

MINUTES

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

March 14, 2012

Present: Chair	Bruce Treiber
Members	Laurie Martone
	Timothy Driscoll
	Nicholas Virgilio
Alternate Member	Edward Camiolo
Superintendent of	
Buildings	Andrew Lawrence
Village Attorney	Brian Stolar

The meeting was called to order at 8:00 pm.

The Board opened the public hearing on the application of Roberta Fox, 34 Harbor Way, Sea Cliff, New York for a special permit pursuant to Village §64-3 to construct a six foot high fence. Premises are designated as Section 21, Block 67, Lot 3 on the Nassau County Land and Tax Map. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Naomi Curtis, 299 Prospect Avenue, Sea Cliff, New York to re-subdivide one building lot into two proposed lots, where the two proposed lots previously were subdivided and have merged by operation of law. Premises are designated as Section 21, Block K, Lots 759-762 on the Nassau County Land and Tax Map. The Board noted that the application was an Unlisted Action under the State Environmental Quality Review Act, and that an environmental determination must be made prior to

referring the application to the Nassau County Planning Commission. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Lawrence Gordon, 89 Summit Avenue, Sea cliff, New York for a special permit pursuant to Village Code §64-3 to construct a concrete retaining wall in excess of four feet in height. Premises are designated as Section 21, Block 127, Lot 317 on the Nassau County Land and Tax Map. The Board closed the public hearing, and reserved decision.

The Board opened the public hearing on the application of SCO Family of Services, 101 Downing Avenue, Sea Cliff, New York for a special permit pursuant to Village Code §64-3 to construct fencing and gates in excess of the permitted height of four feet, and for amended site plan approval to construct gates across portions of the driveway and pedestrian accessways. Premises are designated as Section 21, Block M, Lot 40 on the Nassau County Land and Tax Map. The Board noted that the issue as to title to Park Avenue remained unresolved, and that absent a final resolution of title to Park Avenue the application could not proceed until this issue is resolved. The hearing was continued to April 11, 2012.

The Board discussed the Fox application. On motion duly made by Dr. Virgilio, seconded by Mr. Driscoll, and adopted unanimously, the Board determined that the Fox application to construct a six foot high fence is a Type II matter under SEQRA, that the Board is the lead agency and the application requires no further environmental review, and granted the application, subject to

the following conditions: (a) the approved fence shall be in the same style, material and location as depicted on the plans in support of the application; (b) no portion of the fence shall extend into any neighboring property or the public right-of-way, (c) a final survey depicting the location of the fence shall be filed with the Village building department for review in accordance with this approval, unless such survey is determined by the building department to be unnecessary; (d) the applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and (e) within the timeframe provided in Village Code §138-1304(A), applicant shall complete the work and obtain all certificates necessary for the work.

The Board discussed the environmental impacts of the Curtis application. On motion duly made by Ms. Martone, seconded by Dr. Virgilio, and adopted unanimously, the Board adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes:

- a. the proposed action is an Unlisted action under the State Environmental Quality Review Act and its regulations;
- b. the Board is the lead agency with respect to environmental review of this proposed action;
- c. the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:
 - i. whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, or any substantial increase in solid waste production, or create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;
 - ii. whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such

- a species, or other significant adverse impacts to natural resources;
- iii. whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;
 - iv. whether the proposed action would conflict with the community's current plans or goals as officially approved or adopted;
 - v. whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;
 - vi. whether the proposed action would result in a major change in the use of either the quantity or type of energy;
 - vii. whether the proposed action would create a hazard to human health;
 - viii. whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or its capacity to support existing uses;
 - ix. whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;
 - x. whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when considered together would result in a substantial adverse impact on the environment;
 - xi. whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;
 - xii. whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;
- d. the proposed action would not have a significant adverse environmental impact; and no further environmental review is required with respect to the proposed action.

The Board discussed the Gordon application. On motion duly made by Mr. Driscoll, seconded by Ms. Martone, and adopted unanimously, the Board

determined that the Gordon application is a Type II matter under SEQRA, that the Board is the lead agency and the application requires no further environmental review, and granted the application, subject to the following conditions: (a) the walls shall be in the same style and location as depicted on the engineering plans submitted by Steven Capri, P.E., in support of the application; (b) no portion of the walls shall extend into any neighboring property or the public right-of-way, (c) a final survey depicting the location of the walls shall be filed with the Village building department for review in accordance with this approval, unless such survey is determined by the building department to be unnecessary; (d) the applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; (e) except as authorized by this approval, no changes shall be made to the topography of the property; (f) any storm drainage facilities and sewage disposal facilities deemed necessary by the Superintendent of Buildings shall comply with applicable state, county and village laws and regulations. The drainage system shall comply with all applicable laws and regulations and shall contain all stormwater on-site. Such system must be approved by the Superintendent of Buildings and shall be placed in a location and manner acceptable to the Superintendent of Buildings; (g) applicant shall install erosion protection measures to assure that there shall be no erosion of any materials or soil onto the adjoining property or the public right-of-way. All such measures must be approved by the Superintendent of Buildings; and (h) within the

timeframe provided in Village Code §138-1304(A), applicant shall complete the work and obtain all certificates necessary for the work.

The Board discussed a request from Lawrence Best, 9 Central Park East, Sea Cliff, for a modification of the condition of the site plan approval relating to work on Saturdays. The Board noted that such modification would require that the applicant submit an application to the Board, and that the Board could consider the request on notice to the public.

There being no further business, the Chair closed the meeting at 8:45pm.

