

MINUTES
BOARD OF APPEALS
VILLAGE OF SEA CLIFF
VILLAGE LIBRARY
300 SEA CLIFF AVENUE
SEA CLIFF, NEW YORK 11579

October 17, 2017

Present:	Chair	Noel Griffin	
	Members	Ted Kopczynski,	Timothy O'Donnell and Nick Pinto
	Alternate Member	Joyce Segall	
	Village Attorney	Brian S. Stolar, Esq.	
	Building Department	Michael Mandarino	

The meeting was called to order at 7:32 pm.

The Chair noted that the Board received a written request for an adjournment of the Littleworth Acquisitions application so that the applicant can amend its application and provide notice of the revised application. On motion duly made by the Chair, seconded by Mr. Pinto, and adopted unanimously, the Board continued the public hearing on the Littleworth Acquisitions application to November 28, 2017 at 7:45pm, waived the requirement that any new notice be sent by certified mail and upon such waiver authorized the mailing to be sent only by first class mail with the applicant providing the notices in pre-stamped and pre-addressed envelopes to the Village Building Department for mailing prior to the last day for such mailing.

The Board opened the public hearing on the application of Sean and Kate Gibbons, 106 Altamont Avenue, Sea Cliff, to construct a deck extension, which requires variances as follows: (a) Village Code §138-416 in that the deck will be located in a front yard, where no accessory structure is permitted; and (b) Village

Code §138-1102 in that the deck extension constitutes an alteration of an existing non-conformity, where no such alteration is permitted. Premises are designated as Section 21, Block 256, Lot 44 on the Nassau County Land and Tax Map.

The minutes of the hearing were transcribed stenographically. The Board closed the hearing, and reserved decision.

The Board opened the public hearing on the application of Samuel and Emma Rixon, 154 16th Avenue, Sea Cliff, to construct a two story addition and attached garage, which construction requires variances of the following Village sections: (a) 138-414.1 in that the floor area will be 34% (2559 square feet), where a maximum of 31% (2,338 square feet) is permitted; (b) 138-412 in that the rear yard setback will be 10.3 feet, where a minimum of 20 feet is required; (c) 138-413.1 in that the addition will encroach into the height-setback ratio where no such encroachment is permitted; and (d) 138-1102 in that the addition and garage will increase an existing non-conformity with respect to the rear yard setback and the height-setback ratio, where no such increase is permitted. Premises are designated as Section 21, Block 151, Lot 30 on the Nassau County Land and Tax Map.

The minutes of the hearing were transcribed stenographically.

After hearing all testimony, the Board asked the Village Building Department to review the Village files relating to the property. The Board recessed at 8:48pm, and, upon the Superintendent of the Building Department's return to the meeting, the Board reconvened at 8:56pm.

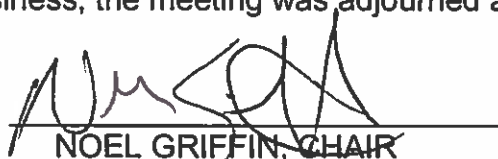
The Board closed the Rexion hearing, and reserved decision.

The Board discussed the Gibbons application. On motion made by Mr. O'Donnell, seconded by Mr. Kopczynski, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and granted the application in accordance with the short form decision annexed hereto.

The Board discussed the Rexion application. On motion made by the Chair, seconded by Mr. Pinto, and adopted unanimously, the Board determined that it is the lead agency with respect to environmental review, the action is a Type II matter under SEQRA that requires no further environmental review, and denied the application in accordance with the short form decision annexed hereto.

The Board discussed the Lasalle application, which had previously been adjourned to the Board's February 2017 meeting and thereafter was adjourned without date. The Board asked for copies of the LaSalle application documents to review in advance of the November meeting date.

There being no further business, the meeting was adjourned at 9:10pm.


NOEL GRIFFIN, CHAIR

VILLAGE OF SEA JUNCTION

OCT 26 2017

VILLAGE CLERK



GIBBONS SHORT FORM DECISION
(adopted in accordance with Village Code §138-1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on October 17, 2017, on motion duly made by Mr. O'Donnell, seconded by Mr. Kopczynski, 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 discussed the subject application, rendered the following findings and determination:

1. Sean and Kate Gibbons, 106 Altamont Avenue, Sea Cliff, applied to construct a deck extension, which requires variances as follows: (a) Village Code §138-416 in that the deck will be located in a front yard, where no accessory structure is permitted; and (b) Village Code §138-1102 in that the deck extension constitutes an alteration of an existing non-conformity, where no such alteration is permitted. Premises are designated as Section 21, Block 256, Lot 44 on the Nassau County Land and Tax Map.
2. The applicants are the owners of the premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission, and no response was submitted by the Planning Commission.
5. The relief requested in the application is granted provided that (a) the deck conforms to the plans submitted with the application, (b) applicant shall comply with all requirements of the Village Code and the Building Department, and (c) all work is performed, and all approvals obtained, within the timeframe provided in Village Code §138-1304.

REXON SHORT FORM DECISION
(adopted in accordance with Village Code §138-1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on October 17, 2017, on motion duly made by the Chair, seconded by Mr. Pinto, 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 discussed the subject application, rendered the following findings and determination:

1. Samuel and Emma Raxon, 154 16th Avenue, Sea Cliff, applied to construct a two story addition and attached garage, which construction requires variances of the following Village sections: (a) 138-414.1 in that the floor area will be 34% (2559 square feet), where a maximum of 31% (2,338 square feet) is permitted; (b) 138-412 in that the rear yard setback will be 10.3 feet, where a minimum of 20 feet is required; (c) 138-413.1 in that the addition will encroach into the height-setback ratio where no such encroachment is permitted; and (d) 138-1102 in that the addition and garage will increase an existing non-conformity with respect to the rear yard setback and the height-setback ratio, where no such increase is permitted. Premises are designated as Section 21, Block 151, Lot 30 on the Nassau County Land and Tax Map.
2. The applicants are the record owners of the subject premises.
3. The requested relief is classified as a Type II action under SEQRA, which requires no environmental review.
4. The Board provided notice of the application to the Nassau County Planning Commission in accordance with the requirements of the agreement between the Village and the Planning Commission, and no response has been submitted by the Planning Commission.
5. The relief requested in the application is denied in its entirety.