m) interior music shall be limited to prerecorded background type music and shall not include any live music. No music shall be permitted outside, and the doors and/or windows shall not be left open in a manner that would circumvent this restriction, (n) the Subject Premises shall not be used for any use that intensifies or increases the usage or the parking requirements or the potential impacts of the premises without further application to the Board, (o) loitering outside of the restaurant is prohibited, (p) no trash or debris from the restaurant shall be stored outside unless placed in fully enclosed and sealed garbage disposal receptacles. Such receptacles shall be sanitized in a manner so as not to permit odors to emanate outside such receptacles. Pickup of garbage shall occur no earlier than 8:00am, (q) applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all special use permit conditions and requirements contained herein, (r) applicant shall maintain the stockade fencing along the rear property line, as shown in the plans submitted with this application, (s) applicant shall plant arbor vitae, planted at a height of not less than 8 feet running from the northwest corner of the premises to a point 20 feet south of the corner along the rear property line of the premises, (t) the plastic receptacle shown on the plans shall be removed from the premises and relocated to a portion of the premises approved by the Planning Board, and (u) because of the potential of abuse which the proposed special permit use presents if not supervised correctly and the

resultant adverse impacts on the surrounding property owners and the Village and its residents that could result, this Board, mindful of its responsibilities to protect nearby residents from over commercialization of the area and other potential adverse impacts and the limited ability of the applicant and/or operator to completely control the adverse impact which the business may generate, will grant the special permit to operate as proposed for a period of one (1) year commencing on the date that this decision is filed with the Village Clerk. The special permit shall be limited to the operation of a restaurant by the applicant, and any change in ownership shall require a new application to this Board for a special permit. To extend the special permit, prior to the expiration of the one (1) year period, but in no event sooner than four months prior to said date, the applicant, if it desires to continue the use of the premises in the manner proposed by the application, shall reapply to the Board having jurisdiction for a renewal of the special permit. The application shall be made in a timely manner so as to permit this Board to render its decision prior to the expiration of the aforesaid one (1) year time period. The provisions of this paragraph shall constitute a condition of this decision.

**MARTINEZ- 203 PROSPECT AVENUE SHORT FORM DECISION
(as authorized by Village Code §1302.1)**

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on November 28, 2023, on motion duly made by Mr. D'Errico, seconded by Ms. Rechner, 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 short-form determination:

1. Paola Martinez, 203 Prospect Avenue, Sea Cliff, New York, applied to replace an existing garage, which construction requires variances of Village Code §138-416, to permit a rear yard setback of 1.4 feet and a side yard setback of 4 feet, where minimum setbacks of 5 feet are required. Premises are designated as Section 21, Block 160, Lot 135 on the Nassau County Land and Tax Map..
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.
5. The relief requested in the application is granted provided that (a) the units shall remain in the location shown on 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.