



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 # 12091 APPLICATION DATE 9/9/20 PERMIT # _____

PROPERTY ADDRESS: 88 Prospect Ave SECT: 21 BLOCK F LOT 1945

Owner: FRANK SCANONE
Address: 88 PROSPECT AVE City: SEA CLIFF State: NY Zip: 11579
Phone: 631 897 4174 Cell: _____ Email: SOLO MARINER @GMAIL.COM

Applicant: (if applicant is different from owner state relationship to owner) CHRIS ZERIERI
Address: 50 90th AVE City: SEA CLIFF State: NY Zip: 11579
Phone: 516 6975602 Cell: § Email: CZACE1022@GMAIL.COM

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

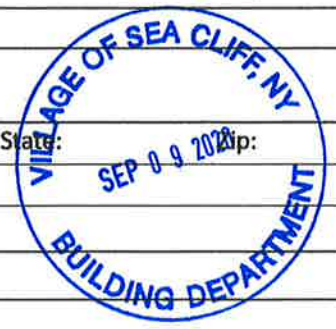
Contractor: FRANK SCANONE
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____ Email: _____

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.

NEW PERIMETER FENCE WITH MOTORIZED DRIVEWAY GATES



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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:

\$ 9,000

Owner: Deposits and says that they are the owner(s) 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:

Owner Signature:

Date: 9/28/2020

Notary:

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

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

FEES

\$100 PB pd 9/28/20

REQUIRED CERTIFICATES

Application Fee

\$ 75

PAID 9/19/20

Permit Fees

Building

Plumbing

Electrical

Mechanical

Certificate

Other

Total Permit Fees

\$

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

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)



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

9/28/20

TO:

PROPERTY OWNER: Frank Scavone
PROPERTY ADDRESS: 88 Prospect Ave
SECTION/ BLOCK/ LOT: 21/F/1945

APPLICATION NO: 12091
APPLICATION RECV'D: 9/28/2020
ZONE: Residence A

DESCRIPTION: The applicant is proposing to erect 4ft fencing in a front yard.

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

§ 64-1 Height of fences and walls.

[Amended 11-19-2019 by L.L. No. 7-2019]

C. A new or replacement fence in a front yard and located between the principal building on the premises and a front property line, made of natural wood, wrought or cast iron or open-wire material at a height of not more than four feet, and located at least 15 feet from curb cut or intersection, and/or at a height of not more than three feet, and located within 15 feet of a curb cut or intersection, is permitted upon first applying for and obtaining a building permit from the Building Department.

The applicant is proposing to erect 4ft fencing in a front yard within 15ft of a curb cut.

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.

ZONING BOARD OF APPEALS _____
PLANNING BOARD (check one)

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

Scavone

APPLICATION

Village of Sea Cliff.
-----x

Proposing to instal 4' fence with 1' decorative
1 1/2' front yard.

1. Name of applicant: Scavone, Frank

2. Applicant's address: 88 Prospect Ave
Sea Cliff

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):

4. The property which is the subject of this application is located at: 88 Prospect Ave, Village of Sea Cliff, N. Y. and is also known as Section 21, Block F, Lot(s) 1945 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:

-
6. The property is located in the A zoning district of the Village of Sea Cliff.
7. The subject property is located on the W side of Prospect Ave (street).
8. The date on which the owner(s) acquired the property was Aug 2014.
9. The approximate dimensions of the property are _____ feet by _____ feet, and the total acreage of property is _____ acres.
10. The property is presently used for Res
-
11. Are there existing buildings on the property? 1 of 1
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: Res
14. The Building Department of the Village of Sea Cliff denied an application for a building permit on 9/20/20
15. The proposed construction use of the property does not comply with the following sections of the Village Code: 64-1
-
-
-

16. This is an application for:

an appeal

a variance

a special permit

other(describe): Fence

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)

See Attached

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? No 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.

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? NO
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: Frank Jerome

Signature of applicant: [Signature]

Title of signatory: Owner

Date: 9/25/20

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 _____, 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.

Frank Savon

Print Name

Signature

Sworn to before me this 28
day of September 2020.

Jennifer Gerrity

JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE639357
Qualified in Nassau County
Commission Expires 06/17/2023

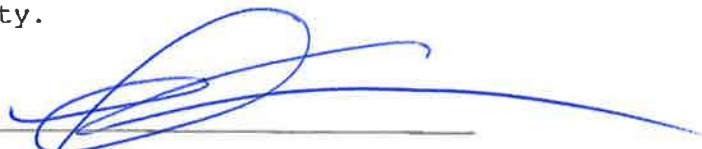
AFFIDAVIT OF OWNER(S)

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

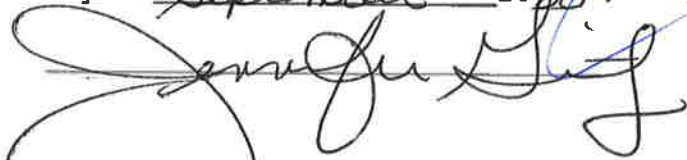
STATE OF NEW YORK) SS:

COUNTY OF NASSAU)

Scavone, Frank being duly sworn, deposes and says that (s)he is the owner of the property known as 88 Prospect Ave 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 28 day of September 2020.



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

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__.

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

In the Matter of the Application of

DISCLOSURE
AFFIDAVIT
General Municipal Law
Section 809

Frank Savone

STATE OF NEW YORK) COUNTY OF NASSAU)

Proposing to install fence in front yard

ss: Frank Savone, 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

Signature

Sworn to before me this 18
day of September, 2020.

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



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: _____

Date: _____

[Handwritten signature]
[Handwritten date: 9/28/2020]

9/27/20

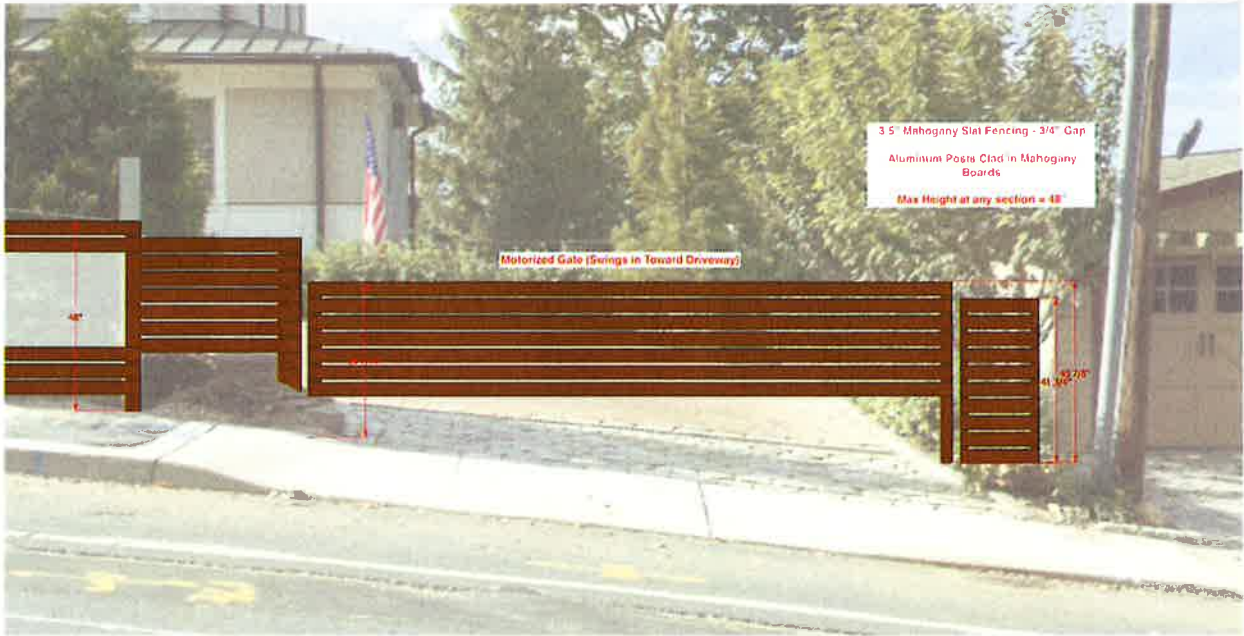
**Scavone Residence
88 Prospect Avenue
Sea Cliff, NY 11579**

Proposal For New Fencing With Motorized Gates:

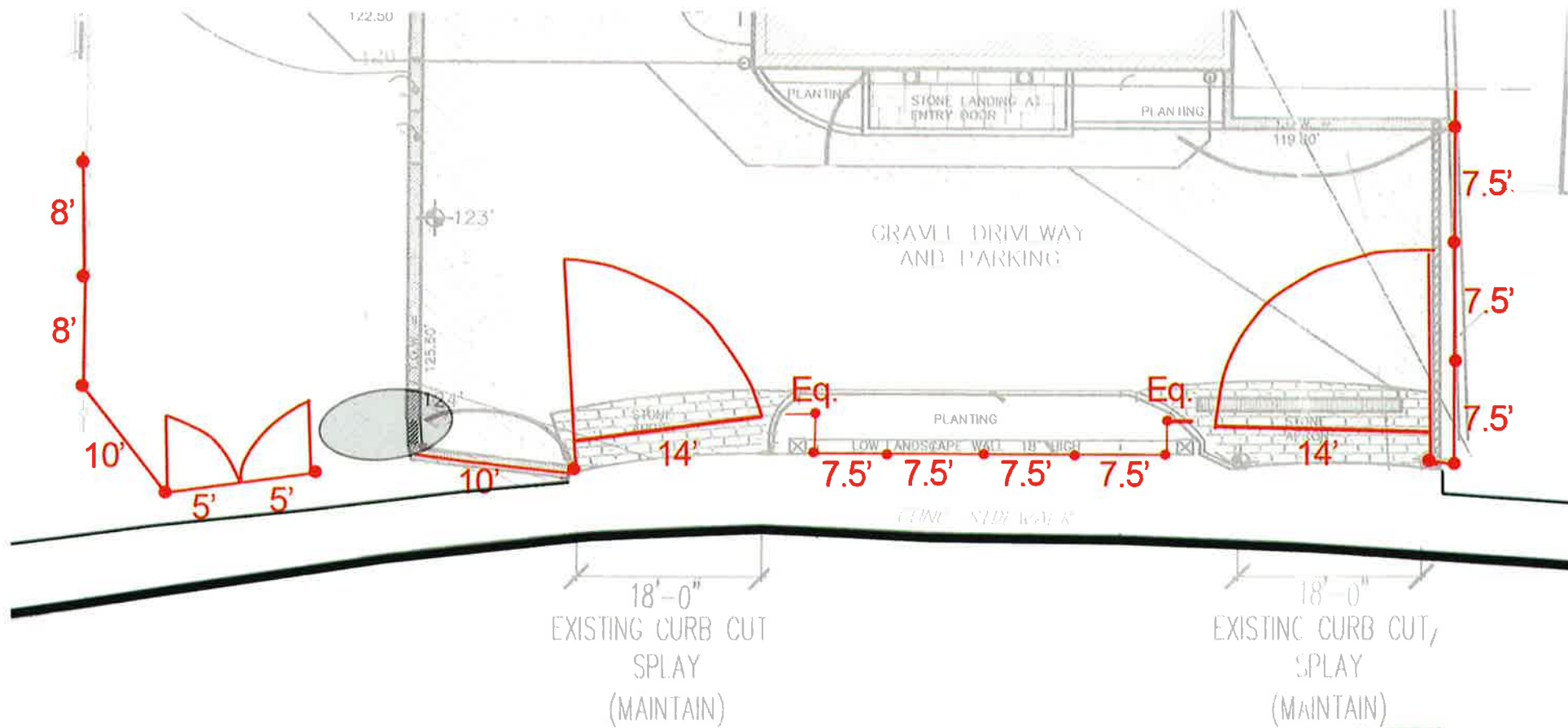
The overall intent is to add privacy and security to the property at 88 Prospect Avenue without hindering the existing landscaping or disturbing the public's view of the waterfront. The aluminum posts are to ensure longevity and the mahogany cladding will match existing elements on the home. Two motorized gates will swing in toward the existing driveway, and be activated by remote. The 2 smaller gates (Uphill of the driveway) will allow landscaping access to the lower section of the yard. The mahogany is meant to "silver" over time giving it a gray appearance that will match existing details on the home (see photos of existing pergola). Because of the slope of the hill, we are requesting a 4' max fence height where the code states 3' is the maximum allowed. This will allow us to better accomplish the design, while still remaining low enough to see over the new fence.

Additionally, if permitted, we would also like to add a 1' decorative feature (smaller 3/4" x 3/4" mahogany strips between the 4' and 5' height lines) to fully realize the design. Consider this feature as an alternate to the 4' max height fence as drawn.

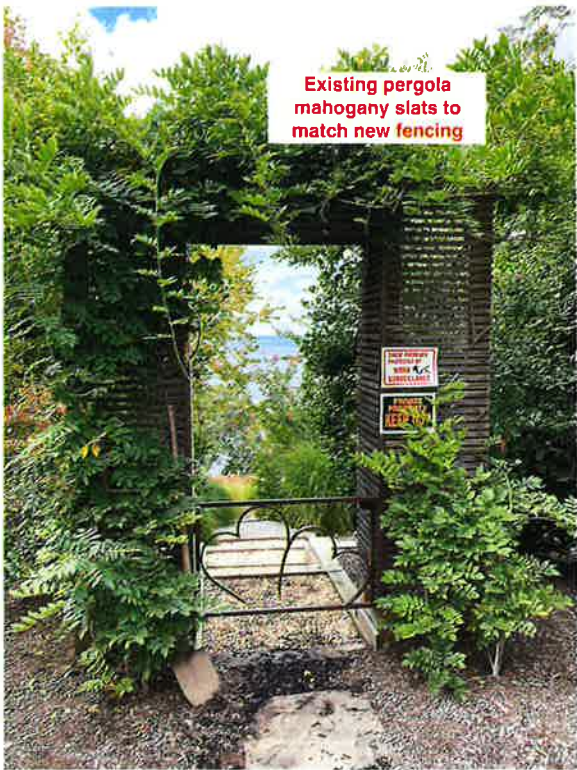








PROSPECT AVENUE





BELL BARBARA
OR CURRENT OWMER
372 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

378 SEA CLIFF AVENUE LLC
OR CURRENT OWMER
378 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

HAN BEOM & MEE
OR CURRENT OWMER
75 PROSPECT AVE
SEA CLIFF, NEW YORK 11579

VOGT ROBERT & CAROL
OR CURRENT OWMER
74 PROSPECT AVE
SEA CLIFF, NEW YORK 11579

~~SCAVONE FRANK
OR CURRENT OWMER
FAIRVIEW PL
SEA CLIFF, NEW YORK 11579~~

Scavone -
88 Prospect Ave

BJORKLUND HANK & VICTORIA
OR CURRENT OWMER
24 CLIFF WAY
SEA CLIFF, NEW YORK 11579

SHANE JEFFREY
OR CURRENT OWMER
77 PROSPECT AVE
SEA CLIFF, NEW YORK 11579

BIANCHI PAUL
OR CURRENT OWMER
362 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

BENNETT JAMES & DOROTHY
OR CURRENT OWMER
368 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

BJORKLUND HAND & VICTORIA
OR CURRENT OWMER
76 PROSPECT AVE
SEA CLIFF, NEW YORK 11579

EHRlich ROBERT
OR CURRENT OWMER
110 PROSPECT AVE
SEA CLIFF, NEW YORK 11579

ORAZIO BENCIVENNI TRUST
OR CURRENT OWMER
82-84 FAIRVIEW PL
SEA CLIFF, NEW YORK 11579

PETERSON JEANETTE
OR CURRENT OWMER
85 FAIRVIEW PL
SEA CLIFF, NEW YORK 11579

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

~~SCAVONE FRANK
OR CURRENT OWMER
88 PROSPECT AVE
SEA CLIFF, NEW YORK 11579~~

GELLING B SHANE & CHRISTINE
OR CURRENT OWMER
98 PROSPECT AVE
SEA CLIFF, NEW YORK 11579

Sea Cliff Public Notification App

with Web AppBuilder for ArcGIS



60ft
73.652 40.851 Degrees

MSK
\$ 6200

(copy)

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the August 13, 2014

BETWEEN Maureen Gatto, of 88 Prospect Avenue, Sea Cliff, New York 11579,

party of the first part, and

Frank Scavone of 137 Carpenter Avenue, Sea Cliff, New York 11579,

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00) and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See Description Annexed Hereto as Schedule "A"

PREMISES 1:

Section: 21

Block: F

Lots: 1945, 1946 & 1971

PREMISES 2:

Section: 21

Block: 127

Lot: 314

Premises 1 known as 88 Prospect Avenue, Sea Cliff, New York and Premises 2 known as No# Fairview Place, Sea Cliff, New York and being and intended to be the same premises conveyed to grantor by deed dated 7/14/1994 and recorded 7/18/1994 in Liber 10447 cp 27.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

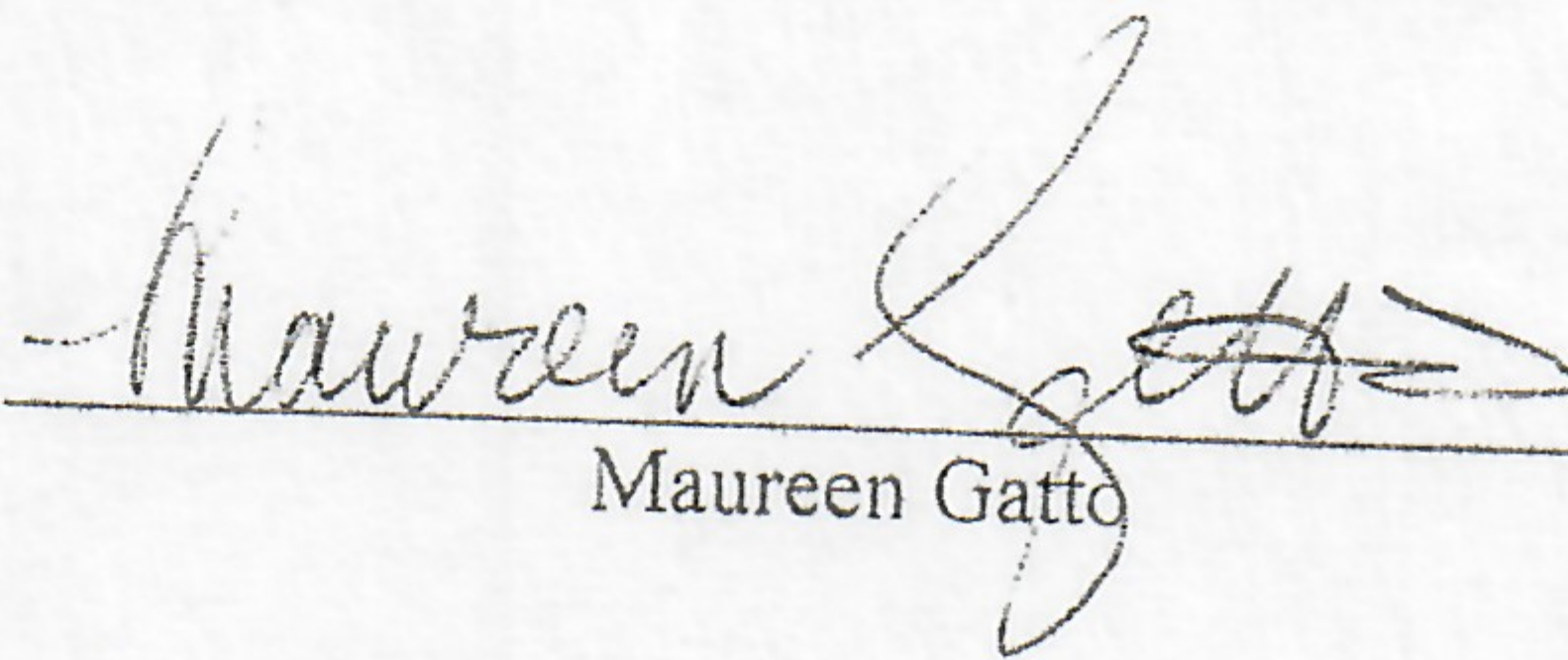
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

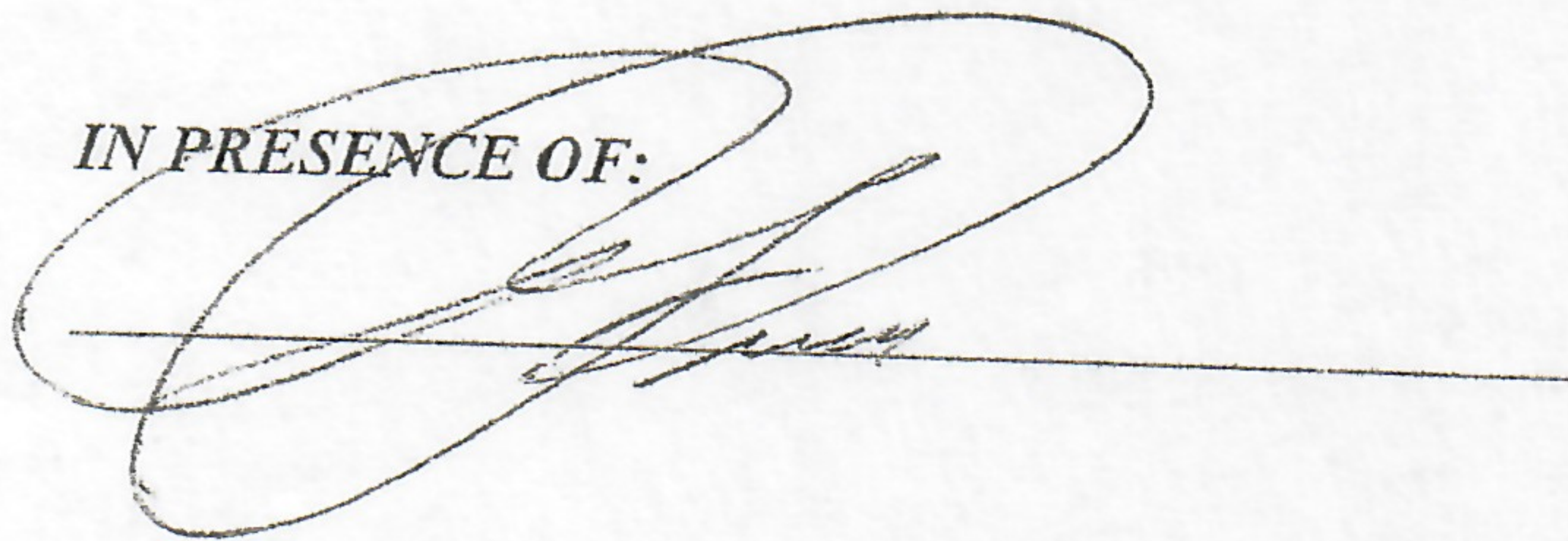
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.



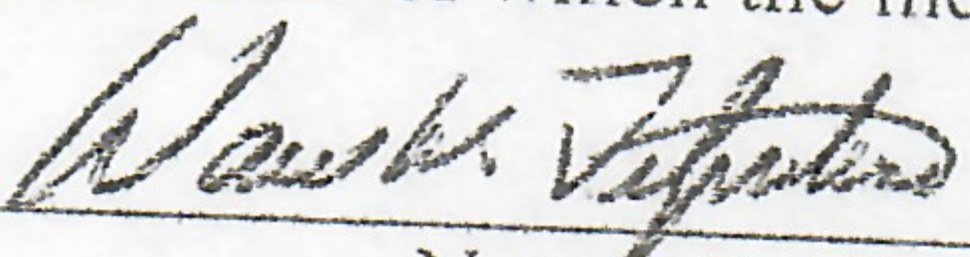
Maureen Gatto

IN PRESENCE OF:


Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:
)

On the 13th day of August in the year 2014 before me, the undersigned, personally appeared Maureen Gatto, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that she executed the same in her capacity(ies), and that by her signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

WARD W. FITZPATRICK
Notary Public, State of New York
No. 4854677
Qualified in Nassau County
Commission Expires March 24, 2018

TAX LOT 314:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Incorporated Village of Sea Cliff, Town of Oyster Bay, County of Nassau and State of New York, shown and designated on a certain map entitled, "Map of North Part of Sea Cliff Grove, Town of Oyster Bay, Queens County, Long Island, T. Coles, Surveyor", and filed in the Office of the Queens County Clerk on 8/31/1880 as File Number 436, Nassau County File Number 99, Case Number 1073, as and by Lot Numbers 1456 and the easterly 10 feet of Lot Number 1455 and being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Ninth Avenue distant 33.82 feet easterly as measured along the southerly side of Ninth Avenue from the corner formed by the intersection of the southerly side of Ninth Avenue and the southeasterly side of Prospect Avenue;

RUNNING THENCE South 76 degrees 49 minutes 00 seconds east along the southerly side of 50 feet;

THENCE South 13 degrees 14 minutes 00 seconds west, 60 feet;

THENCE North 76 degrees 49 minutes 00 seconds west, 50 feet;

THENCE North 13 degrees 14 minutes 00 seconds east, 60 feet to the southerly side of Ninth Avenue, at the point or place of BEGINNING.

AS TO TAX LOTS 1945, 1946 AND 1971:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Incorporated Village of Sea Cliff, Town of Oyster Bay, County of Nassau and State of New York, shown and designated on a certain map entitled, "Map of North Part of Sea Cliff Grove, Town of Oyster Bay, Queens County, Long Island, adopted 11/29/1876", and filed in the Office of the Queens County Clerk on 8/31/1880 under File Number 436 and filed in the Office of the Nassau County Clerk on 6/16/1900 under File Number 17, as and by Plot Numbers 1945, 1946 and part of 1944 and being more particularly bounded and described as follows:

BEGINNING at a point on the northwesterly side of Prospect Avenue, as laid out on said map, where said side of Prospect Avenue is intersected by the division line between Lot Numbers 1946 and 1947 on said map, which point is marked by a drill hole in top of concrete pillar;

RUNNING THENCE North 25 degrees 32 minutes west along said division line between Lot Numbers 1946 and 1947, 164.78 feet to a stone monument on the southeasterly line of Cliff Way, as said Cliff Way is shown on said map;

THENCE North 58 degrees 21 minutes east along said side of Cliff Way, 100.82 feet to the division line between Lots 1944 and 1945;

THENCE South 25 degrees 32 minutes 00 seconds east along the last mentioned division line, 92.67 feet;

THENCE North 64 degrees 28 minutes 00 seconds east, 7.00 feet;

THENCE South 25 degrees 32 minutes 00 seconds east, 75.18 feet to the northwesterly side of Prospect Avenue;

THENCE along the northwesterly side of Prospect Avenue, the following two courses and distances:

1. South 63 degrees 50 minutes 00 seconds west, 57.25 feet;
2. South 56 degrees 20 minutes 31 seconds west, 50.51 feet to the point or place of BEGINNING.

From: Frank Scavone <fscavone@trawlercap.com>
Sent: Monday, November 23, 2020 11:31 AM
To: planningboard@seacliff-ny.gov
Cc: Jennifer Gerrity; Christopher Zeppieri
Subject: 88 Prospect Ave. Fence Project Update
Attachments: Fence Approval Signatures.pdf; IMG_0944.jpg; IMG_0942.jpg; IMG_0943.jpg; Preexisting Fences.jpg; image.jpg; IMG_0949.jpg; IMG_0950.jpg

Dear Planning Board Members –

Thank you for your patience with regard to my fence project. As you will see, the project was far more intricate than originally anticipated.

Background

As previously explained, it was my original intention to apply only for a building permit to construct the fence and avoid any requirement for a Planning Board approval.

After obtaining building department approval to install the posts, we began laying out the panels. It quickly became apparent that due to the nearly 11 foot change in grade across the length of the project, in certain locations, the fence needed to be higher than 36" as permitted by the building code.

Accordingly, we then initiated the approval process with the Planning Board, but as you could see from Chris Zeppieri's original submission it was very difficult to accurately render the long fence span in a way that communicated my aesthetic intention.

It became obvious that my best option to accurately demonstrate to the Planning Board what I intended to build in all of its nuanced detail, was to actually build it. On the hope that you would ultimately agree the fence was beautiful and fitting for the property, I informed the building department of this plan and continued on.

I would like to acknowledge that this approach is obviously unconventional, but in no way intended to be disrespectful to the Planning Board process. The simple truth is that until I had the fence laid out, I wasn't precisely sure of what I was asking you to approve.

Design Objectives

The design objectives for the fence are functionally focused on privacy and security. Aesthetically, they are focused on natural materials, consistent with the woods used on the house (solid mahogany), that are blended into the topography of the landscape.

With regard to privacy and security, we have had a major problem with people trespassing all the way into our backyard. Despite two prominently placed private property signs, people use the excuse of mistaking the side yard for public stairs. As a result, we have endured a lot of litter, material property damage and several uncomfortable confrontations. This has gotten much worse with the pandemic as the number of street walkers along Prospect Avenue has increased dramatically.

Delivery vans have proven to be another problem as many have used our driveway as a turnaround when actually seeking a different address. The driveway turning radius was not intended for vehicles of this size and, as a result, our rock walls have been hit and destroyed on both sides.

With regard to the physical beauty of the fence, while building it I received literally over one hundred complements and even several fence building job offers. To demonstrate the veracity of this statement, on November 21, 2020 while working on the last portion of the fence over only a 4 hour period, I collected signatures from street walkers that offered complements. These signatures are attached as a PDF hereto and lists 34 names, including some of our finest Villagers. Further, I'm aware of several emails that have been sent to the Village supporting approval of the fence.

Finished Fence Heights

Attached hereto are photos of the fence. While the fence is not yet 100% complete, all main panel heights, flow through spacing (1" wide to create a more natural look) and decorative lattice heights are final. Finished panel heights on the side yard are within the maximum height limitations per the building code. Finished panel heights along Prospect Avenue range from 31" to 52" in height, however are above 48" for only 3 linear feet and are generally between 36" and 48" for the majority of the span. Again, and as you can see from the finished layout, given the slope drop of approximately 1':12', it is impossible to stay within code without having an approximately 2 foot high fence on the uphill side of any given panel.

Pre-existing Conditions

As you all know from prior approvals, I have been working to rebuild 88 Prospect since it burnt down. What you may not remember is that when I acquired the house there was a 6 foot white vinyl fence on the western corner and along approximately 30 feet of Prospect Avenue. Prior to the 6 foot white vinyl fence, a 6 foot wooden fence stretched across most of the Prospect Avenue property line. Photos of these prior fences were provided to me by my next door/fence side neighbor (Shane) in support of the fence and are attached hereto.

Examples of Other Fences Approved by Planning Board

There are a number of recently approved fences along Prospect Avenue that are greater than 3 feet and even some greater than four. Please see attached photos of three of examples

Smart Gates

I am told that Chris was asked a question about the gate swing mechanism in the last meeting. These gates are smart gates and will open on approach via a phone application before arrival or on demand for guests. As is currently the case, the only time anyone we will need to wait before making a left turn into the driveway will still be for upcoming vehicles, bicyclists, walkers and dog walkers.

Landmarks

It was brought to my attention that a member of the Landmarks Commission had concerns that my fence design somehow negatively impacted the historical significance of the property. 88 Prospect was never a historically landmarked site, nor were either of the two previous fences. Accordingly, it seems that such concerns are outside the operating scope of the Landmarks Commission and should thus be disregarded.

Again, I would like to thank the Planning Board for their patience as I've tried to figure this project out. It was complicated, but many people are delighted with the result and hope that you agree with your approval.

Best,

Frank



**TRAWLER CAPITAL
MANAGEMENT**

A THIRD POINT COMPANY

Frank Scavone

Managing Partner - Trawler Capital Management

Executive Managing Director - Third Point Real Estate Strategies

1044 Northern Blvd. Suite 100

Roslyn, NY 11576

Direct: 516 274-9898

C: 631 897-4174

fscavone@trawlercap.com

[Linkedin Profile](#)



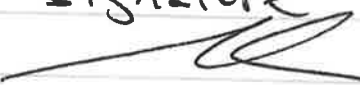

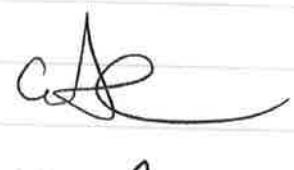
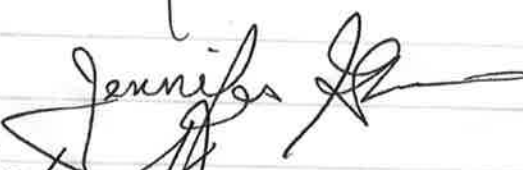

Pre-existing fences:




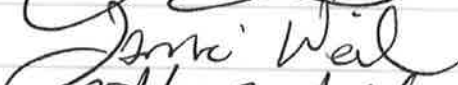
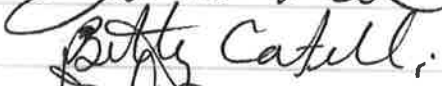





11/21/20

I Like the new Fence at 88 Prospect

- | | <u>NAME</u> | <u>SIGNATURE</u> |
|-----|---|--|
| 1. | Gloria Schaefer |  |
| 2. | Alton Williams |  |
| 3. | M. Denley | Pat Dunham |
| 4. | Janine Whitting | 8 EAST AVE SC |
| 5. | Kenneth Hall | |
| 6. | Josh Hobett | |
| 7. | Kathleen Redger | |
| 8. | Laura K Woodman | |
| 9. | Bobt LeBlond | |
| 10. | Love Love DeJene | My cat  |
| 11. | Ms. Clay | |
| 12. | Jennifer Glennon | Jennifer  |
| | 87 Glen Ave | |
| | Marty Glennon | Marty  |
| 13. | Danae Penney 17 Prospect Ave | |
| | Stacy Bennett 141 Glenlawn Ave | |
| | Dave & Lynne Berman 7 Clinton St | |
| | Lynn & Berman 7 Clinton St | |
| 14. | Joni Pedersen | |
| 15. | Colin Pedersen | |
| | Pam Mastrotta (Vinn/Mastrotta) 2 Main Ave | |
| | LIZ NIENSTEDT 255 SEA CLIFF AVE | |
| | Adrienne Garland 12 The Drive, Sea Cliff | |

Please Sign if you like Fence

<u>Name</u>	Signature
Giselle DiMasi	
Jamiré Weil	
Betty + Frank Catell.	
Daniel Grande	
Alicia Grande	⇒ Alicia Grande
Renée H. Swanson	
Zoe Powell	
Carole Romano	
Jerry Romano - it looks great!	

Subject: FW: Other

-----Original Message-----

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com>
Sent: Monday, November 9, 2020 5:51 PM
To: bkennedy@seacliff-ny.gov
Subject: Other

Submitted on Monday, November 9, 2020 - 5:50pm Submitted by anonymous user:
2607:fb90:70fe:9881:0:17:9f54:6201
Submitted values are:

Subject: Other
Message:

Was on my way to the beach a few days ago and I see a man and think might be his son, working on a fence together. I was so nice to see someone working on their home. The next day I drove past and the fence was up. It looked great and very professional. The man was outside his home so I rolled down my window and said, "hey, that looks great! I saw you working on it yesterday".

Sadly he said, someone complained that it was "Architecturally incompatible with the town"....just want to say....no, it is a nice fence to see on the way down to the beach.

Just saying...check out 88 Prospect Ave.

==Please provide the following information==

Your Name: Adrienne Barnathan
Your E-mail Address: Traiditional@netscape.net
Organization:
Phone Number: 5164772472

==Address==

Street: 145 Carpenter Ave apt 3
City: Sea Cliff
State: New York
Zipcode: 11579

The results of this submission may be viewed at:
<https://www.seacliff-ny.gov/node/2/submission/3221>

jgerrity@seacliff-ny.gov

Subject: FW: New Fencing on Prospect Ave

-----Original Message-----

From: MaryJo Vetrano <mjv1010wins@gmail.com>

Sent: Friday, November 20, 2020 11:32 AM

To: bkennedy@seacliff-ny.gov

Cc: Solomariner@gmail.com

Subject: New Fencing on Prospect Ave

Hi Bruce,
TGIF Hope all is well!

My bf and I were taking a stroll on Prospect Ave. We saw an incredibly beautiful fence being built in front of a house right past Sea Cliff Ave on the hill going down. So much so, we started a conversation with the carpenter and the owner about it. It was unique, upscale and really pleasing to look at.

I know there are rules and regulations in our village about fences, but just wanted to say it's really beautiful to look at.

Happy Thanksgiving!
MaryJo