



INCORPORATED VILLAGE OF SEA CLIFF

**OFFICE OF THE VILLAGE OF SEA CLIFF BUILDING DEPARTMENT
300 SEA CLIFF AVE SEA CLIFF N.Y. 11579 PHONE (516) 671-0080**

Notice of Review

1/4/21

TO:

PROPERTY OWNER: 310 Sea Cliff Ave LLC
PROPERTY ADDRESS: 304-310 Sea Cliff Ave.
SECTION/ BLOCK/ LOT: 21/127/4

APPLICATION NO: 12233
APPLICATION RECV'D: 1/3/2021
ZONE: Business A

DESCRIPTION: The applicant (The Wells Cafe & Botanicals) proposes to continue to operate a Restaurant/Café.

The Proposed Construction does not comply with the following Village of Sea Cliff Code Section(s):

§ 138-802 Uses permitted by special permit.

The following uses are permitted by special permit in the Business A District:

A. Restaurant, where all food is prepared, served and consumed on the premises. Drive-in restaurants of all types are hereby specifically prohibited.

The applicant proposes to continue to operate a Restaurant/Café.

Shane Dommin
Village of Sea Cliff Building Department

Note; If the proposed construction does not comply with the Village Code, applicant may apply to the Zoning Board of Appeals for relief, within 60 days hereof. If the proposed construction requires Planning Board approval, an application to the Planning Board may be made. All plans are subject to the Building Codes of New York State.



INCORPORATED VILLAGE OF SEA CLIFF

OFFICE OF THE VILLAGE OF SEA CLIFF BUILDING DEPARTMENT

300 SEA CLIFF AVE, P.O. BOX 340, SEA CLIFF, NY 11579 TEL 516-671-0080 FAX 516-671-6508

BUILDING PERMIT

APPLICATION ID # 11725 APPLICATION DATE 8/13/19 PERMIT # _____

PROPERTY ADDRESS: ³⁰⁴⁻ 310 Sea Cliff Avenue SECT: 21 BLOCK 127 LOT 4

Owner: <u>310 Sea Cliff Ave LLC - Stephen Vaccaro</u>			
Address:	<u>PO Box 243</u>	City:	<u>Sea Cliff</u> State: <u>NY</u> Zip: <u>11579</u>
Phone:	<u>646-872-1648</u>	Cell:	Email:
Applicant: (If applicant is different from owner state relationship to owner) <u>Madeline Mindich, daughter of Melisa + Alan Geller (to be)</u>			
Address:	<u>31 Bay Avenue</u>	City:	<u>Sea Cliff</u> State: <u>Ny</u> Zip: <u>11579</u>
Phone:		Cell:	<u>(516) 383-2644</u> Email: <u>madelinemindich@gmail.com</u>

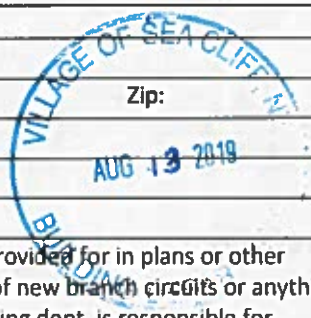
Architect:			
Address:		City:	State: Zip:
Phone:	Cell:	Email:	

Contractor:			
Address:		City:	State: Zip:
Phone:	Cell:	Email:	

Plumber:			
Address:		City:	State: Zip:
Phone:	Cell:	Email:	

Electrician:			
Address:		City:	State: Zip:
Phone:	Cell:	Email:	

Other/Mechanical:			
Address:		City:	State: Zip:
Phone:	Cell:	Email:	
A/C, Boiler, etc Model#			
A/C, Boiler, etc Model#			



PROPOSED WORK: Be as detailed as possible describing anything that is not going to be specifically provided for in plans or other supporting documents such as number of plumbing fixtures, new services, i.e. gas, water, electric, number of new branch circuits or anything else billable by permit. Billable permit items are listed in Village Code Chapter 142-A as a pdf. Link. The building dept. is responsible for assessing permit fees. If Permit is for trees, draw a diagram of lot with tree location.

We will replace an exterior window that is broken, we are making no other changes to the restaurant space and will use it as is with the exception of removing a shelf and covering a painting with another painting.



INCORPORATED VILLAGE OF SEA CLIFF

OFFICE OF THE VILLAGE OF SEA CLIFF BUILDING DEPARTMENT

300 SEA CLIFF AVE, P.O. BOX 340, SEA CLIFF, NY 11579 TEL 516-671-0080 FAX 516-671-6508

BUILDING PERMIT

Cost of Improvement:

\$

Owner: Depos and says that and/or she is the owner in fee of the Premises, that the work proposed to be done upon the said Premises shall be completed in accordance with the approved application and accompanying plans, and that all the statements herein are true to the deponents own knowledge.

Owner Signature:

Steph Vassano

Owner Signature: _____

MARGARET INNELLI
Notary Public, State of New York
No. 011N8368041
Qualified in Nassau County
Commission Expires 12/04/2021

Date:

8/13/19

Notary:

Margaret Innelli

Contractors must submit proof of current insurance (C-105.2 or U-26.3 for compensation and DB-120.1 for disability or DB-155 for disability) as required by NY State. Form CE-200 may be submitted if exempted. Nassau County requires licensing and liability insurance for residential work. Proof of these are also required of contractors prior to the issuance of the permit

OFFICIAL USE

Permit Fees

Application Fee \$ 50 pd 8/23/19

\$ _____ Building \$ _____ Plumbing \$ _____ Elec. \$ _____ Mech \$ _____ Cert
\$ _____ other \$ _____ other
\$ _____ TOTAL FEES

Cert of Tenancy	Letter in Lieu	Cert of Occupancy
Cert of Approval	Cert of Compliance	Cert of Completion

Approved by: _____

Examined for approval on _____

New State Law Requires: Site visits by the Building Department prior to the issuance of any permit. Changes in project elements or design shall not be made until such changes are approved and documented with the Building Department.

Village Code Requires: Zoning variances become invalid if authorized work has not begun within six (6) months of Building Department Approval. Extensions may be applied for to the Zoning Board. (138-1304). Building Permits expire twelve (12) months after the approval. Two (2) subsequent six (6) month extensions may be applied with approval of the Building Department and payment of fees. Additional approvals require application (48-15)

ZONING BOARD OF APPEALS
PLANNING BOARD _____ (check one)

-----x
IN THE MATTER OF THE APPLICATION OF

310 Sea Cliff Avenue LLC, as owner
The Wells Cafe and Botanicals, as tenant
Village of Sea Cliff.

APPLICATION

-----x
Special use permit

1. Name of applicant: The Wells Cafe and Botanicals LLC

2. Applicant's address: 304 Sea Cliff Avenue, Sea Cliff NY 11579

3. If the applicant is not an owner of the property which is the subject of this application, state the relationship of the applicant to the owner(s):

Tenant

4. The property which is the subject of this application is located at: 304-310 Sea Cliff Avenue, Village of Sea Cliff, N. Y. and is also known as Section 21, Block 127, Lot(s) 4 on the Nassau County Land and Tax Map.

5. The full name and residence address of all owners of the property (if applicant is not the sole owner) is:

310 Sea Cliff Avenue LLC
304-310 Sea Cliff Avenue, Sea Cliff, NY, 11579

6. The property is located in the A-business zoning district of the Village of Sea Cliff.

7. The subject property is located on the North side of Sea Cliff Avenue (street).

8. The date on which the owner(s) acquired the property was 02/2013.

9. The approximate dimensions of the property are 65.72 feet by 40.46 feet, and the total acreage of property is .610 acres.

10. The property is presently used for restaurant/cafe.

11. Are there existing buildings on the property? NO of _____

12. Are there any outstanding village taxes on the property? NO If so, for what years? _____

13. The applicant or owner(s) wish to make use of the property for the purpose of: restaurant/cafe

14. The Building Department of the Village of Sea Cliff denied an application for a building permit on 8/13/2019

15. The proposed construction use of the property does not comply with the following sections of the Village Code: 138-802

16. This is an application for:

_____ an appeal

~~_____~~ a variance

a special permit

_____ other (describe): _____

17. Description of the problem, or reasons for this application, that support the request for relief:

(Note to Applicant - this information is particularly important, and must constitute a complete statement of the grounds for the relief which you are seeking. You may use additional sheets of paper if necessary to provide a complete response)

The restaurant is currently operating under my parents LLC (Once Upon A Sushi LLC) and the special use permit due for renewal is in this name. I would like to take over the space and terms of

the special use permit under a different LLC - The Wells Cafe and Botanicals LLC of which Emily Berg and I, Madeline

18. Has any previous application been made to the Zoning Board of Appeals or Planning Board for the relief sought in this application, or relief similar to that sought in this application? YES If so, attach a description of each such prior application, including the date the application was made, the date of the determination by the Zoning Board of Appeals or Planning Board, and a summary of the determination by the Zoning Board of Appeals or Planning Board.

Mindich are the owners,

19. Has any previous application been made to the Zoning Board of Appeals or Planning Board for any other relief with respect to the property which is the subject of this application?____
If so, attach a description of each such prior application, including the date the application was made, the date of the determination by the Zoning Board of Appeals or Planning Board, and a summary of the determination of the Zoning Board of Appeals or Planning Board.
20. Are there any outstanding violation notices affecting the subject premises? NO
21. Are there any pending court proceedings involving the subject premises? NO
22. The undersigned applicant states under penalty of perjury that the foregoing statements and information, and all statements and information contained in papers submitted herewith, are true, correct and complete, to best of the signer's knowledge.

Name of applicant: The Wells Cafe and Botanicals LLC

Signature of applicant: J. L. Linderich

Title of signatory: managing member

Date: 11/11/20

AFFIDAVIT OF OWNER(S)

(To be completed only if the applicant is not the sole owner)
(All owners must sign either as owner or applicant)

STATE OF NEW YORK) ss:

COUNTY OF NASSAU) *managing member of the owner*

Stephen Vaccaro being duly sworn, deposes and says that (s)he is the owner of the property known as 310 Sea Cliff Avenue in the Village of Sea Cliff. No other person is an owner of the said property except as described in the attached application. The undersigned hereby acknowledges that the applicant herein is authorized to submit this application to the Village of Sea Cliff on behalf of the owner(s) of the subject property.

Stephen Vaccaro

Sworn to before me on this 12 day of November 2020.

Margaret Inveli

MARGARET INNELI
Notary Public, State of New York
No. 011N6368041
Qualified in Nassau County
Commission Expires 12/04/2021

STATE OF NEW YORK) ss:

COUNTY OF NASSAU)

_____ being duly sworn, deposes and says that (s)he is the owner of the property known as _____ in the Village of Sea Cliff. No other person is an owner of the said property except as described in the attached application. The undersigned hereby acknowledges that the applicant herein is authorized to submit this application to the Village of Sea Cliff on behalf of the owner(s) of the subject property.

Sworn to before me on this _____ day of _____ 20__.

AFFIDAVIT OF APPLICANT

STATE OF NEW YORK) SS:

COUNTY OF NASSAU)

The undersigned, being duly sworn, deposes and says that deponent has read the foregoing application subscribed by applicant, and knows the contents thereof, and that the contents of the application are true of the deponent's personal knowledge, except as to the matters stated to be upon information and belief, as to which matters deponent believes the contents to be true.

If the applicant is a corporation, the deponent is an officer thereof, to wit the managing member and is authorized by the Board of Directors of the corporation to execute this application on behalf of the corporation.

If the applicant is a partnership, the deponent is a general partner thereof, and has authority to execute this application in the name of the partnership.

If the applicant is a limited liability company, the deponent is member thereof, and has authority to execute this application in the name of the company.

Madeline Mindich
Print Name


Signature

Sworn to before me this 15
day of December 2020.


JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 06/17/2023

ZONING BOARD OF APPEALS
PLANNING BOARD _____ (check one)
VILLAGE OF SEA CLIFF

In the Matter of the Application of DISCLOSURE
310 Sea Cliff Avenue LLC as owner AFFIDAVIT
The Wells Cafe; Botanicals LLC, as tenant General Municipal Law
Section 809

-----X
Special use permit

STATE OF NEW YORK) COUNTY OF NASSAU)

ss: Madeline Mindich, being duly sworn, deposes and says:


1. I am the (applicant with respect to) (owner of the premise which are the subject of) the attached application.
2. I make this affidavit for the purposes of complying with the requirements of General Municipal Law Section 809.
3. No officer of the State of New York, and no officer or employee of the County of Nassau, the Town of North Hempstead or the Village of Sea Cliff, and no party officer of any political party, has an interest in the attached application within the meaning of General Municipal Law Section 809, except as stated hereinafter (if none, state "NONE"):

<u>Name</u>	<u>Address</u>	<u>Position</u>	<u>Nature of Interest</u>
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none

Madeline Mindich
Signature

Sworn to before me this 15
day of December, 2020.


JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 08/17/2023



Incorporated Village of Sea Cliff
Office of the Superintendent of Buildings
Sea Cliff Village Hall, 300 Sea Cliff Ave., Sea Cliff, New York 11579

Inspection Authorization

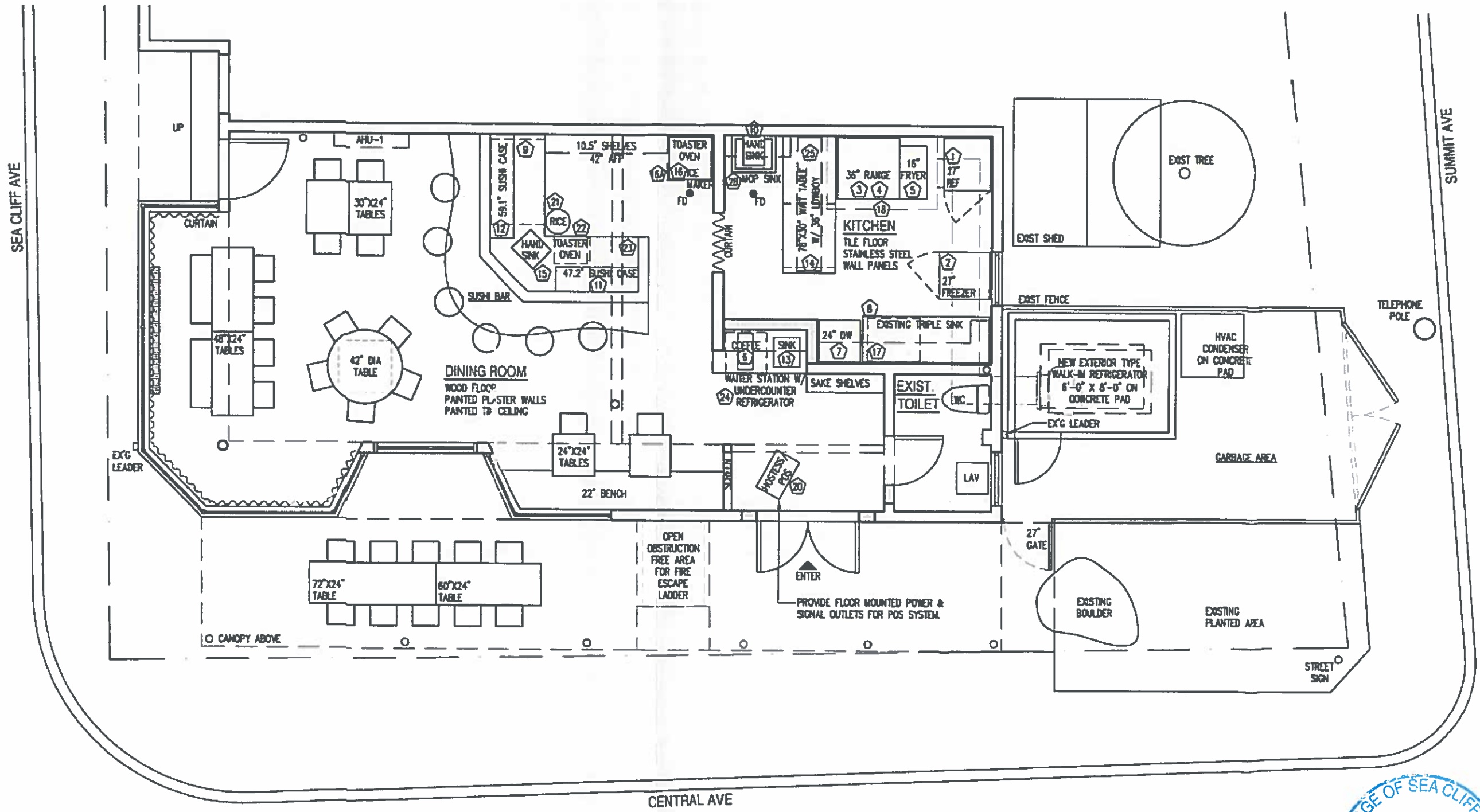
I hereby authorize the members of the Zoning Board and/or Planning Board, the Superintendent of Buildings, and Legal Counsel to the Zoning Board and/or Planning Board to enter upon and inspect my property prior to the Zoning Board and/or Planning Board rendering a determination on this application.

Homeowner:

Steph [Signature]

Date:

11/11/2020

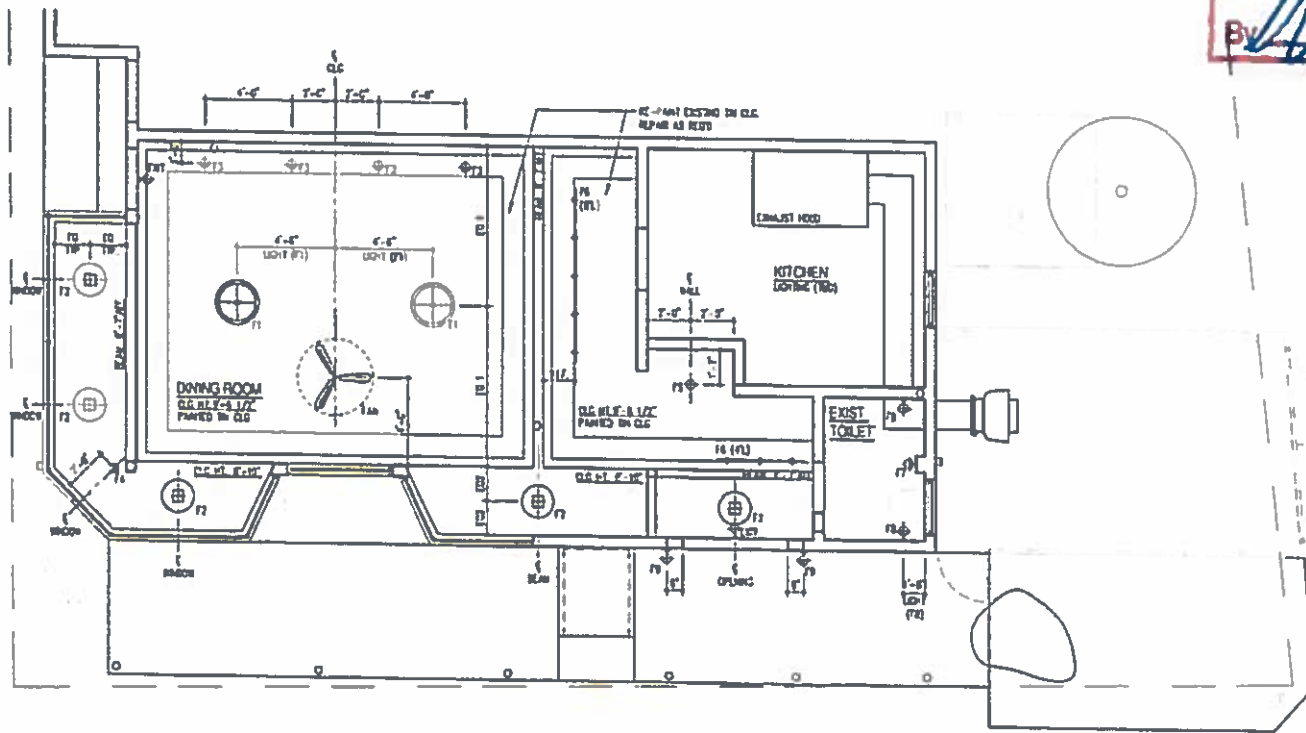


VILLAGE OF SEA CLIFF, NY
 SEP - 4 2019
 BUILDING DEPARTMENT



17 -- 02 18

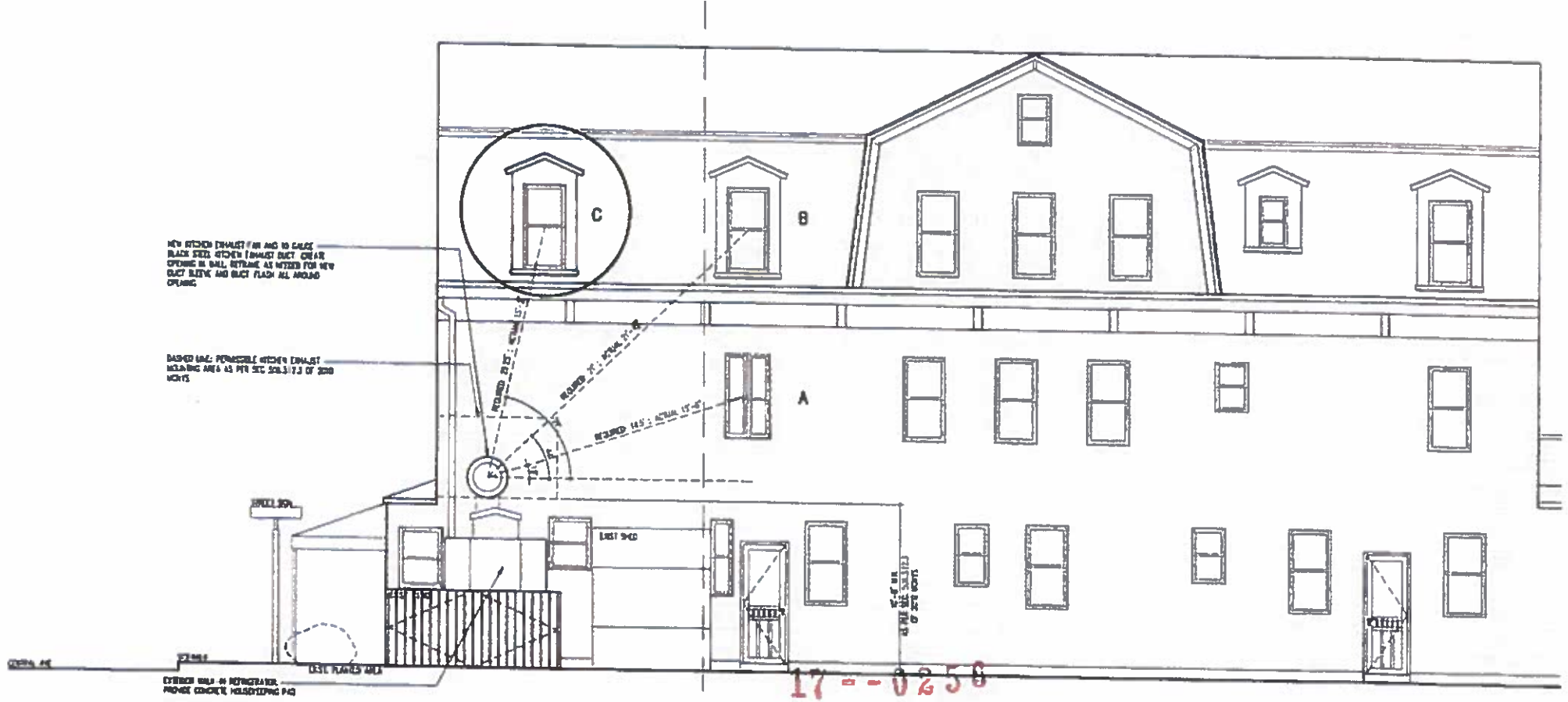
APPROVED
 INC. VILLAGE OF SEA CLIFF
 NOV 02 2017
 Building Inspector
 By: *[Signature]*



NO.	DESCRIPTION	MANUFACTURER	TYPE
11	REPLACEMENT "WELLS" PASTRAL SHADE: WHITE	SCS	SCS 1
12	FAN	SCS	SCS 1
13	EXIST. TOILET	SCS	SCS 1
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...

NOTE: ALL FIXTURES TO BE DIMMER CONTROLLED.





1 PROPOSED SUMMIT AVE. ELEVATION
DD202 1/4"=1'-0"

17--0258

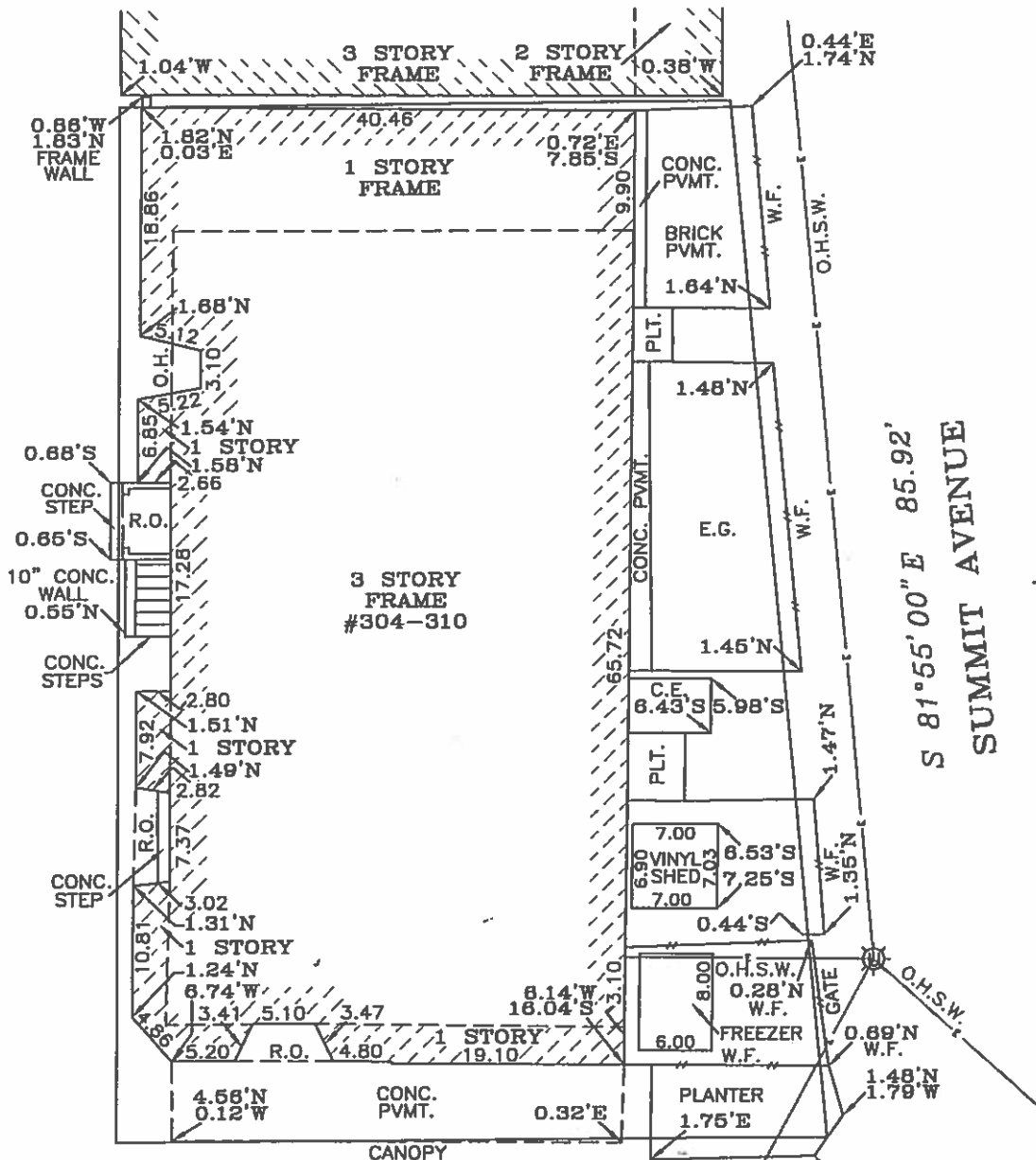


N 13°14'00"E 50.09'
LAND CONVEYED TO JOSEPH BERGMANN



SEA CLIFF AVENUE
(11th AVENUE)

N 76°23'10" W 85.57'



S 81°55'00" E 85.92'
SUMMIT AVENUE

S 13°14'00" W 58.37'
CENTRAL AVENUE

- LEGEND:
- EARTHEN GROUND — E.G.
 - ROOF OVER — R.O.
 - BAY WINDOW — B.W.
 - CELLAR ENTRANCE — C.E.
 - CHAIN LINK FENCE — C.L.F.
 - PLATFORM — P.L.T.
 - PAVEMENT — P.V.M.T.
 - CONCRETE — CONC.
 - OVER HEAD SERVICE WIRE — O.H.S.W.
 - METAL DOOR — M.D.
 - FIRE ESCAPE — F.E.
 - UTILITY POLE — U.P.
 - METAL FENCE — M.F.
 - WOOD FENCE — W.F.
 - VINYL FENCE — V.F.
 - AREA WAY — A.W.
 - OVER HANG — O.H.

THE OFFSETS OR DIMENSIONS SHOWN FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES, RETAINING WALLS, POOLS, PLANTING AREAS, ADDITIONS TO STRUCTURES AND ANY OTHER CONSTRUCTION.

THE EXISTENCE OF RIGHT OF WAYS AND/OR EASEMENTS OF RECORD, IF ANY, NOT SHOWN ARE NOT CERTIFIED.



UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

PRECISION SURVEYS
TITLE • ARCHITECTURAL • BOUNDARY • CONSTRUCTION
40 FRANKLIN AVE. FRANKLIN SQUARE, N.Y. 11010
Ph. • (718)472-1571 • (516)488-1608
CHRISTOPHER M. BUCKLEY
PROFESSIONAL LAND SURVEYOR

SURVEY OF: Described Property
LOCATED AT:
304-310 Sea Cliff Avenue, Sea Cliff
County of Nassau
State of New York

CERTIFIED TO:
Ridge Abstract Corp.
National Title Insurance Company
Stephen Vacarro
American Community Bank

TAX DESIG: Sec. 21, Block 127, Lot 4

TITLE No.: RA1904-ON-A
DATE: March 7, 2017
SCALE: 1"=15'

Job No. 39529
Drawn By: GE



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

September 24, 2019

Present:Chair	Noel Griffin
Members	Ted Kopczynski, Jason Wolner and Nick Pinto
Village Attorney	Brian Stolar, Esq.
Superintendent of Buildings	Shane Dommin

The meeting was called to order at 7:35 pm.

The Board announced that the Flanzig and D'Alesandro applications are being continued to October 15, 2019, at 7:30pm, at the request of the respective applicants.

The Board opened the continued public hearing on the application of John Martin and Deidre McGhee, 170 12th Avenue, Sea Cliff, New York, to construct a front porch, which requires variances of the following Village Code sections: (a) 138-408, in that the porch will be 5.68 feet from the front property line, where a minimum setback of 20 feet is required, and (b) 138-1102, in that the construction enlarges non-conforming encroachments, where no such enlargement is permitted. Premises are designated as Section 21, Block 135, Lot 18 on the Nassau County Land and Tax Map.

The Board closed the hearing without taking any further testimony or evidence.

The Board opened the public hearing on the application of Once Upon a Sushi, LLC, as tenant, and 310 Sea Cliff Avenue LLC, as owner, 310 Sea Cliff Avenue, Sea Cliff, New York to permit a restaurant to operate at the premises, which restaurant requires a special use permit pursuant to Village Code §§138-801 and 802. Premises are designated as Section 21, Block 127, Lot 4 on the Nassau County Land and Tax Map.

The applicant stated that the proposed operation would be identical to the proposal granted by the Board in 2011 and 2016, except for a modification of the hours and the inclusion of health type education for café customers.

The hearing testimony was transcribed stenographically. The Board closed the hearing and reserved decision.

The Board opened the public hearing on the application of Anne Blanton and Adam Friedberg, 14 Franklin Avenue, Sea Cliff, New York, to construct a two story addition, open porch and rear deck, which construction requires variances of the following Village Code sections: (a) 138-508, in that the front yard setback will be 19.9 feet, where a minimum of 25 feet is required, and (b) 138-1102, in that the construction enlarges a non-conforming encroachment, where no such enlargement is permitted. Premises are designated as Section 21, Block 99, Lot 230 on the Nassau County Land and Tax Map.

The hearing testimony was transcribed stenographically. The Board closed the hearing and reserved decision.

The Board discussed the Once Upon a Sushi application. After such discussion, on motion duly made by Mr. Kopczyński, seconded by the Chair, 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 granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Martin/McGhee application. After such discussion, on motion made by the Chair, seconded by Mr. Wolner, 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 granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Blanton/Friedberg application. After such discussion, on motion made by the Chair, seconded by Mr. Kopczynski, 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 granted the application in accordance with the short form decision annexed hereto.

The Board discussed a written request submitted on behalf of the owner of 160 8th Avenue to reinstate a lapsed variance. The Board discussed the request, and on motion duly made by the Chair, seconded by Mr. Kopczynski, and adopted unanimously, the Board determined that the applicant did not demonstrate good cause and denied the request to reinstate the lapsed variance.

There being no further business, the meeting was adjourned at 8:15pm.



NOEL GRIFFIN, CHAIR

VILLAGE OF SEA CLIFF, NY

SEP 30 2019

VILLAGE CLERK



310 SEA CLIFF AVENUE LLC SHORT FORM DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on September 24, 2019, on motion duly made by Mr. Kopczynski, 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. Once Upon a Sushi, LLC, as tenant, and 310 Sea Cliff Avenue LLC, as owner, 310 Sea Cliff Avenue, Sea Cliff, New York to permit a restaurant to operate at the premises, which restaurant requires a special use permit pursuant to Village Code §§138-801 and 802. Premises are designated as Section 21, Block 127, Lot 4 on the Nassau County Land and Tax Map. \
2. In 2011, the Board granted a special permit and variances to permit the operation of a restaurant at the premises. That approval expired in 2013, and was reinstated in 2016. The 2016 approval authorized the use for a two (2) year period, which period has expired. A restaurant has operated at the premises for many years. The applicant now seeks to include early morning use, and to provide for educational programs for café customers.
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 special permit is 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, except in the walk-in refrigerator; (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 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, including not more than 20 seats at inside tables, 7 seats at the sushi bar, and no more than 10 outdoor seats to be used for seasonal dining, which seating is subject to any required approvals from any other agencies or departments with jurisdiction. 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 proposed by the applicant, as shown in the plans approved in 2011; (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) prior to issuance of a certificate of occupancy, the applicant shall obtain 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) cooking shall be permitted only between the hours of 6:00am and 10:00pm, and the business shall be open weekdays from not earlier than 7:00am or later than 10:00pm and 7:00am to 11:00pm on Saturdays and Sunday. Any extension of hours beyond the hours proposed by the applicant, and conditioned herein, requires a reapplication to this Board; (n) 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; (o) outdoor seating and use of the outside area shall be limited to no later than 10:00 pm. All tables and chairs shall be removed from the outside area by 10:15pm and shall not be placed outside prior to opening of the restaurant on the next business day; (p) applicant may seek a beer and wine license, but shall not seek any type of alcohol license that is deemed to permit additional drinks at the site (ie., a full bar license) without making an application to the Board for a modification and/or intensification of the restaurant use proposed at the Subject Premises; (q) no heating or cooking apparatus related to food preparation and no bar shall be located outside, including any bar for the service or storage of alcoholic or non-alcoholic beverages. (r) all plantings and planted areas shall be maintained in good and neat condition to accomplish the purposes intended, and shall be replaced as necessary to maintain the screening and planted areas in a manner that serves as a buffer area for the residential properties on Summit Avenue; (s) 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; (t) loitering outside of the restaurant is prohibited; (u) no mechanical means of ventilation, heating or cooling shall be utilized for the outdoor seating area; (v) 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. No such receptacles shall be visible from Summit, Central or Sea Cliff Avenues; (w) employees or customers shall not be permitted to smoke in the outside seating area of the premises, and as otherwise

permitted under any applicable law related to smoking; (x) 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; and (y) 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.

BRONX TOYS 311 LLC
OR CURRENT OWMER
311 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

SEA CLIFF PROPERTIES LLC
OR CURRENT OWMER
293 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

CANARICK JACK
OR CURRENT OWMER
137 12TH AVE
SEA CLIFF, NEW YORK 11579

76 SUMMIT AVENUE CORP
OR CURRENT OWMER
316-324 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

~~INC VILLAGE OF SEA CLIFF
OR CURRENT OWMER
SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~310 SEA CLIFF AVENUE LLC
OR CURRENT OWMER
304-310 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~INC VILLAGE OF SEA CLIFF
OR CURRENT OWMER
SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

BRUGALLETTA JOHN & GUILINO JOSEPH &
OR CURRENT OWMER
69-71 CENTRAL AVE
SEA CLIFF, NEW YORK 11579

HAMMERS DAVID
OR CURRENT OWMER
75 SUMMIT AVE
SEA CLIFF, NEW YORK 11579

GLININ LE WALTER GLININ, ANNA
OR CURRENT OWMER
141 12TH AVE
SEA CLIFF, NEW YORK 11579

305 SEA CLIFF AVENUE CORP
OR CURRENT OWMER
305 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

BRONX TOYS 309 LLC
OR CURRENT OWMER
309 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

PARKER LAURA & RUSSO JOHN F
OR CURRENT OWMER
55 SUMMIT AVE
SEA CLIFF, NEW YORK 11579

REAGAN THOMAS & GUNNING NANCY
OR CURRENT OWMER
327 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

CANARICK JACK
OR CURRENT OWMER
137 12TH AVE
GLEN COVE, NEW YORK 11542

FISCHER HERBERT C LIFE ESTATE
OR CURRENT OWMER
87 SUMMIT AVE
SEA CLIFF, NEW YORK 11579

325 SEA CLIFF REALTY CORP
OR CURRENT OWMER
325 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

SEACLIFF DEVELOPMENT LLC
OR CURRENT OWMER
301 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

~~INC VILLAGE OF SEA CLIFF
OR CURRENT OWMER
SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

ERICKSON PROPERTY MANAGEMENT INC
OR CURRENT OWMER
331-333 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

DJW LLC
OR CURRENT OWMER
321 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

325 SEA CLIFF REALTY CORP
OR CURRENT OWMER
323-325 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

SCHIMKEWITSCH JURI & NATALIA
OR CURRENT OWMER
42 CENTRAL AVE
SEA CLIFF, NEW YORK 11579

FOURTH GENERATION REALTY LLC
OR CURRENT OWMER
70 CENTRAL AVE
SEA CLIFF, NEW YORK 11579

VILLELLA GIOVANNI & IDA
OR CURRENT OWMER
63-65 SUMMIT AVE
SEA CLIFF, NEW YORK 11579

LONGOBUCCO LE G GOSS ETAL, ERNEST
OR CURRENT OWMER
144 12TH AVE
SEA CLIFF, NEW YORK 11579

SCHIMKEWITSCH VLADIMIR
OR CURRENT OWMER
42 CENTRAL AVE
SEA CLIFF, NEW YORK 11579

125 12TH AVENUE LLC
OR CURRENT OWMER
125 12TH AVE
SEA CLIFF, NEW YORK 11579

KARLOWICH BARBARA
OR CURRENT OWMER
140 TWELFTH AVE
SEA CLIFF, NEW YORK 11579

MORAY REALTY CORP
OR CURRENT OWMER
317 SEACLIFF AVE
SEA CLIFF, NEW YORK 11579

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304-310 Sea Cliff Ave

