

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

January 17, 2023

Present: Chair	Noel Griffin
Members	Tim O'Donnell, Jim Mozer, and Beth Rechner
Village Attorney	Brian Stolar, Esq.

The meeting was called to order at 7:00pm.

The Board opened the hearing on the application of Christopher and Erin Pepe, 93 Ransom Avenue, Sea Cliff, New York, to construct a new front porch, which construction requires a variance of Village Code §138-508, to permit a front yard setback of 21.7 feet, where a minimum of 25 feet is required. Premises are designated as Section 21, Block 109, Lot 13 on the Nassau County Land and Tax Map.

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

The Board opened the public hearing on the application of Roseann McMahon and Diana Perone, 2 Cross Street, Sea Cliff, New York, to maintain an air conditioning unit, which maintenance requires variances of the following Village Code sections: (a) 138-616(A), to permit the unit in a front yard, where no such units are permitted, and (b) 138-616(B), to permit the unit 5.5 feet from a side property line, where a minimum setback of 15 feet is required. Premises are

designated as Section 21, Block 41, Lot 176 on the Nassau County Land and Tax Map.

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

The Board opened the public hearing on the application of Kate Aurre Meyer, 72 Park Place, Sea Cliff, New York, to construct a new front porch, first story addition and second story addition, which construction requires variances of the following Village Code sections: (a) 138-408, to permit the (i) porch to be 10.6 feet, (ii) first story addition to be 10.2 feet, and (iii) second story to be 18.6 feet, from a front property line, where a minimum of 20 feet is required; (b) 138-413.1, to permit an encroachment beyond the maximum height-setback line; and (c) 138-414.1, to permit a floor area ratio of 44.4%, where a maximum of 38% is permitted. Premises are designated as Section 21, Block 161, Lots 902-903 on the Nassau County Land and Tax Map.

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

The Board opened the public hearing on the application of Dawn Ribadeneyra, 95 Glenlawn Avenue, Sea Cliff, New York, to construct a carport, which construction requires a variance of Village Code §138-511, to permit the carport to be 8.8 feet from a side property line, where a minimum of 15 feet is required. Premises are designated as Section 21, Block 30-1, Lot 507 on the Nassau County Land and Tax Map.

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

The Board opened the public hearing on the application of Marratime Capital IV LLC, 456 Glen Cove Avenue, Sea Cliff, New York, to construct a 12 unit apartment building and related site improvements, which construction requires variances of the following Village Code sections: (a) 138-901, to permit a residential apartment building, where such use is not permitted, (b) 138-908, to permit a front yard setback of 27 feet, where a maximum of 15 feet is permitted, (c) 138-914, to permit a height of 35.9 feet, where a maximum of 35 feet is permitted, (d) 138-917, to permit a buffer area of (i) 5 feet on the north side, (ii) 5 feet on the south side, (iii) 4 feet at the southwest corner, and (iv) 9.9 feet at the northeast corner, where a minimum buffer area of 20 feet is required, and (e) 138-1010, to permit an off-street parking area and vehicular accessway in a portion of the property located in a residence district, where no portion of a lot in a residence district may be used for off-street parking or vehicular accessways in connection with a use other than one permitted in a residence district. Premises are designated as Section 21, Block 50, Lot 103 on the Nassau County Land and Tax Map.

The minutes of the hearing were stenographically transcribed. The applicant's representatives and members of the public testified. After hearing testimony, the Board continued the public hearing to February 28, 2023, at 7:00pm.

The Board discussed a written request submitted on behalf of DM Acquisitions, LLC and Let's Make Music and Dance, Inc., requesting an adjournment of their public hearing. The Board granted the applicants' request, and continued the public hearing to February 28, 2023, at 7:00pm.

The Board discussed the McMahon/Perone application. After such discussion, on motion duly made by Mr. Mozer, seconded by the Chair, and approved 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 McMahon/Perone request for relief in accordance with the short form decision annexed hereto.

The Board discussed the Pepe application. After such discussion, on motion duly made by Mr. O'Donnell, seconded by Ms. Rechner, 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 approved the Pepe request for relief, in accordance with the short form decision annexed hereto.

The Board discussed the Meyer application. After such discussion, on motion duly made by Mr. O'Donnell, seconded by Mr. Mozer, 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 approved the Meyer request for relief, in accordance with the short form decision annexed hereto.


The Board discussed the Ribadeneyra application. After such discussion, on motion duly made by Mr. Mozer, seconded by Ms. Rechner, 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 approved the Ribadeneyra request for relief, in accordance with the short form decision annexed hereto.

There being no further business, the meeting was adjourned at 9:46pm.



NOEL GRIEFIN, CHAIR

Filed in the Office of the Village Clerk
the 24 day of January 2023



Sarah Beaudin, Village Clerk

VILLAGE OF SEA CLIFF, NY

JAN 24 2023

VILLAGE CLERK

MCMAHON/PERONE SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 17, 2023, on motion duly made by Mr. Mozer, seconded by the Chair, 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 short-form determination:

1. Roseann McMahon and Diana Perone, 2 Cross Street, Sea Cliff, New York, applied to maintain an air conditioning unit, which maintenance requires variances of the following Village Code sections: (a) 138-616(A), to permit the unit in a front yard, where no such units are permitted, and (b) 138-616(B), to permit the unit 5.5 feet from a side property line, where a minimum setback of 15 feet is required. Premises are designated as Section 21, Block 41, Lot 176 on the Nassau County Land and Tax Map.
2. The subject premises are owned by the applicants.
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.
5. The relief requested in the application is granted provided that: (a) the construction shall conform to the plans submitted with the application, (b) applicants 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.

PEPE SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 17, 2023, on motion duly made by Mr. O'Donnell, seconded by Ms. Rechner, 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 short-form determination:

1. Christopher and Erin Pepe, 93 Ransom Avenue, Sea Cliff, New York, to construct a new front porch, which construction requires a variance of Village Code §138-508, to permit a front yard setback of 21.7 feet, where a minimum of 25 feet is required. Premises are designated as Section 21, Block 109, Lot 13 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.
5. The Board grants the relief requested in the application provided that: (a) the construction shall conform to the plans submitted with the application, (b) applicants 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.

MEYER SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 17, 2023, on motion duly made by Mr. O'Donnell, seconded by Mr. Mozer, 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 short-form determination:

1. Kate Aurre Meyer, 72 Park Place, Sea Cliff, New York, to construct a new front porch, first story addition and second story addition, which construction requires variances of the following Village Code sections: (a) 138-408, to permit the (i) porch to be 10.6 feet, (ii) first story addition to be 10.2 feet, and (iii) second story to be 18.6 feet, from a front property line, where a minimum of 20 feet is required; (b) 138-413.1, to permit an encroachment beyond the maximum height-setback line; and (c) 138-414.1, to permit a floor area ratio of 44.4%, where a maximum of 38% is permitted. Premises are designated as Section 21, Block 161, Lots 902-903 on the Nassau County Land and Tax Map.
2. The applicant is the record owner 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.
5. The Board grants the relief requested in the application provided that: (a) the construction shall conform 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.

RIBADENEYRA SHORT FORM DECISION
(as authorized by Village Code §1302.1)

At a meeting of the Board of Appeals of the Village of Sea Cliff, New York, on January 17, 2023, on motion duly made by Mr. Mozer, seconded by Ms. Rechner, 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 short-form determination:

1. Dawn Ribadeneyra, 95 Glenlawn Avenue, Sea Cliff, New York, to construct a carport, which construction requires a variance of Village Code §138-511, to permit the carport to be 8.8 feet from a side property line, where a minimum of 15 feet is required. Premises are designated as Section 21, Block 30-1, Lot 507 on the Nassau County Land and Tax Map.
2. The applicant is the record owner 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.
5. The Board grants the relief requested in the application provided that: (a) the construction shall conform 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.