

MINUTES

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

September 12, 2012

Present: Chair	Bruce Treiber
Members	Laurie Martone
	Nicholas Virgilio
	Edward Camiolo
Alternate Member	Edward Lieberman
Village Attorney	Brian Stolar

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

The Board stated that the application of Anray Custom Builders was continued to October 10, 2012 at 8:00pm, as the landscape report had not yet been received by the Board.

The Board stated that the application of Jeffrey Piciullo was deemed moot, as the Zoning Board of Appeals denied the application.

The Board stated that the application of Oak Room Tavern would not be heard, as the applicant failed to mail the required notices to neighbors.

The Board opened the public hearing on the application of Greg McMahon and Meghan Van Dina, 114 14<sup>th</sup> Avenue, Sea Cliff, New York for a special permit pursuant to Village Code §64-3 to construct an eight foot high fence. Premises are designated as Section 21, Block 142, Lot 320 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 John and Dorothy Talotta, 36 Marden Avenue, Sea Cliff, New York to permit curbing not in conformance with Village standards. Premises are designated as Section 21, Block 30-1, Lot 523 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 Brian and Laura Ryniker, 103 Altamont Avenue, Sea Cliff, New York for a special permit pursuant to Village Code §64-3 to construct a six foot high fence. Premises are designated as Section 21, Block 89, Lot 64 on the Nassau County Land and Tax Map. A neighbor appeared and represented that the fencing, which consists of 2 sections of 6 foot high fencing, was located on the neighboring property. The neighbor failed to submit a survey even though the fence had been constructed more than one month ago. The applicants submitted a survey showing that the neighboring property owner's residence actually encroached onto the applicant's property. Given that the fence was located parallel to this residence and beyond the line of the house (further onto the applicants property), it was clear that the fencing was located on the applicants' property. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Arlyn Dimatulac, 69 The Boulevard, Sea Cliff, New York to demolish an existing residence, erect a new residence and construct a driveway, which work requires site plan approval pursuant to Village Code chapter 107. Premises are designated as Section 21, Block 197, Lots 8, 17, and 233 on the Nassau County

Land and Tax Map. The Board continued the public hearing to October 10, 2012 at 8:00pm.

The Board discussed planning issues and the proposed bill pending before the Board of Trustees concerning fencing located in a manner that could jeopardize safety where neighboring driveways are located.

The Board discussed the Ryniker application. On motion duly made by the Chair, seconded by Mr. Camiolo, and adopted unanimously, the Board determined that the Ryniker application for a special permit for 2 sections of 6 foot high fencing 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 fencing shall remain in the same location and constructed with the same materials as presently existing and as identified on the plans in support of the application; (b) no portion of the fencing shall extend into any neighboring property or the public right-of-way; (c) a final survey depicting the location of the wall 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 applicants 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 fence.

The Board discussed the Talotta application. On motion duly made by Ms. Martone, seconded by the Chair, and adopted unanimously, the Board

determined that the Talotta application to permit Belgium block curbing that does not conform with Village standards to remain 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 curbing shall remain in the same location and constructed with the same materials as presently existing and as identified on the plans in support of the application; (b) no portion of the curbing shall extend into any neighboring property; (c) a final survey depicting the location of the curbing 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 applicants 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 curb.

The Board discussed the McMahon/VanDina application. On motion duly made by Dr. Virgilio, seconded by the Chair, and adopted unanimously, the Board determined that the McMahon/VanDina 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, as modified herein, subject to the following conditions: (a) the fencing shall be no higher than six (6) feet when measured from the grade at the point at which the adjoining property borders the property line; (b) the approved bamboo fencing may remain in the

same location and constructed with the same materials as presently existing and as identified on the plans in support of the application; (c) a final survey depicting the location of the fencing 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 applicants 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 fence.

There being no further business, the Chair closed the meeting at 10:40pm pm.