



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

6/25/19

TO:
PROPERTY OWNER: R.A. Hendrickson
APPLICANT: William Long (Metropolitan Bistro)
PROPERTY ADDRESS: 39 Roslyn Ave.
SECTION/ BLOCK/ LOT: 21/134/1

APPLICATION NO: 11635
APPLICATION RECV'D: 6/25/2019
ZONE: Business A

DESCRIPTION: The applicant proposes to install a “year round” awning to replace the 3 existing retractable awnings and a seasonal courtyard.

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

§ 51-1 Permit required on commercial property; fee; application.

On any premises used for commercial purposes, a canopy, awning, roof or overhead projection may only be erected or maintained upon application to the Planning Board of the Village of Sea Cliff for a permit. The fee for and duration of such permit shall be as set forth in Appendix Chapter A1-42, Schedule of Fees. Such fee shall accompany each application, which shall be in writing and shall be filed with the Building Inspector. The form for and documents and information to be submitted with such application shall be as prescribed by the Board of Trustees.

The applicant proposes to install a “year round” awning to replace the 3 existing retractable awnings.

§ 138-808 Minimum setback requirements.

Every part of a principal building shall be set back from the front property line of the lot upon which it is situated at least three feet.

The applicant proposes to install a “year round” awning to replace the 3 existing retractable awnings with a set back of 0 feet where a minimum of 3 feet is required.

§ 138-1002 Parking space requirements.

The following minimum number of off-street parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building hereafter erected or used, or the use of which is intensified, for any of the following purposes

O. Restaurant, eating and drinking place: one space for each four seats or one space for each 100 square feet of gross floor area, whichever yields more spaces, plus one space for each employee on the maximum work shift.

The applicant proposes a seasonal outdoor courtyard that is 3700 sqft. +/- which would require 37 additional parking spots.

**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 # 11905 APPLICATION DATE 2/18/20 PERMIT # _____

PROPERTY ADDRESS:

SECT: 21 BLOCK 134 LOT 1

Owner: <u>RA Hendrickson</u>			
Address:	<u>212 Sea Cliff Ave</u>	City:	<u>Sea Cliff</u> State: <u>NY</u> Zip: <u>11579</u>
Phone:	<u>516 817-4975</u>	Cell:	Email:
Applicant: (if applicant is different from owner state relationship to owner) <u>NS Metropolitan Bistro</u>			
Address:	<u>39 Roslyn Ave</u>	City:	<u>Sea Cliff</u> State: <u>NY</u> Zip: <u>11579</u>
Phone:	<u>801-4500</u>	Cell:	<u>659-2055</u> Email:

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

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

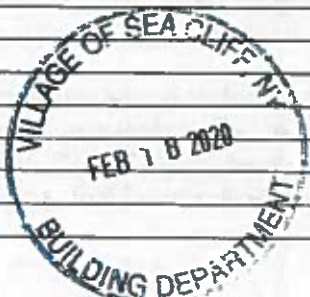
Plumber:			
Address:	City:	State:	Zip:
Phone:	Cell:	Email:	

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.

<u>Special Permit</u>
<u>Township Year Round Owning</u>





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: 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:

2/18/2020

NANCY D. EDER
NOTARY PUBLIC, State of New York
No. 01ED8171837
Qualified in Nassau County
Commission Expires July 30, 2023
Notary:

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

Application Fee

\$

\$250 ZBA fee pd
100 permit fee pd 2/15/2020

Permit Fees

Building

Plumbing

Electrical

Mechanical

Certificate

Other

Total Permit Fees

\$

REQUIRED CERTIFICATES

- 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.

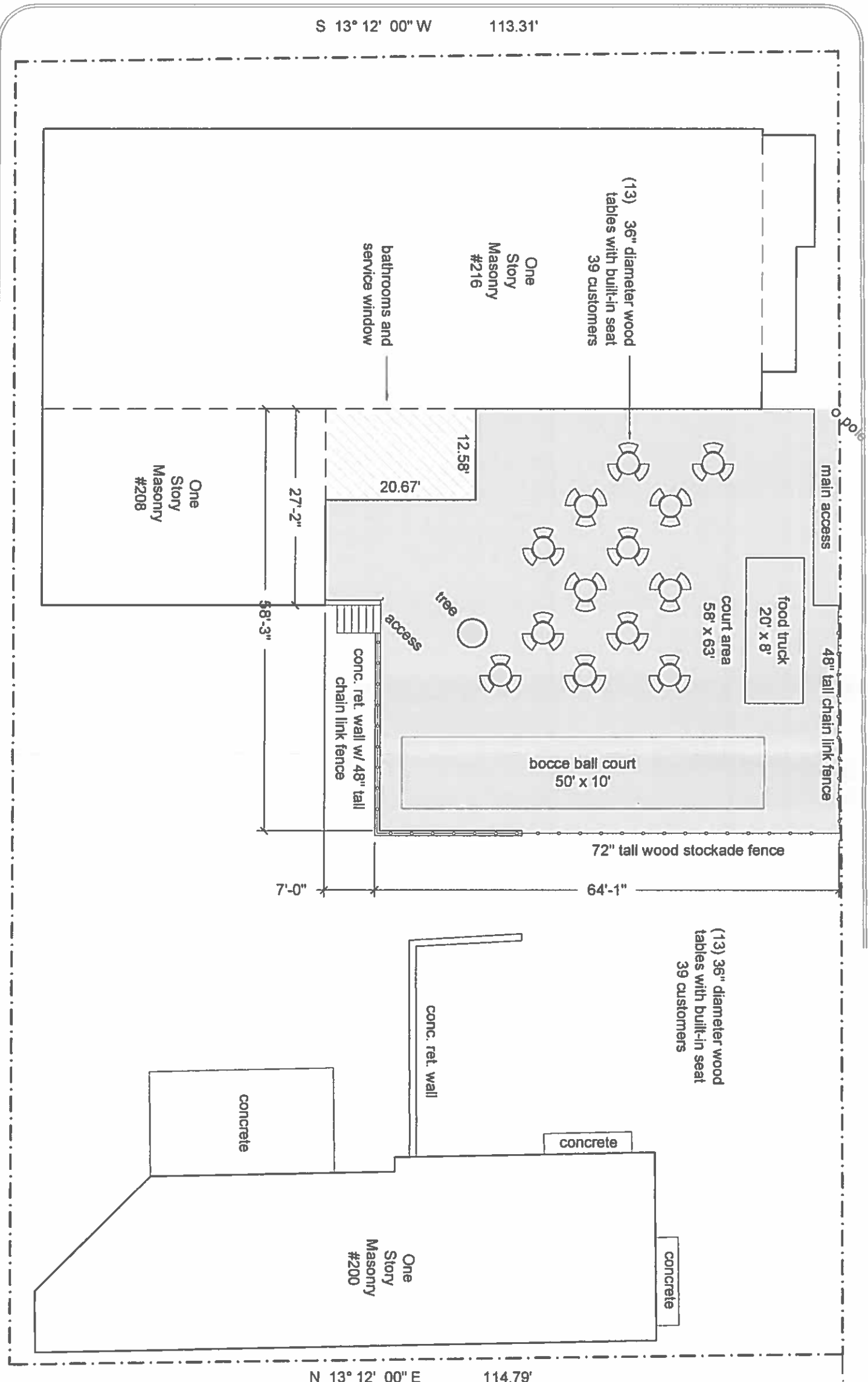
Village Code Requires: Zoning variances become invalid if authorized work has not begun within six (6) months of Building Department Approval. Extensions may be applied for to the Zoning Board. (138-1304). Building Permits expire twelve (12) months after the approval. Two (2) subsequent six (6) month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

10 th Avenue

N 76° 31' 00" E 180.00'

Rosyn Avenue

S 13° 12' 00" W 113.31'



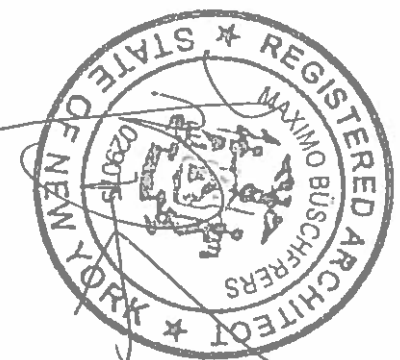
Sea Cliff Avenue

S 76° 02' 40" E 180.01'

Metropolitan Courtyard

February 18, 2020
Scale 1/16" = 1'-0"

Section 21
Block 134
Lot 1 & 2
Site Plan based on survey dated 06.12.10



METROPOLITAN BISTRO



REVISION DATE:

6.25.19

SALES REPRESENTATIVE:

Mike Mere Jr.

ADDRESS:

INSTALLATION ADDRESS:

SIGN / AWNING TYPE:

- MANSARD AWNING

NOTES:



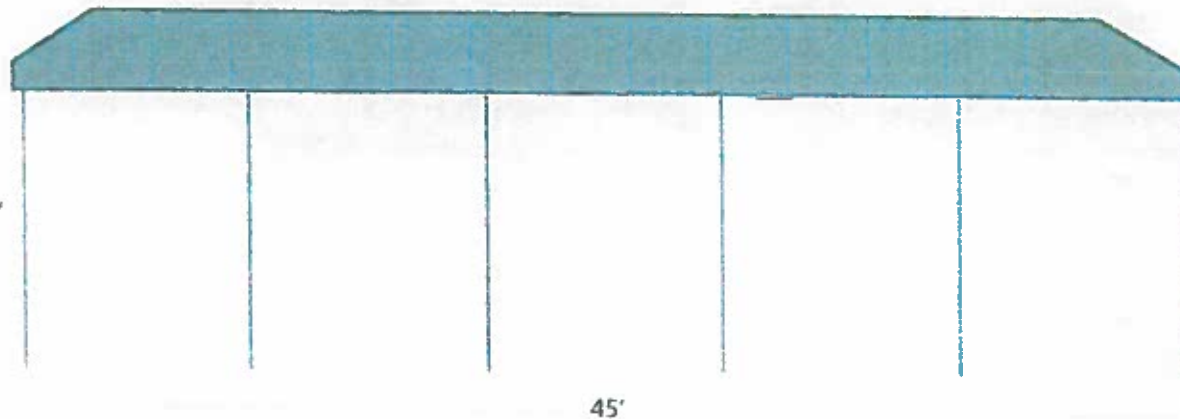
DESIGNER:

MJ

SCALE:

DISCLAIMER:

THIS DESIGN IS THE SOLE PROPERTY OF M&M SIGN AND AWNING. ANY ALTERATIONS OR REPRODUCTIONS IN WHOLE OR IN PART ARE PROHIBITED WITHOUT WRITTEN CONSENT OF M&M SIGN AND AWNING. BEFORE SIGNING THIS PROPOSED PROJECT PLEASE REVIEW THE DRAWINGS OR RENDERING FOR SPELLING, LINE COPY, TEXT, COLOR AND INSTALLATION METHOD OR DETAILS. M&M SHALL NOT BE RESPONSIBLE FOR ANY CHANGES OR ERRORS AFTER SIGNING THIS PROPOSAL.



Material:
Ferrari
"Tennis Green"
#502V2-8056C



METROPOLITAN BISTRO



REVISION DATE:

6.25.19

SALES REPRESENTATIVE:

Mike Mere Jr.

ADDRESS:

INSTALLATION ADDRESS:

SIGN / AWNING TYPE:

- MANSARD AWNING

NOTES:

DESIGNER:

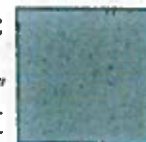
MJ

SCALE:

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Material:
Ferrari
"Tennis Green"
#502V2-8056C





PROPOSAL

Metropolitan Bistro
39 Roslyn Ave
Sea Cliff, NY 11579
Attn: Vinny Nesi

Michael Mere Jr., Sales
E-mail: mikejr@mmawning.com
Cell: 631-742-6582

June 25, 2019

Phone: 646-696-8068
Vinny E-Mail: vnese@drinkroar.com
Bill E-Mail: manager@themetropolitanbistro.com

We are pleased to submit the following proposal for your consideration on the below referenced premises. We agree to provide labor, material and the proper insurance with excess liability up to \$1 million. Proof of insurance will be sent upon request. We are licensed in Suffolk, Nassau, and NYC. Visit us on the web @ www.mmawning.com

JOB LOCATION: Metropolitan Bistro, 39 Roslyn Ave, Sea Cliff, NY 11579

SCOPE OF WORK: Remove and dispose of (3) existing retractable awnings. Fabricate and install year round patio awning. The back of the awning will be secured to the brick building with concrete anchors and brackets. The front of the awning will be supported by uprights anchored to concrete slab. Option for 45' width and 31' width

MEASUREMENT: Year Round Patio Awning: 45' or 31' wide x 3' drop x 9'4" projection

FABRIC: Ferrari 502 is a 17 oz. vinyl laminated polyester fabric with Custom Spun and Rain Kleen surface treatments. Ferrari 502 fabric combines high tear and tensile strength with high stress and stretch values. Ferrari 502 is fade resistant and waterproof. All Ferrari 502 fabrics are mildew resistant and flame resistant according to requirements of NYC Board of Standards and Appeals, Calendar 366-48 SM; California State Fire Marshall, Registration F.76.00. *Ferrari 502 carries an eight (8) year manufacturer's warranty from the original date of installation.*

Color:

COVER FABRICATION: M&M uses the latest technology in fabric installation. Our heat seal system makes the canopy waterproof and protects the fabric seams. This method ensures that it will withstand the tests of time and weather. All heat sealed seams come with a limited lifetime warranty. For all other seams we use only Gore Tenara thread. Gore Tenara sewing thread will outlast the fabric into which it is sewn and comes with a limited lifetime warranty. Tenara thread is from the same fiber in NASA space suits.

FRAME: One (1) piece welded frame FS20 galvanized steel 1" grade "A" square or round tube as necessary. All connecting joints shall be welded for maximum rigidity and support. All welded joints shall be ground, wire brushed and zinc primed. Awning frame structures will be capable of withstanding a maximum of 110 MPH for a 3 second gust. Wind load acting inward or upward upon fabric surface with frame members reflecting maximum L/180.

Customer Signature

Date

180 Oval Drive, Islandia, NY 11749
Phone: 631-424-5370 Fax: 631-424-5375

PRICING 45' Wide:

Item	Price
Year Round Patio Awning	\$13,680.00
Total	\$13,680.00

PRICING 31' Wide:

Item	Price
Year Round Patio Awning	\$9,424.00
Total	\$9,424.00

PERMITS: Permit(s) are the responsibility of the owner unless otherwise specified. An additional Permit Procurement Fee for M&M Awning to act as agent and apply for permit as per Town requirements is available, fee includes: Site inspection, measuring, photos and shop drawings. Engineered signed and sealed drawing as required per Town Code. Prepare and submit applications and documentations. ****property owner/client notarized signatures required.** Building and or Sign Permit Fee. Certificates of Insurance. ****Property Owner /Client is responsible to provide land/site survey, tax bill, Certificate of Occupancy, owner information, original notarized application and documents. **Property Owner/Client is responsible for final inspection and fee if required. **Property Owner/Client is responsible for any additional permitting fee's that may be required to obtain permits. **Fee does not include any additional permits should they be required.**

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined.

CUSTOMER REQUIREMENTS: 50% deposit of the job total with signed contract is required before any fabrication or scheduling commences. Once fabrication has begun, any & all deposits become non-refundable. Customer is held liable for the remaining balance should they wish to cancel an order once fabrication has been completed. **Balance is due on date of completion.** Please sign all pages of this contract and kindly return them along with your deposit.

PAYMENT NOTE: Please be prepared to provide payment method when contacted by M&M for delivery date. Full and final payment due upon delivery and/or installation. All credit cards given for deposit will be billed automatically for balance upon completion. Final payment will be in the same form as initial deposit unless other arrangements are made in advance.

****Contractors, property managers, and/or those who have insurance claims are solely responsible for full payment to M&M upon delivery and/or installation. We are not responsible for third party collections.**

Note: Any or all aspects of this proposal may be withdrawn by M&M if not accepted within thirty days

Customer Signature

Date

180 Oval Drive, Islandia, NY 11749
Phone: 631-424-5370 Fax: 631-424-5375



NEW YORK STATE DEPARTMENT OF STATE
Division of Code Enforcement and Administration

Phone : (518) 474-4073
www.dos.state.ny.us

Fax : (518) 486-4487
E-mail: info@dos.state.ny.us

TECHNICAL BULLETIN

Effective Date: January 1, 2003

Source Document: 19 NYCRR 1220 - *Residential Code of New York State (RCNYS)*
19 NYCRR 1221 - *Building Code of New York State (BCNYS)*

Topic: Clarification of Wind Maps

This document provides information on the location of the wind contour lines depicted in wind maps found in the *Residential Code of New York State (RCNYS)* Figure R301.2(4) and the *Building Code of New York State, (BCNYS)* Figure 1609, respectively. This document also provides information on the identification of wind-borne debris regions and on selecting basic wind speeds in special wind regions.

Given the relatively small scale of the wind maps, is there a better definition of the wind contour lines in BCNYS Figure 1609 and RCNYS Figure R301.2(4)?

Due to the variables in graphical and statistical data associated with the wind contour lines depicted on the wind maps, this information is advisory. For the purpose of uniform regulation of the Code with respect to wind loads, it has been determined to define the location of the wind contour lines by identifying these with municipal boundaries. The following is a listing of the municipalities which are located between the wind contour lines identified below. [This bulletin is only to help in identifying the location of the municipality relative to the wind contour lines. The designer should use the higher wind speed listed or use linear interpolation to identify the correct wind speed for the subject location.]

120 MPH

In Suffolk County:

- T/East Hampton
- T/Shelter Island
- T/Southampton
- T/Southold
- V/Dering Harbor
- V/East Hampton
- V/Greenport
- V/North Haven
- V/Quogue
- V/Sag Harbor
- V/Southampton
- V/Southold
- V/West Hampton Dunes
- V/Westhampton Beach

110 MPH to 120 MPH

All municipalities in Nassau County

All municipalities in Suffolk County not listed above

110 MPH to 100 MPH

C/Mount Vernon
 C/New Rochelle
 C/Rye
 C/White Plains
 C/Yonkers
 T/Eastchester
 T/Harrison
 T/Mamaroneck
 T/North Castle
 T/Pelham
 T/Pound Ridge
 T/Rye
 T/Scarsdale
 V/Bronxville
 V/Harrison
 V/Larchmont
 V/Mamaroneck
 V/Pelham
 V/Pelham Manor
 V/Port Chester
 V/Rye Brook
 V/Scarsdale

90 MPH to 100 MPH

All municipalities in Westchester County not listed above
 All municipalities in Rockland County
 All municipalities in Putnam County
 In Dutchess County:
 T/Pawling
 V/Pawling
 T/Beekman
 T/East Fishkill
 T/Dover

90 MPH

Any municipality which does not appear in the above listings is subject to a fixed wind speed value of 90 MPH.¹

¹In Kings and Queens Counties, sound engineering judgement should be used in determining the wind speeds within these counties.

How do the Codes of NYS handle determining the applicability of wind-borne debris regions?

The BCNYS Section 1609.2 and the standards referenced in RCNYS Section R301.2.1.1 have definitions of windborne debris regions. In areas where the basic wind speed is 110 mile per hour (MPH) or greater, the wind-borne debris region is applicable at a distance of one (1) mile inland from the mean high water line. In areas where the basic wind speed is 120 MPH and greater, the entire area shall comply with the additional requirements of the windborne debris regions. ASTM E1996, 1998 edition, has more specific requirements on the levels of protection required in these areas. Specific to the area between the 110 MPH and 120 MPH wind contour lines, the measurement of the one (1) mile distance is determined by the local Code Enforcement Official. It should be noted that the distance should not be based on a barrier island, reef, or any other incidental landmass separate from the main body of land.

What additional requirements should local Code Enforcement Officials and design professionals be aware of concerning special wind regions?²

The only specific requirement that is based on the special wind region is RCNYS Section R905.2.6, which requires additional fasteners for asphalt strip shingles. Otherwise, the BCNYS, RCNYS, and associated reference standards do not specify any additional requirements for wind loads within the designated special wind region. According to the publication Minimum Design Loads for Buildings and Other Structures, ASCE Standard 7-98 Commentary, special wind regions are geographical regions in which wind speed abnormalities are known to exist. The commentary suggests that "When selecting basic wind speeds in these special regions, use of regional climatic data and consultation with a qualified professional engineer or meteorologist is advised." The special wind region should serve as a warning to design professionals in evaluating wind loading conditions. Wind speeds higher than the derived values taken from Figure 1609 of the BCNYS and Figure R301.2(4) of the RCNYS are likely to occur and should be considered in the design.

²The Counties of Columbia, Dutchess, Putnam, Rockland, Westchester, and parts of Orange, Rensselaer, and Ulster fall within a special wind region.

***Ronald E. Piester, Director
 Division of Code Enforcement and Administration***

Certificate of Flame Resistance



Registered Fabric
or Concern Number

Issued By:

SERGE FERRARI NORTH AMERICA
504 Hillsboro Technology Drive

Deerfield Beach, FL 33441

Date treated or manufactured:

02/01/2019

F-44401

This is to certify that the materials described below have been treated with a flame-retardant chemical or are inherently nonflammable.

FOR: Trivantage, LLC

ADDRESS: 1831 North Park Ave.

CITY: Glen Raven

STATE: NC 27217

Certification is hereby made that! (Check "a" or "b")



- (a) The articles described at the bottom of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used: _____

Chemical Registration #: _____

Method of application: _____



- (b) The articles described at the bottom of this Certificate are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade Name of flame-resistant
fabric or material used: _____

PRECONSTRAINT 502

Registration #: F-44401

The Flame-Retardant Process Used Will Not Be Removed By Washing

LUDOVIC ROLLIN

QUALITY MANAGER

Name of Applicator or Production Superintendent

Title

RCNs # 00000000001070258254

00000000001075295209

CUSTOMER ORDER NO. EMAIL

CUSTOMER INVOICE NO. 2186177

YARDS OR QUANTITY 52.557

DESCRIPTION

Serge Ferrari Soltis Proof 502

Satin Preconstraint

#502V2-8341C 70.9" Champagne

(Standard Pack 43.745 Yards)

ITEM NUMBER

878437

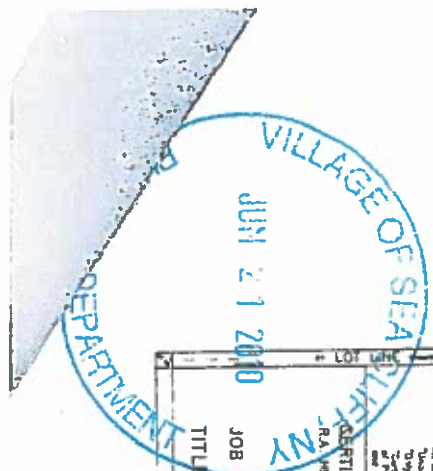
We hereby certify the above to accurately reflect the information contained within a "CERTIFICATE OF FLAME RESISTANCE" issued to Trivantage, LLC from the registrant set forth above. A copy of the original Certificate of Flame Resistance is available upon request to Trivantage, LLC and the registration information set forth above is on record with the California State Fire Marshal.

M AND M AWNING

180 OVAL DR

MAILING ADDRESS

ISLANDIA, NY 11439



PROPERTY LINE AD = AWNING OVER O.H. = OVER HEAD S.W. = SIDEWALK L.S.L. = LANDSCAPE TRE

SCALE 1"=30'

IDENTIFIED TO:
 RA. HENRICHSON REAL ESTATE, INC.
 JOB # 29100313
 TITLE No.

SECTION No. 21
 TAX BLOCK No. 134

LOT No. 1-2

DATE SURVEYED 6/12/2010
 COUNTY OF: NASSAU

L.S.L. = LANDSCAPE TREE FENCES: W.F.T.A. = WOOD POST & RAIL V.M.T. = VINYL

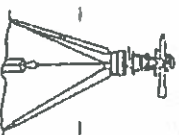
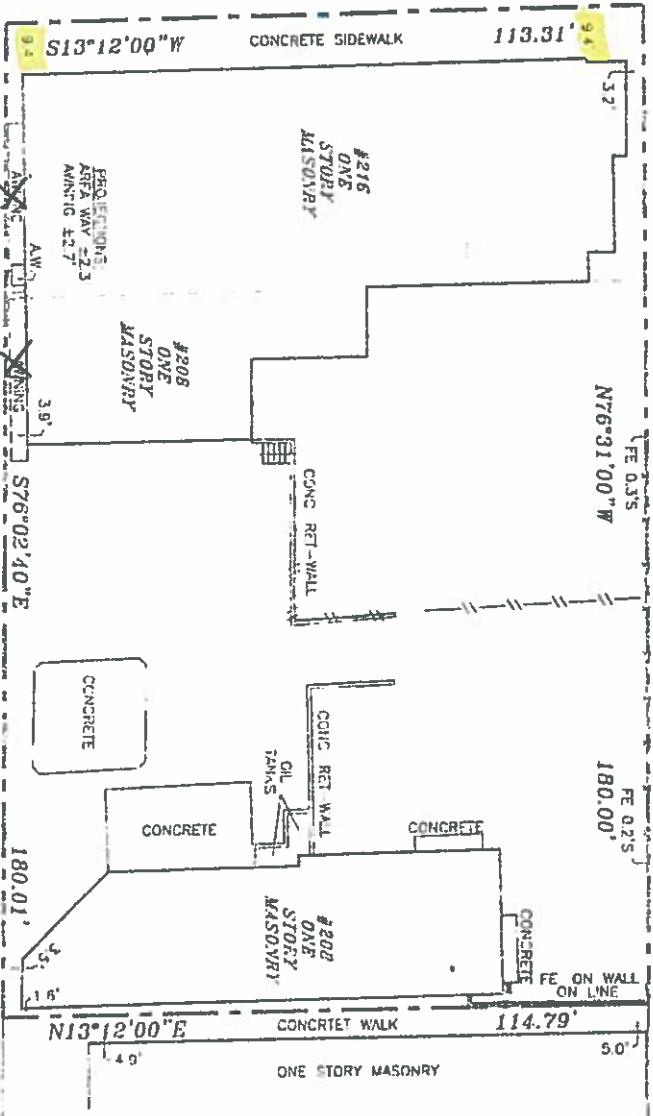
This survey is intended to be used for the purposes of a subdivision. It is intended to show the location of the proposed lots and the location of the proposed easements. It is not intended to show the location of the proposed buildings or other structures. The survey is based on the best available information and is subject to the usual caveats of a survey. The survey is not intended to be used for any other purpose. The survey is not intended to be used for any other purpose. The survey is not intended to be used for any other purpose.

EASEMENTS, IF ANY, NOT SHOWN.

ROSLYN AVENUE

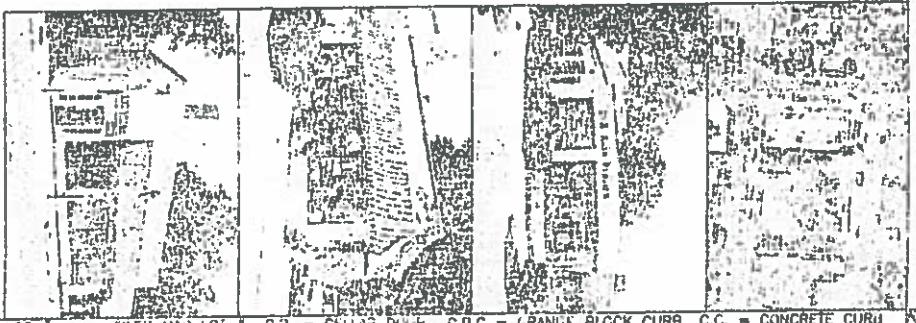
SEA CLIFF AVENUE

10TH AVENUE



BARRY M. FAHRER
 NEW YORK STATE
 SURVEYOR
 1000 WEST 125th STREET
 GREAT NECK, N.Y. 11040
 STATE OF NEW YORK

COPYRIGHT © JUNE 2010
 BARRY M. FAHRER L.S.
 ALL RIGHTS RESERVED



U.P. = UTILITY POLE LOT # = TAX MAP LOT # F.M.L. = FILED MAP LOT # C.D. = CELLAR DRAIN G.B.C. = GRANITE BLOCK CURB C.C. = CONCRETE CURB

ZONING BOARD OF APPEALS
PLANNING BOARD _____ (check one)

-----X
IN THE MATTER OF THE APPLICATION OF

APPLICATION

Village of Sea Cliff.

-----X
NS Metropolitan Bist INC^x - Tenant
RA Hendrickson - owner

- Special Permit

1. Name of applicant: NS Metropolitan Bist INC
2. Applicant's address: 39 Roslyn Ave Sea Cliff N.Y

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: 39 Roslyn Ave, Village of Sea Cliff, N. Y. and is also known as Section 21, Block 134, Lot(s) 1 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:

ANNE Hendrickson

6. The property is located in the BA zoning district of the Village of Sea Cliff.

7. The subject property is located on the East side of Roslyn Ave (street).

8. The date on which the owner(s) acquired the property was _____.

9. The approximate dimensions of the property are 180 feet by 47 feet, and the total acreage of property is _____ acres.

10. The property is presently used for Restaurant
auto storage and Tow Truck Company.

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: outdoor dining space

14. The Building Department of the Village of Sea Cliff denied an application for a building permit on _____

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

51-1, 138-808, 138-1002

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)

1 - To install canvas fixed frame awning to
Replace 3 existing Roll up Awning's

2 - Convert Tow Truck area to outdoor
dining - see separate sheet

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: William Long
Signature of applicant: [Signature]
Title of signatory: owner
Date: 2/18/20

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 Treasurer, 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.

William Long
Print Name

[Signature]
Signature

Sworn to before me this 18th
day of February 2020.

[Signature]

Matthew Nartowicz
Notary Public State of New York
REG. No. 01NA6128403
QUALIFIED IN SUFFOLK COUNTY
MY COMMISSION EXPIRES AUGUST 18, 2021

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)

Ann Kowack being duly sworn, deposes and says that (s)he is the owner of the property known as METROPOLITAN BISTRO 39 ROSLYN 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.

[Signature]

Sworn to before me on this 18 day of February 2020.

[Signature]

IMMACOLATA PARRINO
Notary Public, State of New York
No. 01PA6182092
Qualified in Queens County
Commission Expires February 19, 2020

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

-----X
NS Metropolitan Bisto INC - Tenmont
STATE OF NEW YORK) COUNTY OF NASSAU)
RA Henderson - owner
Special Permit

ss: William Long, 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>
<u>None</u>			

[Signature]
Signature

Sworn to before me this 19th
day of February 2021.
[Signature]

Matthew Nartowicz
Notary Public State of New York
REG. No. 01NA6128403
QUALIFIED IN SUFFOLK COUNTY
MY COMMISSION EXPIRES AUGUST 18, 2021



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: _____



Bistro Garden Area

We are seeking to convert the existing car storage and tow truck company lot and office into an outdoor café and gathering place.

This would be a family friendly facility serving casual food and drinks

The existing “office” building will house 2 bathrooms for the public as well as a bar service area.

Food will be provided by the Metropolitan Bistro kitchen and we plan to have rotating gourmet food trucks.

We will operate from April to December as weather permits.

Schedule:

Monday to Friday 5pm - 11pm

Saturday and Sunday 12pm - 11pm

We will have movable seating for approximately 40 patrons
And a small service bar operating out of the office building

We will make sure we are in compliance with all existing codes and noise regulations And as we do with the existing restaurant we will be very neighbor friendly.

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BOARD OF ZONING APPEALS
INC. VILLAGE OF SEA CLIFF

8:00 P.M.
April 24, 1990

Community Center
Sea Cliff, New York

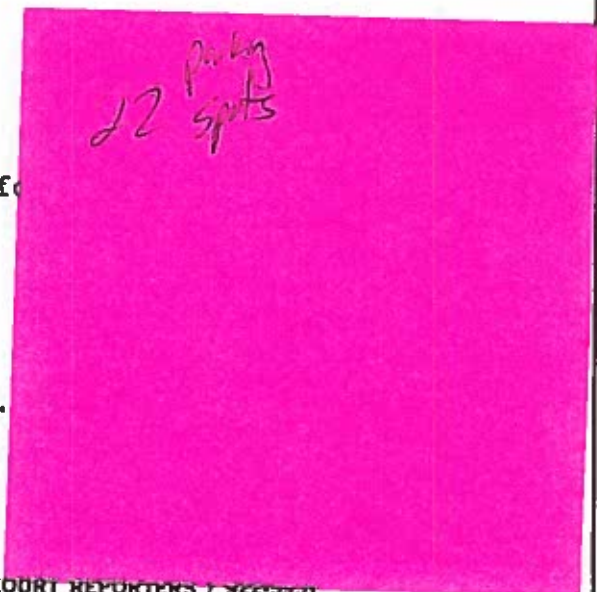


APPEARANCES

- BARBARA PACE, Chairman
- LAWRENCE GORDON
- DAN MADDOCK
- JAY POWERS
- PHILIP COMO
- RICHARD SIEGEL, ESQ., Attorney

Application: Harlequin Cafe

JAMES F. GILL, C.S.R., R.P.
Official Court Reporter



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THE CHAIRMAN: Harlequin Cafe Inc.

MR. SIEGEL: Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals on Tuesday evening, April 24, 1990, at eight o'clock at the Community Center, Sea Cliff Avenue and Summit Avenue, Sea Cliff, New York, on the following matter:

Harlequin Cafe Inc. for a special permit pursuant to the provisions of Section 138-802-A and a variance from the provisions of Sections 138-1002-0 and 1004 of Chapter 138 of the Zoning Ordinance of the Code of the Incorporated Village of Sea Cliff, a permit pursuant to Section 110-7-B(2) of the Village Code, and for permission to operate a restaurant, including an outside dining area, with insufficient on-site parking and loading space facilities. The premises require a minimum of 22 parking spaces and one loading space. The application does not indicate the location of any parking spaces or loading spaces. The premises are situated in Business "A" District, are known as and by the street No. 39 Roslyn Avenue, and are described on the Village Assessment Roll as Section 21, Block 134,

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Lot 1.

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The notice just read was published in the Glen Cove Record Pilot on April 12, 1990. The notice also contains an affidavit by Karen Shenk indicating posting at 12 locations throughout the Village on April 12, 1990.

MR. POWERS: Members of the Board, I'd like to officially say that I am a manager of this application or this premises to which the application is being made.

I am going to step down from the Board while this hearing is being held. I will refrain from attendance at any meetings which is held to discuss this. Thank you.

THE CHAIRMAN: Do you want to present your application?

MR. POWERS: Basically this application has been made before the establishment in 1980 at which time it was granted for a one year term.

I don't believe any objections were heard to it during that one year that it was heard. And we are now making it again. I think it's really straightforward in what it's saying. Thank you very much.

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THE CHAIRMAN: Was there ever outdoor dining permitted there? I mean, did it ever happen?

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MR. POWERS: Yes. In 1980 it was granted. It existed for one year I believe or whatever the term was at that period of time.

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MR. GORDON: It's expired?

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MR. POWERS: Yes. What they did was I believe the ruling was that it was allowed for one year on a trial basis to see if there were any objections to it in a real format. And I don't believe any objections were heard.

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THE CHAIRMAN: Is this schematic drawing accurate as of today?

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MR. POWERS: No, this drawing is not correct. In this part inside here the drawing was where the tables, in fact the four tables outside were four seats, each table for a total of sixteen seats.

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And they would be moved from inside to outside without increasing the number of tables. There would not be any additional tables.

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THE CHAIRMAN: How many tables are currently inside Harlequin?

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MR. POWERS: I don't know.

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THE CHAIRMAN: We would like to know that.

MR. POWERS: I'll get that information for you.

THE CHAIRMAN: So you want four tables outside and not increase the total number?

MR. POWERS: Right.

THE CHAIRMAN: What about hours?

MR. POWERS: I believe the request was for daylight hours.

THE CHAIRMAN: Yes. How do you interpret daylight hours? For instance, if someone sits down to eat in July at seven o'clock and they're not finished before, what are daylight hours, in other words?

MR. POWERS: I don't think we addressed exactly what those hours might be. Let's say --

THE CHAIRMAN: What would you like?

MR. POWERS: I think we would like to be able to primarily use it for lunch and afternoons.

THE CHAIRMAN: Not dinner?

MR. POWERS: If we were able to remove the tables by perhaps eight o'clock, that would be perfectly acceptable.

THE CHAIRMAN: Eight p.m.?

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MR. POWERS: Yes.

THE CHAIRMAN: How would you propose to handle a situation where someone came in at seven and wanted to sit outside?

MR. POWERS: Those people would be informed that the tables would have to be vacated at eight o'clock. If we have people reserving at 7:30 and other people booking for 9:30, if they come in at eight o'clock, they can sit but we have to tell them the table has to be vacated by 8:15 so we can clear it for the second seating.

THE CHAIRMAN: Anybody have any questions?

MR. MADDOCK: Would you have cables under the tables? There's no lighting other than street lighting.

MR. POWERS: By dark they would all be inside. So it doesn't matter.

THE CHAIRMAN: And is this the table that's covered by the awning? Would the tables be within the area covered by the awning?

MR. POWERS: I believe these are the plans out here.

THE CHAIRMAN: But the tables wouldn't be outside the awning area?

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MR. POWERS: Right.

MR. SIEGEL: This would be completely on Harlequin property?

MR. POWERS: Yes.

THE CHAIRMAN: Questions?

MR. COMO: The intent really is for kind of a lunch like thing?

MR. POWERS: Lunch and afternoons, yes. We're on the side street off Sea Cliff Avenue. But Sea Cliff Avenue is in complete view. We believe we can add to the community by having an outdoor sitting area for lunches and cocktails.

MR. COMO: Your feeling about having this not to belabor this business of after dark or what have you but your intent is not to make this an evening dining?

MR. POWERS: It's not a dinner dining area.

MR. COMO: It's simply what it was in 1980? It was that long ago? I remember people sitting out there. Primarily then I never knew that it was open for lunch. I only saw it on Sundays like a brunch place. Is that about what we're talking about here?

MR. POWERS: Yes. With lunch during the week.

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MR. COMO: And your hours would be what,
noon to three?

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MR. POWERS: Lunch is served right now from
noon until four.

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MR. COMO: What about drinks outside in
the hours of operation of that outside area?
The same restrictions or lack of restriction
as submitted?

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MR. POWERS: Right.

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MR. COMO: So if somebody came in at two
o'clock in the afternoon on a Sunday and wanted
to have a Bloody Mary, that would be okay?

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MR. POWERS: Absolutely.

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MR. COMO: Thank you.

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MR. GORDON: There are a couple of benches.
Are they beyond the property further down?

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MR. POWERS: The benches are on Village
property or let's say on the sidewalk. It's
further down this way.

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THE CHAIRMAN: Any other questions?

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MR. MADDOCK: The only way to get the
tables back into the restaurant is through the
main entrance?

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MR. POWERS: No, they could be brought

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back through this way here.

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MR. GORDON: Because they would be going back into this spot?

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MR. POWERS: Exactly.

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MR. GORDON: And people would be served through there also, correct?

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MR. POWERS: Right. Thank you.

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THE CHAIRMAN: Anyone want to speak in favor of the application?

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MR. JOSEPH KROPINSKI: 25 Downing Avenue. As far as I can see, the Cafe Harlequin has always been quite a reputable business and has tried to always comply with the feelings of the neighbors in its operation.

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What I remember, it was a daytime outdoor cafe. There didn't seem to be any problems. And when they first made their application, I'd like to reiterate what I said then. We already have an outdoor cafe at the Once Upon A Moose.

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This seems like the same manner and operation. It's on a street that doesn't block the sidewalk of Sea Cliff Avenue.

Yet it's close enough to it so that we can

1
2 enjoy the ambiance of Sea Cliff Avenue. We have
3 had no trouble with the Moose and are continuing
4 to let them operate. I don't see why we
5 shouldn't let Cafe Harlequin have the same benefit.
6 Thank you.

7 THE CHAIRMAN: Anyone else in favor?

8 MR. JOHN PACKARD: I'll speak now as a
9 shop owner at 266 Sea Cliff Avenue. I own a
10 cabinet shop there. I'd like to address a point
11 of view of what takes place in town during the
12 day when most or possibly all of you are on board
13 and most of the residents of Sea Cliff leave town.

14 I'm there all day. I tie my fingers on the
15 pulse of what goes on up and down the town. We
16 have a fragile co-existence in town between
17 business and residential. I happen to like it.

18 I do live in town. I put up with certain
19 hardships which I'll address in a few minutes.

20 But the concept of what goes on in town is
21 that we have perhaps 12 or 14 buildings for sale.
22 We have a number of vacancies in town.

23 We have businesses in town which will stay
24 open for maybe two weeks and not take in a
25 hundred dollars income. We have a very fragile

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business structure in this town.

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And there is a high tax base commercial business. Nassau County has included Sea Cliff Avenue. The adequate little Village of Sea Cliff Avenue along with their total tax revision for commercial district in Sea Cliff.

So I'm pointing out an economic point of there are high costs of doing business in Sea Cliff. It's important to maintain a sense of a business district. Now that brings me to the next point.

THE CHAIRMAN: I hope you'll get to the point about this application. Let's talk about this application.

MR. PACKARD: Excuse me. The concept of what's important in this town is to maintain a feeling of what's important in the town. That's the architecture, the walking concept. The concept of cafes outside is a real benefit and bonus to the Village.

And it's very closely related to the survival of a lot of businesses. I'm not suggesting that it's related directly to Harlequin's survival but I am suggesting this.

If the complaints of the night activity of

2 Harlequin is a problem to residents which it is
3 including myself since I live in town, the fact
4 that during the day they could create some income
5 by having an outdoor cafe would be to our benefit.

6 I think it would be an asset to our town and
7 I think the Board should look at it as a whole
8 picture as to what's important to maintaining
9 the life of a small quaint town district.

10 THE CHAIRMAN: Thank you.

11 MR. PACKARD: As a property owner at 254
12 Sea Cliff Avenue, I would just like to say yes,
13 I get noise, I get woken up at night with
14 Costellos nighttime crowd, possibly overflow
15 from Harlequin.

16 However, I again look at it as I bought
17 the building where I live and prior to this
18 home I lived in another home in town.

19 I knew I moved in town. I was willing
20 to face what goes on in town. So the fact
21 that there is controlled daytime activity there
22 would not bother me.

23 It would just enhance my clientele coming
24 to my business and my going up to having a
25 outdoor lunch like I would go up to the Moose

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and have an outdoor lunch.

THE CHAIRMAN: Anyone else in favor of the application?

MR. LUCIAN RICARDO: 27 Sea Cliff Avenue. I think it's actually a small project. I don't see any negative impact. I think it's with the character of Sea Cliff to have a couple of tables outside. Especially on the weekend people like to come here and enjoy themselves.

Another positive point is that being that by eight o'clock the tables are going to be inside. I think the noise would generate, especially the night hours would be non-existent. For that reason I don't see any objection whatsoever to this proposal.

THE CHAIRMAN: Thank you. Anyone else in favor?

MR. CHARLES HALL: I'm neither in favor or against. My name is Charles Hall, 6 Main Avenue.

I would just say I'm not sure of the situation at Harlequin. I believe there were four tables to be put outside. It was unclear how many chairs.

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THE CHAIRMAN: Sixteen people.

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MR. HALL: What is the standing services?

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Some of them are standing.

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THE CHAIRMAN: I don't believe Harlequins

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serves people standing.

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MR. HALL: Because that could get out

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of hand obviously if you had people standing.

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The other thing that is unclear is hours of

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service.

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THE CHAIRMAN: Well we're talking about

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lunch and afternoons. And the tables will be

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in by eight o'clock.

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MR. HALL: I don't know what instances

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there may have been in the past. Or if that's

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been well enforced.

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THE CHAIRMAN: That I can't answer.

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MR. HALL: That's one of the things that

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would be helpful to them. Thank you.

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THE CHAIRMAN: Anyone in favor of the

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application?

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MR. WAYNE AMAN: I'm a local businessman,

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commuter and resident for some 18 years. I'm

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a local businessman in the community and a

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resident for some 18 years.

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2 I think it would help to create a balance
3 with the Moose on one side and Harlequins on
4 the other. I think it should be approved.

5 THE CHAIRMAN: Anyone else in favor?

6 (None)

7 THE CHAIRMAN: Anyone against the application?

8 MR. JOHN PAGNO: 54 Tenth Avenue. I'm about
9 150 feet from Harlequins. I would have no
10 objections to a lunch crowd dining there. But
11 I do have two small children who go to bed early
12 about seven or 7:30.

13 If the tables could be removed at about
14 five o'clock or earlier for a lunch crowd, then
15 I would have no objection. What I do have
16 questions on is, will there be music outside?

17 And when the tables are being serviced,
18 where will they be serviced from? Will the
19 doors be opened and the music from inside be
20 going outside?

21 THE CHAIRMAN: Mr. Powers, will there be
22 music?

23 MR. POWERS: There will be no music outside.
24 And the music that is on during the day is a
25 fairly low tape recorder. It's just a cassette

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player.

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MR. PAGNO: Where would you service the tables?

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MR. POWERS: The tables would be serviced out of the front door.

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THE CHAIRMAN: Out of the front door?

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MR. POWERS: Excuse me. Onto Roslyn.

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MR. COMO: I remember that the last time they had this it was what you would like. From the standpoint of these aesthetics it was quiet. If your question has to do with noise.

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MR. PAGNO: Yes. I live 150 feet away.

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MR. COMO: From what I can remember, I didn't know it was ten years ago but I do remember there was at the time not a single problem.

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MR. PAGNO: I have no objections if it's stopped early enough to where it doesn't carry over. And if someone is still sitting there at eight o'clock, how do you get them to leave?

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2 MR. COMO: Let me just say. I'm not
3 expressing an opinion. I'm just telling you
4 what I saw then. It was quiet. There was
5 tables and no music or a bar outside.

6 THE CHAIRMAN: Yes, ma'am?

7 MRS. MAUREEN O'GARA: I live at 68 Main
8 Avenue. Now what is being proposed here by
9 Harlequin sounds like an actually charming idea.

10 However, I think that we ought to think about
11 what happened in 1980. Why not just try it for
12 a year and see if everything works out where the
13 children could go to sleep and if everybody in
14 the neighborhood is happy? If everything works
15 out, that's fine.

16 THE CHAIRMAN: Very often that's what is
17 done.

18 MRS. MARJORIE HAGAN: We live on Seventh
19 Avenue which isn't too far from there. I have
20 no objection to what they're proposing as far
21 as a brunch or lunch.

22 But I wonder what's going to happen to all
23 the parking. It gets impossible coming down.
24 Especially on a Saturday night we have guests.

25 We can't find a place to park because it's

2 just overrun with not only their parking but I
3 guess all the other bars.

4 We've been broken into. I just wonder what's
5 going to happen if the crowd keeps lingering on
6 there and staying on.

7 What kind of problems will we have? I
8 think it's very nice to have a little place to
9 go for brunch or lunch or whatever.

10 THE CHAIRMAN: Thank you. Anyone else?

11 MR. JACK DORING: I reside at 47 Martin
12 Avenue. I think I concur with Joe wholeheartedly
13 that it would certainly lend to the ambiance of
14 the Village.

15 We've lived here for 27 years. To stroll
16 through the Village is always an enjoyable item
17 on our weekend agenda whenever we can do it.

18 I certainly feel that the kind of people
19 that would be attracted to an afternoon coffee
20 or a dining at an outside cafe table would not
21 be the type of people prone to breaking into
22 someone's house.

23 If that's what's happened, I don't believe
24 that. You have to worry about people that are
25 going to be going to that place. I certainly

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think it would be a nice little touch for the Village.

THE CHAIRMAN: Thank you. Anybody else?
(None)

THE CHAIRMAN: Thank you very much.

(Whereupon the public hearing was concluded at 9:45 p.m.)

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CERTIFICATION:

I hereby certify this is a true and accurate transcript of my stenographic minutes.

James F. Gill, C.R.
JAMES F. GILL, C.S.R., R.P.R.

NS METROPOLITAN BISTRO DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on July 12, 2010, on motion of Ms. Angliss, seconded by Mr. Griffin, 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 having discussed the subject application, rendered the following determination:

1. The applicant NS Metropolitan Bistro, Inc., is a tenant of premises located at 39 Roslyn Avenue, which is in the Village's Business A Zoning District. The premises are owned by RA Hendrickson Real Estate, Inc., and designated as Section 21, Block 134, Lot 1 on the Nassau County Land and Tax Map.
2. The portion of the premises proposed to be occupied by the applicant has been used as a restaurant pursuant to various approvals of the Board dating back to 1980.
3. The applicant has applied to the Board to permit alterations to the premises and operate the premises as a restaurant. Such proposed use, including the provision of outdoor seating, requires a special use permit pursuant to Village Code §138-802 and a modification of the conditions of the previously issued special permit approvals to permit such proposed restaurant.
4. The use proposed provides for a total of 60 seats, including seasonal outdoor seating. The proposed number of seats and the resultant parking requirements necessary for such seating is identical to prior approvals. In a 1994 decision, and continuing in subsequent Board determinations, the applicant was granted a variance related to four parking spaces located on-site upon submission of proof verifying the existence of and permission to use those four spaces in the parking area located east of the building from 5pm until closing. As a condition of the approval granted by the Board herein, the applicant is required to submit for review by the Building Department proof that those four spaces are made available exclusively to the applicant from 5pm until closing. Upon such proof, no further variances for parking are required.
5. The outdoor seating is proposed to be identical in size and location as the prior approvals. It utilizes an area approximately ten (10) feet wide by twenty-two (22) feet long on the sidewalk located adjacent to and westerly of the building. The area of the outdoor seating is located on the premises, and no portion of the seating or

the planters separating the seating from the sidewalk is located in the right-of-way.

6. The applicant testified that the use of the premises will be identical to the pre-existing operation of the restaurant when it was operated under the name Tupelo Honey, and the only change requested relates to the hours of operation. Accordingly, as confirmed by the September 2004 decision of the Board, the outdoor seating will be used for lunch and dinner service only. For the reasons set forth herein, the Board will not grant any extension of time for the hours of operation.
7. The Board is mindful of the fact that the premises have been operated as a restaurant for 30 years, and the proposed use will be consistent with that use. To balance the potential impact the proposed use may have on nearby properties in the area with 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 will grant the special permit requested subject to the following conditions:
 - a. The business shall be conducted as a restaurant with bar only, and not for catering, except for an occasional private party during which time the restaurant shall be closed to the public;
 - b. No music or amplified sound shall be audible outside the building and the applicant shall be required to apply to this Board for any type of intensification of the proposed use, including the proposed use of live entertainment, dancing or similar forms of occupancy, including any occupancy involving amplified music;
 - c. The maximum number of seats permitted at the premises, including the number of persons accommodated at the bar and outdoors whether by seats, stools, standing or in any other manner, shall be 60;
 - d. Except as provided elsewhere in this decision, there shall not be any outside seating on the premises without additional application to this Board;
 - e. The hours of operation shall be from 11am to 9pm on Sundays, 5pm to 12am on Mondays through Thursdays, and 11am to 1am on Fridays and Saturdays;
 - f. 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;
 - g. The entrance to the restaurant shall face Roslyn Avenue;

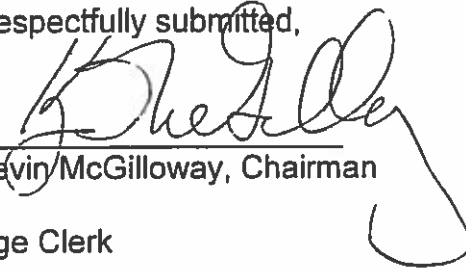
- h. The proposed use shall be conducted in such a manner as to minimize, as much as possible, any adverse effect on the surrounding residential properties resulting from excessive noise or any other type of nuisance;
- i. The parking of vehicles by patrons of the premises, employees, or suppliers shall not interfere with the normal flow of traffic on Roslyn Avenue or Tenth Avenue;
- j. Loading operations shall be conducted in the rear or on the side of the premises. When making deliveries, the suppliers shall not block the driveway of adjoining property owners nor interfere with the normal flow of traffic in the area;
- k. All exhaust fans shall be located on the roof and shall be directed away from any residential properties and shall be installed with any barriers which are necessary to minimize, to the extent possible, any adverse impacts resulting from noise or fumes. The air conditioning units shall be located in the rear near the on-site parking area;
- l. The dumpster shall be located east of the building in the back area just north of the north wall of the premises. The precise location shall be subject to the approval of the Building Department and shall be screened from adjoining properties. The dumpsters shall be removed or emptied only during the hours permitted under the Village Code.
- m. All garbage disposal 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.
- n. 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, Roslyn 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;
- o. 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 and any required modifications to the septic or water systems;

- p. 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;
- q. 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;
- r. Because of the proximity of residential properties to the restaurant use, and the potential for nuisance resulting from permitting dining late at night, the following conditions shall apply to the outdoor seating area:
 - i. the previously imposed 10pm limitation for outdoor dining shall continue to apply. The outside operation shall be limited to the hours of 11:30am to 10pm. All tables and chairs shall be removed from the outside area by 10:15pm and shall not be placed outside prior to 11am;
 - ii. The outside operation shall be limited to 4 tables and 16 chairs, and shall be located entirely on applicants' property;
 - iii. The proposed outside use will not increase the existing seating capacity of the restaurant beyond a total of 60 for chairs and bar use. Any tables and seats used outside shall be equally offset by a reduction of the number used inside so that the maximum of 60 people shall not be exceeded;
 - iv. 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;
 - v. The use shall be limited to lunch service, evening cocktails and hors d'oeuvres, and dinner dining;
 - vi. The proposed outside use shall be conducted in such a manner as to minimize, as much as possible, any adverse impact on the surrounding residential properties resulting from excessive noise or any other type of nuisance;
 - vii. Any outside lighting shall be designed and installed so as to minimize the impact on adjoining properties by appropriate shielding, direction and reduction of glare and reflection. Final approval of any lighting shall be determined by the Building Department. 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 and lighting in the planters subject to the limitations herein;

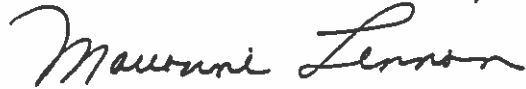
- viii. No background or ambient (or other type of) music shall be permitted outside, and the doors and/or windows shall not be left open in a manner which would circumvent this restriction;
 - ix. Loitering outside of the restaurant is prohibited;
 - x. No mechanical means of ventilation, heating or cooling shall be utilized for the outdoor seating area; and
 - xi. 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 Roslyn Avenue.
8. 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.
9. 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin McGilloway". The signature is written in a cursive style with a large, looping flourish at the end that extends downwards and to the right.

Kevin McGilloway, Chairman

Filed in the Office of the Village Clerk
the 4 day of July 2010 *AUGUST*

A handwritten signature in black ink, appearing to read "Mauroni Lennon". The signature is written in a cursive style with a large, looping flourish at the end.

21.104-1

NS METROPOLITAN BISTRO DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on June 19, 2012, on motion of Mr. Kopczynski, seconded by Mr. Griffin, and adopted three votes in favor, and Mr. Doherty abstaining, the Board, having duly considered the matters brought forth at the public hearing, and other matters properly within the consideration of this Board and having discussed the subject application, rendered the following determination:

1. The applicant NS Metropolitan Bistro, Inc., is a tenant of premises located at 39 Roslyn Avenue, which is in the Village's Business A Zoning District. The premises are owned by RA Hendrickson Real Estate, Inc., and designated as Section 21, Block 134, Lot 1 on the Nassau County Land and Tax Map. In July 2010, the Board granted the applicant a special permit and a modification of the conditions of the previously issued special permit approvals to permit a restaurant to be operated at the premises. The applicant seeks to reinstate that special permit, which expired after one year, and also to obtain modifications of the hours of operation approved in July 2010.
2. The portion of the premises proposed to be occupied by the applicant has been used as a restaurant pursuant to various approvals of the Board dating back to 1980.
3. The use proposed provides for a total of 60 seats, including seasonal outdoor seating. The proposed number of seats and the resultant parking requirements necessary for such seating is identical to prior approvals. In a 1994 decision, and continuing in subsequent Board determinations, the applicant was granted a variance related to four parking spaces located on-site upon submission of proof verifying the existence of and permission to use those four spaces in the parking area located east of the building from 5pm until closing. As a condition of the approval granted by the Board herein, the applicant is required to submit for review by the Building Department proof that those four spaces are made available exclusively to the applicant from 5pm until closing. Upon such proof, no further variances for parking are required.
4. The outdoor seating is proposed to be identical in size and location as the prior approvals. It utilizes an area approximately ten (10) feet wide by twenty-two (22) feet long on the sidewalk located adjacent to and westerly of the building. The area of the outdoor seating is located on the premises, and no portion of the seating or

the planters separating the seating from the sidewalk is located in the right-of-way.

5. The applicant testified that the use of the premises will be identical to the use of the premises under the 2010 special permit, except that the hours of operation are proposed to be extended. The applicant proposes to extend the closing hours as follows:
 - a. Sundays – presently 9pm; proposed 11pm;
 - b. Mondays through Thursdays – presently 12am; proposed 2am;
 - c. Saturdays and Sundays – presently 1am; proposed 2am;
 - d. Outdoor seating – presently 10pm; proposed 11pm.

6. The Board is mindful of the fact that the premises have been operated as a restaurant for 30 years, and the proposed use will be consistent with that use. To balance the potential impact the proposed use may have on nearby properties in the area with 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 will grant the special permit requested subject to the following conditions:
 - a. The business shall be conducted as a restaurant with bar only, and not for catering, except for an occasional private party during which time the restaurant shall be closed to the public;
 - b. No music or amplified sound shall be audible outside the building and the applicant shall be required to apply to this Board for any type of intensification of the proposed use, including the proposed use of live entertainment, dancing or similar forms of occupancy, including any occupancy involving amplified music;
 - c. The maximum number of seats permitted at the premises, including the number of persons accommodated at the bar and outdoors whether by seats, stools, standing or in any other manner, shall be 60;
 - d. Except as provided elsewhere in this decision, there shall not be any outside seating on the premises without additional application to this Board;
 - e. The hours of operation shall be from 11am to 11pm on Sundays, 5pm to 2am on Mondays through Saturdays;
 - f. 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;
 - g. The entrance to the restaurant shall face Roslyn Avenue;
 - h. The proposed use shall be conducted in such a manner as to minimize, as much as possible, any adverse effect on the

surrounding residential properties resulting from excessive noise or any other type of nuisance;

- i. The parking of vehicles by patrons of the premises, employees, or suppliers shall not interfere with the normal flow of traffic on Roslyn Avenue or Tenth Avenue;
- j. Loading operations shall be conducted in the rear or on the side of the premises. When making deliveries, the suppliers shall not block the driveway of adjoining property owners nor interfere with the normal flow of traffic in the area;
- k. All exhaust fans shall be located on the roof and shall be directed away from any residential properties and shall be installed with any barriers which are necessary to minimize, to the extent possible, any adverse impacts resulting from noise or fumes. The air conditioning units shall be located in the rear near the on-site parking area;
- l. The dumpster shall be located east of the building in the back are just north of the north wall of the premises. The precise location shall be subject to the approval of the Building Department and shall be screened from adjoining properties. The dumpsters shall be removed or emptied only during the hours permitted under the Village Code.
- m. All garbage disposal 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.
- n. 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, Roslyn 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;
- o. The applicant shall maintain full approval, if necessary, from the Nassau County Department of Health and all other agencies for the cooking of food and any required modifications to the septic or water systems;
- p. 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;
- q. 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;

- r. Because of the proximity of residential properties to the restaurant use, and the potential for nuisance resulting from permitting dining late at night, the following conditions shall apply to the outdoor seating area:
- i. The outside operation shall be limited to the hours of 11:30am to 11pm. All tables and chairs shall be removed from the outside area by 11:15pm and shall not be placed outside prior to 11am;
 - ii. The outside operation shall be limited to 4 tables and 16 chairs, and shall be located entirely on applicants' property;
 - iii. The proposed outside use will not increase the existing seating capacity of the restaurant beyond a total of 60 for chairs and bar use. Any tables and seats used outside shall be equally offset by a reduction of the number used inside so that the maximum of 60 people shall not be exceeded;
 - iv. 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;
 - v. The use shall be limited to lunch service, evening cocktails and hors d'oeuvres, and dinner dining;
 - vi. The proposed outside use shall be conducted in such a manner as to minimize, as much as possible, any adverse impact on the surrounding residential properties resulting from excessive noise or any other type of nuisance;
 - vii. Any outside lighting shall be designed and installed so as to minimize the impact on adjoining properties by appropriate shielding, direction and reduction of glare and reflection. Final approval of any lighting shall be determined by the Building Department. 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 and lighting in the planters subject to the limitations herein;
 - viii. No background or ambient (or other type of) music shall be permitted outside, and the doors and/or windows shall not be left open in a manner which would circumvent this restriction;
 - ix. Loitering outside of the restaurant is prohibited;
 - x. No mechanical means of ventilation, heating or cooling shall be utilized for the outdoor seating area; and
 - xi. 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 Roslyn Avenue.

7. 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 two (2) years 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 two (2) 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 two (2) year time period. The provisions of this paragraph shall constitute a condition of this decision.
8. 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.

Respectfully submitted,


Kevin McGilloway, Chairman

Filed in the Office of the Village Clerk
the day of June 2012

NS METROPOLITAN BISTRO DECISION

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on December 17, 2019, on motion of Mr. O'Donnell, 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 having discussed the subject application, rendered the following determination:

1. The applicant NS Metropolitan Bistro, Inc., is a tenant of premises located at 39 Roslyn Avenue, which is in the Village's Business A Zoning District. The premises are owned by RA Hendrickson Real Estate, Inc. and are designated as Section 21, Block 134, Lot 1 on the Nassau County Land and Tax Map. In July 2010, the Board granted the applicant a special permit and a modification of conditions of the previously issued special permit approvals to permit a restaurant to be operated at the premises. In June 2012, the Board again granted a special permit, to include seasonal outdoor seating. The most recent special permit (2012) has lapsed, and the applicant seeks to reinstate that special permit, and also obtain modifications to permit year round outdoor seating. The proposed modifications increase the required parking from 52 to 60, and the applicant requires a variance for an additional 8 parking spaces.
2. The portion of the premises proposed to be occupied by the applicant has been used as a restaurant pursuant to various approvals of the Board dating back to 1980.
3. The use proposed provides for a total of 98 seats, including outdoor seating and bar seating.
4. The outdoor seating is proposed to be in the same location as the prior approvals. The applicants utilizes an area approximately ten (10) feet wide by twenty-two (22) feet long on the sidewalk located adjacent to, and westerly of, the building. The area of the outdoor seating is located on the premises, and no portion of the seating or the planters separating the seating from the sidewalk is located in the right-of-way.
5. The applicant testified that the use of the premises will be identical to the use of the premises under the 2012 special permit, except that the outdoor seating will be year round.
6. The Board is mindful of the fact that the premises have been operated as a restaurant for approximately 40 years, and the proposed use will be consistent with that use. To balance the potential impact the proposed use may have on nearby properties in the area with 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 will

grant the special permit and variance requested subject to the following conditions:

- a. **The business shall be conducted as a restaurant with bar only, and not for catering, except for an occasional private party during which time the restaurant shall be closed to the public;**
- b. **No music or amplified sound shall be audible outside the building and the applicant shall be required to apply to this Board for any type of intensification of the proposed use, including the proposed use of live entertainment, dancing or similar forms of occupancy, including any occupancy involving amplified music;**
- c. **The maximum number of seats permitted at the premises, including the number of persons accommodated at the bar and outdoors whether by seats, stools, or in any other manner, shall be 98;**
- d. **Except as provided elsewhere in this decision, there shall not be any outside seating on the premises without additional application to this Board;**
- e. **The hours of operation shall be no more than 11am to 11pm on Sundays, and 5pm to 2am on Mondays through Saturdays;**
- f. **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;**
- g. **The entrance to the restaurant shall face Roslyn Avenue;**
- h. **The proposed use shall be conducted in such a manner as to minimize, as much as possible, any adverse effect on the surrounding residential properties results from excessive noise or any other type of nuisance;**
- i. **The parking of vehicles by patrons of the premises, employees, or suppliers shall not interfere with the normal flow of traffic on Roslyn Avenue or Tenth Avenue;**
- j. **Loading operations shall be conducted in the rear or on the side of the premises. When making deliveries, the suppliers shall not block the driveway of adjoining property owners nor interfere with the normal flow of traffic in the area;**
- k. **All exhaust fans shall be located on the roof and shall be directed away from any residential properties and shall be installed with any barriers which are necessary to minimize, to the extent possible, any adverse impacts results from noise or fumes. The air conditioning units shall be located in the rear near the on-site parking area;**
- l. **The dumpster shall be located east of the building in the back are just north of the north wall of the premises. The precise location shall be subject to the approval of the Building Department and shall be screened from adjoining properties. The dumpsters shall be removed or emptied only during the hours permitted under the Village Code.**

- m. All garbage disposal 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.
- n. 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, Roslyn 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;
- o. The applicant shall maintain full approval, if necessary, from the Nassau County Department of Health and all other agencies for the cooking of food and any required modifications to the septic or water systems;
- p. 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;
- q. 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;
- r. Because of the proximity of residential properties to the restaurant use, and the potential for nuisance resulting from permitting dining late at night, the following conditions shall apply to the outdoor seating area:
 - i. The outside operation shall be limited to the hours of 11:30am to 11pm
 - ii. The outside operation shall comply with the New York State Building Code and shall be located entirely on applicants' property;
 - iii. The proposed outside use will not increase the existing seating capacity of the restaurant beyond a total of 98 for chairs and bar use;
 - iv. 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;
 - v. The use shall be limited to lunch service, evening cocktails and hors d'oeuvres, and dinner dining;
 - vi. The proposed outside use shall be conducted in such a manner as to minimize, as much as possible, any adverse

- impact on the surrounding residential properties resulting from excessive noise or any other type of nuisance;
- vii. Any outside lighting shall be designed and installed so as to minimize the impact on adjoining properties by appropriate shielding, direction and reduction of glare and reflection. Final approval of any lighting shall be determined by the Building Department. 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 and lighting in the planters subject to the limitations herein;
- viii. No background or ambient (or other type of) music shall be permitted outside, and the doors and/or windows shall not be left open in a manner which would circumvent this restriction;
- ix. Loitering outside of the restaurant is prohibited;
- x. No mechanical means of ventilation, heating or cooling shall be utilized for the outdoor seating area; and
- xi. 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 Roslyn Avenue.

7. 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 ten (10) years 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 ten (10) year period, but in no event sooner than four (4) 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 ten (10) year time period. The provisions of this paragraph shall constitute a condition of this decision.

8. **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.**

R A HENRICKSON REALTY
OR CURRENT OWNER
208 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

NEICE JOANNA K & KENNETH E
OR CURRENT OWNER
29 NINTH AVE
SEA CLIFF, NEW YORK 11579

HUNTINGTON PHILIP
OR CURRENT OWNER
221-225 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

ZUCCARO GIUSEPPE & ANTONIA
OR CURRENT OWNER
227 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

LIANTONIO GRACE E
OR CURRENT OWNER
215 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

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

SCHWAB KENNETH & MARIA
OR CURRENT OWNER
54 10TH AVE
SEA CLIFF, NEW YORK 11579

MORET PARTNERSHIP
OR CURRENT OWNER
216 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

KENNY JANET M & MICHAEL
OR CURRENT OWNER
44 ROSLYN AVE
SEA CLIFF, NEW YORK 11579

SEACLIFF MANAGEMENT CORP
OR CURRENT OWNER
200 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

OHMAN MICHELLE & OHMAN PETER
OR CURRENT OWNER
240 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

DRISCOLL KEVIN & TIMOTHY
OR CURRENT OWNER
31 9TH AVE
SEA CLIFF, NEW YORK 11579

FELICIOSI LUIS & AVINA-FELICIOSIANA
OR CURRENT OWNER
209 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

J & R 10th Ave Llc
OR CURRENT OWNER
230-232 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

~~OR CURRENT OWNER
NEW YORK~~

LANGE ROBERT & TERRYL
OR CURRENT OWNER
228 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579

SERRAVALLE ROBERT & KIMBERLY
OR CURRENT OWNER
40 ROSLYN AVE
SEA CLIFF, NEW YORK 11579

SEMILES CHRISTOPHER J & LAURA ANN
OR CURRENT OWNER
60 10TH AVE
SEA CLIFF, NEW YORK 11579

TWELFTH & ROSLYN LLC
OR CURRENT OWNER
54 ROSLYN AVE
SEA CLIFF, NEW YORK 11579

~~DONOGHUE PATRICK
OR CURRENT OWNER
TENTH AVE
SEA CLIFF, NEW YORK 11579~~

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

R.A. Hendrickson
-39 Roslyn Ave
mapped.

212-216 additional addresses

George Ribar
Or Current Owner
28 Maple Ave
Sea Cliff NY 11579

Danielle M Viteretti Trust
Or Current Owner
203 Sea Cliff Ave
Sea Cliff NY 11579

Christine Ferrara
Or Current Owner
39 12th Ave
Sea Cliff NY 11579

Vito Milanese
Or Current Owner
60-64 Roslyn Ave
Sea Cliff NY 11579

~~FIRE DEPARTMENT
OR CURRENT OWMER
67 ROSLYN AVE
SEA CLIFF, NEW YORK 11579~~

~~NEICE JOANNA K & KENNETH E
OR CURRENT OWMER
29 NINTH AVE
SEA CLIFF, NEW YORK 11579~~

~~RVA HENRICKSON REALTY
OR CURRENT OWMER
208 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~ZUCCARO GIUSEPPE & ANTONIA
OR CURRENT OWMER
227 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~HUNTINGTON PHILIP
OR CURRENT OWMER
221 225 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~MORET PARTNERSHIP
OR CURRENT OWMER
216 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~LANTONIO GRACE E
OR CURRENT OWMER
215 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~MILANESE VITO
OR CURRENT OWMER
60 64 ROSLYN AVE
SEA CLIFF, NEW YORK 11579~~

~~KENNY JANET M & MICHAEL
OR CURRENT OWMER
44 ROSLYN AVE
SEA CLIFF, NEW YORK 11579~~

~~ROSARIO LUIS
OR CURRENT OWMER
39 12TH AVE
NEW YORK~~

~~FELICIOSI LUIS & AVINA-FELICIOSI ANA
OR CURRENT OWMER
209 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~SEACLIFF MANAGEMENT CORP
OR CURRENT OWMER
200 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~J & R 10th Ave Llc
OR CURRENT OWMER
230-272 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~DRISCOLL KEVIN & TIMOTHY
OR CURRENT OWMER
31 9TH AVE
SEA CLIFF, NEW YORK 11579~~

~~OR CURRENT OWMER
NEW YORK~~

~~LANGE ROBERT & TERRY L
OR CURRENT OWMER
228 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~SERRAVALLE ROBERT & KIMBERLY
OR CURRENT OWMER
40 ROSLYN AVE
SEA CLIFF, NEW YORK 11579~~

~~RIBAR GEORGE
OR CURRENT OWMER
28 MAPLE AVE
SEA CLIFF, NEW YORK 11579~~

~~TWELFTH & ROSLYN LLC
OR CURRENT OWMER
54 ROSLYN AVE
SEA CLIFF, NEW YORK 11579~~

~~VITERETTI DANIELLE M TRUST
OR CURRENT OWMER
203 SEA CLIFF AVE
SEA CLIFF, NEW YORK 11579~~

~~GEIRINGER STEFGAN & NINA S
OR CURRENT OWMER
12TH AVE
SEA CLIFF, NEW YORK 11579~~

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

212 + 216 were the same addresses



39 Roslyn Ave



212-216 Sea Cliff Ave

To Whom It May Concern,

We live at 199 Sea Cliff Avenue and fully support a permanent awning for the Metropolitan Bistro. What a wonderful establishment and eatery to have here in Sea Cliff. The Longs are wonderful proprietors who are always mindful of the neighbors of the Bistro and Sea Cliff in general. They fully support our community and we should support them.

Thank you for your consideration,
Lorraine & Matthew Garry

To Whom It May Concern:

It has come to my attention that Metropolitan Bistro has applied for and desires to have an outdoor seating area along the side street of 10th Avenue. I also understand that there is to be a virtual "weigh in" with you, the Zoning Board, Village Government, etc. on the evening of May 19th. As I do not possess the technological know-how to participate in such an event, I choose to "weigh in" by putting fingers-to-keyboard (similar to putting pen-to-paper) and heartily endorse this application on two points:

A) The Metropolitan Bistro and The Longs have long (no pun intended) proven themselves to be responsible, generous, trustworthy & proudly civic-minded members of the great Village of Sea Cliff and I do believe, in my humble opinion, that anything they propose & believe in will only benefit and enhance the already wonderful experience of living here in Sea Cliff. They have only the best of intentions and desires for our community.

B) Given the present dire economic situation that Sea Cliff and our surrounding communities now confront, and will continue to brave, in the coming months, I do believe that this will help them alleviate their financial burden of recovery & aid them in their efforts to re-employ their furloughed staff whom everyone in Sea Cliff who patronizes their establishment have come to know & appreciate.

Therefore, to reiterate, I would like to advocate for and defend this application with the sincere desire that those Sea Cliffian Powers-That-Be approve this requisition.

Sincerely yours, but not limited to,

Mark Hagan
264 Sea Cliff Avenue, Terrapin Station

Dear Zone board:

I have become aware that Sea Cliff's restaurant Metropolitan Bistro will be applying for an approval to utilize the outdoor area behind their restaurant for service. For those who have the outside space this is a way to venture out in a measured fashion and is in line with other neighboring states.

I fully support this initiative on a number of levels. From a business perspective during these times I fully support safe and logical ways to get certain business back on line. The outdoors has become an asset which we should all figure out how to leverage and use. From an employment standpoint it will help the staff and owners financially. Considering local home owners I would think a reasonable cut off time would be reasonable for both the neighboring home owners, patrons and owners. As a patron I would enjoy moving forward to venture into other safe zones and socialize (with distance) in an outdoor dining environment. From a human nature perspective, human nature requires interaction. If we look at this from a safe, reasonable, and logical standpoint this moves us in the right directions. Let's be a safe and be proactive.

PS: the above stand for all of our other local business. Let's think of ways to get back in the mix safely

Regards
Anthony Dekkers

I am writing in support of Metropolitan Bistro's requests regarding outdoor seating. Billy and Anita Long have been great 'citizens of the village' and I know this outdoor seating will enhance quality of life. I live right down the block but have every confidence that the Longs will manage noise levels appropriately.

Regards,

Dan DiPietro
76 Main Ave.
Sea Cliff, NY 11579

Hello!

My name is Jenna DiPietro of 31 Ransom Avenue in Sea Cliff, NY. I want to offer my support on the ZBA application for Mr. Billy Long and the Metropolitan Bistro. Mr. Long's outdoor dining space is such a treasure to this village and any way to support his endeavors further has my vote, 100%! Mr. Long and his staff are respectful of the village and neighbors surrounding the restaurant, and his outdoor dining is something many residents look forward to during the warm weather season. Thank you for considering his application. I hope it's met with success and a happy result for all parties involved!

Respectfully,

Jenna DiPietro
31 Ransom Avenue
Sea Cliff, NY 11579

Greetings-

I am writing in support of Metropolitan Bistro's proposal to construct a year round awning and use of side courtyard for seasonal dining. We live between Roslyn and 10 Avenues - close to the area in question and see no problem with these proposals. I think they would greatly enhance life in the Village especially during these troubled times.

Ann DiPietro

76 Main Ave Sea Cliff NY 11579

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: <i>Metropolitan Bistro Seasonal Courtyard</i>		
Project Location (describe, and attach a general location map): <i>Area behind Restaurant at 39 Roslyn Ave Sea Cliff</i>		
Brief Description of Proposed Action (include purpose or need): <i>We are seeking approval to operate a seasonal courtyard cafe on the site where Roy's Towing Company was. We will be serving food and beverages</i>		
Name of Applicant/Sponsor: <i>NS Metropolitan Bistro Inc</i>		Telephone: <i>516 801 4500</i>
		E-Mail: <i>manager@theMetropolitanBistro.com</i>
Address: <i>39 Roslyn Ave</i>		
City/PO: <i>Sea Cliff</i>	State: <i>N.Y.</i>	Zip Code: <i>11579</i>
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): <i>R.A. Hendrickson Realty</i>		Telephone: <i>516 817 4975</i>
		E-Mail:
Address: <i>208 Sea Cliff Ave</i>		
City/PO: <i>Sea Cliff, N.Y. 11579</i>	State: <i>N.Y.</i>	Zip Code: <i>11579</i>

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. <i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part I	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
 b. Total acreage to be physically disturbed? _____ acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase I (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will a line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)
_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name William Long Date 3/5/20

Signature [Handwritten Signature] Title Treasurer

