

Code §107-4 to increase paved areas by more than 10%. The applicant was represented by Michael Michele, a landscape architect. Premises are designated as Section 21, Block 48, Lot 55 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 Kevin Davies, 12 Porter Place, Sea Cliff for amended site plan approval pursuant to Village Code §107-4 to modify an existing approved plan by increasing paved areas, installing modified and additional retaining walls, and increasing the grade by more than one foot. The applicant was represented by David DiGiovanni, an architect. Premises are designated as Section 21, Block L, Lot 125 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 Angelique Real Estate Holding Corp., 229 Glen Cove Avenue, Sea Cliff for site plan approval pursuant to Village Code §107-4 to erect a one story addition to an existing non-conforming building. The applicant was represented by David DiGiovanni, an architect. Premises are designated as Section 21, Block 100, Lot 8 on the Nassau County Land and Tax Map. The Board closed the public hearing, and reserved decision.

The Board discussed the Ribadeneyra application. On motion duly made by Mr. Scott, seconded by Mr. Driscoll, and adopted unanimously, the Board determined that the Ribadeneyra application is a Type II matter under SEQRA, that the Board is the lead agency and the application requires no further

environmental review. After further discussion of the Ribadeneyra application for site plan approval, on motion duly made by Mr. Scott, seconded by Mr. Driscoll, and adopted unanimously, the Board granted the application to amend the site plan approval by modifying the fence location, the pool location and the patio area, subject to the following conditions:

1. Except as otherwise provided herein, the construction shall be in full compliance with the revised plans submitted by the applicant in support of the application for amended site plan approval;
2. The applicant shall submit for review and approval by the Superintendent of Buildings a landscape plan modifying the previously approved landscape plans such that the new landscaping will provide screening similar to the previously approved landscape plan. All new plantings depicted in the landscape plan shall be planted and maintained by the applicant, and all such plantings proposed in the public right-of-way shall be moved back to a location on the applicant's property;
3. Any trees not marked on the landscape plan for removal shall be protected during construction, in a manner to be determined by the Building Superintendent;
4. There shall be no lighting utilized in connection with the pool use other than lights affixed to the walls of the pool;
5. Applicant shall place a four foot high fence structure, or equivalent, surrounding the pool equipment that permits access to the equipment with a gate on the north or south side of such fence;
6. The pool equipment shall not exceed a height of 4 feet;
7. Except as indicated in the approved plans, the applicant shall make no changes to the topography of the property;
8. All lighting shall be placed in a location, and shielded as necessary, so as not to encroach onto adjoining properties or public roadways;
9. 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 Building Superintendent;
10. The septic system shall comply with all applicable laws and regulations. Such system must be approved by the Building Superintendent;
11. Applicant shall install erosion protections on the site to assure that there is no erosion of any materials onto neighboring properties or the public right-of-way
12. Any air conditioner condenser units shall be baffled so that the dbA level at the adjoining property line shall not exceed 65 dbA between

- the hours of 7am and 10pm and 50 dbA between the hours of 10pm and 7am;
13. The applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and
 14. Within 12 months after the date that this decision is filed with the Village Clerk, the applicant shall obtain all permits, certificates and/or approvals from the building department necessary for the work and shall complete the work approved by this grant.

The Board discussed the Betzios application. On motion duly made by Mr. Scott, seconded by Mr. Driscoll, and adopted unanimously, the Board determined that the Betzios application is a Type II matter under SEQRA, that the Board is the lead agency and the application requires no further environmental review. After further discussion of the Betzios application for site plan approval, on motion duly made by Mr. Scott, seconded by Mr. Driscoll, and adopted unanimously, the Board granted the application for site plan approval to increase the paved areas by more than 10%, subject to the following conditions:

1. Construction and maintenance of all structures and features shall comply with the plans filed in connection with this application,;
2. There shall be no regrading of the property, except as provided in the aforesaid plans;
3. 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;
4. All lighting associated with the paved area, if any, shall be placed in a location, and shielded as necessary, so as not to encroach onto adjoining properties or public roadways;
5. The paving installation shall incorporate erosion protections on the site to assure that there is no erosion of any materials onto neighboring properties or the public right-of-way during construction and after;

6. The applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and
7. Within 12 months after the date that this decision is filed with the Village Clerk, the applicant shall obtain all permits, certificates and/or approvals from the building department necessary for the work and shall the complete the work approved by this grant.

The Board discussed the Davies application. On motion duly made by the Acting Chair, seconded by Dr. Virgilio, and adopted unanimously, the Board determined that the Davies application is a Type II matter under SEQRA, that the Board is the lead agency and the application requires no further environmental review. After further discussion of the Davies application for amended site plan approval, on motion duly made by the Acting Chair, seconded by Dr. Virgilio, and adopted unanimously, the Board granted the application for amended site plan approval to increase the paved areas, install modified and additional retaining walls and increase the grade by more than one foot, subject to the following conditions:

1. Construction and maintenance of all structures and features shall comply with the plans filed in connection with this application,;
2. There shall be no regrading of the property, except as provided in the aforesaid plans;
3. 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;
4. All lighting associated with the proposed improvements, if any, shall be placed in a location, and shielded as necessary, so as not to encroach onto adjoining properties or public roadways;
5. The paving installation shall incorporate erosion protections on the site to assure that there is no erosion of any materials onto neighboring properties or the public right-of-way during construction and after;

6. The applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and
7. Within 12 months after the date that this decision is filed with the Village Clerk, the applicant shall obtain all permits, certificates and/or approvals from the building department necessary for the work and shall complete the work approved by this grant.

The Board discussed the Angelique Real Estate Holding application. On motion duly made by Dr. Virgilio, seconded by Mr. Scott, and adopted unanimously, the Board determined that the Angelique application is a Type II matter under SEQRA, that the Board is the lead agency and the application requires no further environmental review. After further discussion of the Angelique application for site plan approval, on motion duly made by Dr. Virgilio, seconded by Mr. Scott, and adopted unanimously, the Board granted the application for site plan approval to construct an addition to the front building, subject to the following conditions:

1. Construction and maintenance of all structures and features shall comply with the plans filed in connection with this application,;
2. There shall be no regrading of the property, except as provided in the aforesaid plans;
3. The applicant shall submit for review and approval by the Superintendent of Buildings a landscape plan providing for landscaping along the westerly property and 10 feet east of that property line along both the north and south property lines such that the proposed landscaping shall soften the impact from parking area in a manner that is acceptable to the Superintendent of Buildings;
4. Any air conditioner units installed in connection with the front building shall be placed directly behind the line of the existing building or in another location compliant with zoning, but shall not be located directly behind the addition approved by this grant;
5. The building shall remain as a one story building with a vaulted ceiling and no attic space;
6. 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;
7. All lighting associated with the improvements and the parking area, if any, shall be placed in a location, and shielded as necessary, so as not to encroach onto adjoining properties or public roadways;
 8. The paving installation shall incorporate erosion protections on the site to assure that there is no erosion of any materials onto neighboring properties or the public right-of-way during construction and after;
 9. The applicant shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and
 10. Within 12 months after the date that this decision is filed with the Village Clerk, the applicant shall obtain all permits, certificates and/or approvals from the building department necessary for the work and shall complete the work approved by this grant.

The Board discussed a letter from Joseph Cortale, 76 Prospect Avenue, Sea Cliff, dated March 24, 2011 seeking a waiver from the Board with respect to site plan approval for the construction of six foot high fencing at 76 Prospect Avenue. By motion duly made by Dr. Virgilio, seconded by Mr. Scott, and adopted three votes in favor and Mr. Driscoll opposed, the Board denied the waiver request.

There being no further business, the Chair closed the meeting at 9:30 pm.
