

MINUTES

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

October 13, 2016

Present:	Chair	Bruce Treiber
	Members	Laurie Martone
		Timothy Driscoll
		Dr. Nicholas Virgilio
		Ed Camiolo
	Village Attorney	Brian S. Stolar, Esq.

The meeting was called to order at 7:05 pm.

The Board opened the public hearing on the application of Tom Lillis and Allison Moss, 82 Downing Avenue, Sea Cliff, New York for a permit pursuant to Village Code Chapter 64 to install fencing in excess of four (4) feet in height. Premises are designated as Section 21, Block 105, Lot 13 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 Stephen and Susan Thompson, 413 Littleworth Lane, Sea Cliff, New York for a permit pursuant to Village Code Chapter 64 to install a stone wall and fencing in excess of four (4) feet in height. Premises are designated as Section 21, Block M, Lot 591 on the Nassau County Land and Tax Map. Dr. Virgilio arrived at the commencement of the Thompson public hearing. The Board noted that the applicants are subject to the General Municipal Law §239-f procedure, and will require approval of Nassau County. As a portion of the fencing along Prospect Avenue could be impacted by

any decision rendered by Nassau County, the Board continued the public hearing to December 14, 2016 at 7:30pm. The Board noted that the fencing along the southerly property line was not likely to be impacted by the Nassau County review.

The Board discussed the Lillis/Moss application. On motion duly made by the Chair, seconded by Ms. Martone, and adopted four votes in favor and Dr. Virgilio abstaining, the Board determined that the application is a Type II matter under SEQRA and granted the application for a permit to install fencing in excess of four (4) feet, subject to the following conditions: (a) the fencing be installed in the locations and materials shown in the plans; (b) no portion of the 6 foot fencing shall extend beyond the line of the garage; (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) applicants shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; (e) the fencing, including any other structures, shall not exceed a total of six (6) feet in height; and (f) applicants shall obtain a building permit for the work within 6 months.

The Board discussed the Thompson application. On motion duly made by the Chair, seconded by Ms. Martone, and adopted unanimously, the Board determined that the application is a Type II matter under SEQRA and granted the portion of the application for a permit to install fencing in excess of four (4) feet along the southerly property and identified in the plans as the "6' foot fence", subject to the following conditions: (a) the fencing be installed in the locations and

materials shown in the plans and shall not be closer than 5 feet to the Prospect Avenue property line; (b) 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; (c) applicants shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; (d) the fencing, including any other structures, shall not exceed a total of six (6) feet in height; and (e) applicants shall obtain a building permit for the work within 6 months. The Board noted that the proposed stone wall along Prospect Avenue and extending easterly towards the 6 foot high wood fence would be subject to the continued hearing scheduled for December 14, 2016.

At 7:32pm, the Board advised that the continued public hearings on the applications of (a) Digiovanni and Associates Architects, 26 Preston Avenue, as agent for Sloop Redhead Inc. for site plan approval to construct a new residence, (b) Sloop Redhead, Inc., 299 Prospect Avenue for site plan approval to construct a new curb cut and driveway, and (c) Richard LaSalle, 168 Prospect Avenue, for site plan approval to construct a new front yard driveway and curb cuts, are continued to October 31, 2016 at 7:30pm as each such applicant is awaiting a determination from Nassau County in accordance with General Municipal Law §239-f.

Frank Scavone addressed the Board with respect to an application for site plan approval and wall permit application. Mr. Scavone indicated that the 239-f procedure was complete and that the proposal has been approved. The Board

noted that Nassau County notified the Village that the 239-f process is not complete, but expects that it will be complete shortly. The Board also noted that the applicant submitted revised plans on October 12, that the Board generally requires that plans be provided at least 10 days prior to a hearing, and that the Board has not had sufficient time to review the plans. Mr. Scavone requested that the Board schedule a hearing prior to the regularly scheduled November meeting. The Board agreed to do so, and continued the public hearing to October 31, 2016 at 7:30pm. As the application was last presented in April, the Board agreed to the adjournment on the condition that no later than 10 days prior to October 31, the applicant serve notice of the adjourned hearing by certified mail, return receipt requested, on adjoining neighbors and properties directly across Prospect Avenue.

The Board advised that the continued public hearing on the application of 14 Bay Avenue Commons, LLC is continued to October 31, 2016 at 7:30pm.

The Board opened the continued public hearing on the application of Karin and Douglas Barnaby, 1 Finch Way, Sea Cliff for site plan approval pursuant to Village Code Chapter 107 to construct a new residence and related site improvements and for a permit pursuant to Chapter 64 to construct retaining walls closer than five (5) feet to one another. Premises are designated as Section 21, Block L, Lot 156 on the Nassau County Land and Tax Map. James Carballal, architect, represented the applicants. The applicants submitted revised plans on October 6, 2016, which plans included updated septic system information and construction staging details. The Board closed the hearing, and reserved decision.

The Board discussed the Barnaby application. On motion duly made by the Chair, seconded by Mr. Camiolo, and adopted unanimously, the Board determined that the application is a Type II matter under SEQRA and granted the application for site plan approval and a wall permit, subject to the following conditions: (a) the construction of all site improvements, including the retaining walls, shall conform to the site plan submitted with the application and reviewed by this Board, which plan is entitled "Barnaby Residence", prepared by James T. Carballal, Architect, page A-2, dated June 13, 2016, last revised October 4, 2016 (the "Approved Plan"); (b) no site improvement not shown on the Approved Plan shall be permitted except upon application to, and approval by, the Planning Board of any such site improvement; (c) the site preparation and construction staging shall comply with all applicable laws and regulations and shall be performed in accordance with construction staging plan filed with the Village on October 6, 2016; (d) no construction equipment, materials or discarded materials shall be stored at any time on the public roadways or right-of-ways, including Willow Shore Avenue, Finch Way and any surrounding roadways, or in a manner that blocks emergency access or impedes stormwater drainage control or erosion control measures; (e) the finished topography of the site, including all elevations, shall conform to the Approved Plan and shall be depicted in a final survey prior to issuance of any certificate of occupancy or completion; (f) all utilities shall be installed underground and in accordance with the Village Building Department and Department of Public Works requirements; (g) erosion control measures shall conform to the Approved Plan; (h) prior to issuance of a certificate of occupancy or completion, applicants

shall repair any damage to Finch Way or drainage systems along Finch Way caused during construction of any site improvement; (i) stormwater management and drainage plans shall conform to the Approved Plans and are subject to review and approval by the Director of Public Works, or his designee; (j) except as indicated in the Approved Plan, no trees shall be removed; (k) applicants shall obtain and submit to the Superintendent of Buildings and the Department of Public Works written and unconditional approval of the driveways for each parcel as to its sufficiency for access for emergency response and firefighting purposes from the fire and emergency service officials having jurisdiction over the lot; (l) as a condition of obtaining a building permit, applicants shall obtain written confirmation from the Village Fire Department that the closest existing fire hydrant is satisfactory to the Fire Department for the purposes of protecting the proposed dwelling and structures on the lot, and if no such hydrant is located as required, the applicants shall install a fire hydrant and water connections as approved by the Village Fire Department and Building Department; (m) all on-site sanitary disposal systems shall be certified by a qualified licensed professional who shall submit to the Superintendent of Buildings a certification that the facilities are in conformance with the requirements of the Nassau County Department of Health and the Village; (n) applicants shall construct and install on-site drainage facilities prior to installation of any other site improvements; (o) approval of plans for sewage disposal shall be secured from the Village Building Department in accordance with Nassau County Department of Health regulations; (p) issuance of a building permit is subject to the approval of the Building Department and/or Department of Public Works, as applicable, as to the grading, drainage, sewer, driveway and curbing; (q) proposed landscaping indicated in the plans submitted in

connection with the application shall be installed and maintained in perpetuity; (r) boundary lines must be staked out by a licensed land surveyor prior to any site work and throughout construction; (s) applicants shall insure that water conserving fixtures and water conserving landscaping are used; (t) applicants shall obtain all applicable local, county, state, regional and federal permits as a precondition to obtaining a building permit; (u) all construction shall be performed during the days and times authorized by the Superintendent; (v) applicants shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and (w) applicant shall obtain a building permit for the work within 6 months.

The Board noted that the E-Commerce hearing would be continued to October 31, 2016 at 7:30pm, as the applicant failed to provide the required notice to neighbors.

There being no further business, the Chair closed the meeting at 7:42pm.

BRUCE TREIBER, CHAIR