

MINUTES OF THE VILLAGE OF ATLANTIC BEACH
BOARD OF ZONING APPEALS MEETING
65 THE PLAZA, ATLANTIC BEACH, NY 11509

APRIL 19, 2018

CALL TO ORDER

At 8:10 PM Chairman Anthony Siniscalchi called the meeting to order.

ROLL CALL

Present were:

Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Village Attorney Charles S. Kovit
Building Inspector Steven Cherson
Village Clerk Emily Siniscalchi
Court Reporter Linda Caffera

Absent: Alternate Commissioner Steven Samuels

Village Clerk Emily Siniscalchi read the procedure that we will be following for this meeting.

Village Clerk Emily Siniscalchi said anyone that wishes to speak tonight must sign in.

Village Clerk Emily Siniscalchi said the approval for the following would take place at the end of this meeting.

- Approval of Minutes
- Approval of Findings of Facts

Chairman Siniscalchi asked Mr. Cherson to state the relief the applicants are seeking.

Case # 18337 - John Powers & Lorie Hartfield, 115 Acapulco Street
Convert an existing garage into storage and cabana

Also known as Section 58, Block 10 Lot 123 on the Nassau County Land and Tax Map.

Request for variance from the following section of the Zoning Code of the Village of Atlantic Beach, NY.

§250-21 - Lot coverage

The lot coverage permitted 30%, existing 32.72%, proposed 33.47%

§250-84 - Conditions for installation and maintenance

A. (6)(a)(1) permitted height 8 feet and a proposed height of 12.3 feet, permitted area 400 cubic feet and 1864 cubic feet proposed. (2) Permitted setback from property lines are 10 feet and a proposed setback of 1 foot rear yard and 3 feet side yard.

Chairman Siniscalchi asked if there was anyone to speak on this case.

Sworn in was Mark D. Greiselman, RA, 364 West Fulton Street, Long Beach, NY
Mr. Greiselman presented the case and answered any questions.

Case # 18337 - John Powers & Lorie Hartfield, 115 Acapulco Street
Convert an existing garage into storage and cabana

Chairman Siniscalchi asked if there was anyone else to speak for - there was no one.
Chairman Siniscalchi asked if there was anyone to speak against - there was no one.

Commissioner Jacobs moved the adoption of the following:

RESOLVED, to grant Case # 18337 as submitted to convert an existing garage into storage and cabana.

The foregoing was seconded by Commissioner Baessler and passed by the following vote:

Ayes:

Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

Case # 18336 - 1990 Bay Boulevard LLC, 1990 Bay Boulevard
Construct a two story single family dwelling with attached garage

Also known as Section 58, Block 78 Lots 15-19 on the Nassau County Land and Tax Map.

Request for variance from the following section of the Zoning Code of the Village of Atlantic Beach, NY.

Article V "C" Residence District

§250-35 - Height (A) In the case of a single-family dwelling, no building shall be greater in height than 2 1/2 stories with a maximum height of 28 feet to peak.

Proposed roof height 32'-10-1/8"

§250-36 - Lot coverage. The lot coverage shall not exceed 30% of the lot area.

Proposed lot coverage 42.27%

§250-37 - Front yards. (A) The required front yard depth shall be the same as the average front yard depth of the existing buildings within 200 feet on each side of the lot and within the same block in the same use district.

Average front yard setback 8.17 feet

Proposed front yard setback 7.16 feet

§250-39 - Rear yards - There shall be a rear yard, the depth of which shall be at least 25 feet, provided that, if at the time this chapter becomes effective any lot is held in single and separate ownership with a depth of less than 100 feet, the required depth of the rear yard may be diminished by three inches for each foot of difference between 100 feet and the depth of the plot, but in no case shall the depth of the rear yard be less than 15 feet.

Proposed rear yard setback 19.81 feet

Article XV: General Provisions

§250-108 - Prohibited and restricted uses (flat roof). (J) Buildings within the Village of Atlantic Beach shall be constructed with a peaked or gable roof only.

Case # 18336 - 1990 Bay Boulevard LLC, 1990 Bay Boulevard
Construct a two story single family dwelling with attached garage

Chairman Siniscalchi asked if there was anyone to speak on this case.

Sworn in was Nicholas Cappucci, Todd O'Connell Architect, 1200 Veterans Highway, Hauppauge, NY 11730. He works with Mr. O'Connell and is here representing Mr. & Mrs. Dahan.

He submitted into evidence the following:

Applicant Exhibit 1: Photo of existing house from street

Applicant Exhibit 2: Photo of rear yard

Chairman Siniscalchi asked if there was anyone to speak for - there was no one
Chairman Siniscalchi asked if there was anyone to speak against - there was no one

Chairman Siniscalchi moved the adoption of the following:

RESOLVED, to amend proposal to eliminate front yard setback variance and all other variances were granted for Case # 18336.

The foregoing was seconded by Commissioner Jacobs and passed by the following vote:

Ayes:

Chairman Anthony Siniscalchi
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: Commissioner Carl Baessler

Case # 18329 - Nadir Uygan, 1895 Bay Boulevard
Construct a third story to an existing two story single family dwelling

Also known as Section 58, Block 69 Lots 1-3 on the Nassau County Land and Tax Map.

Request for variance from the following section of the Zoning Code of the Village of Atlantic Beach, NY.

Article V "C" Residence District

§250-35 - Height (A) In the case of a single-family dwelling, no building shall be greater in height than 2 1/2 stories with a maximum height of 28 feet to peak.

Proposed three story structure

Proposed roof height 31.10 1/2 feet

§250-37 - Front yards. (B) In case of a corner lot, a front yard shall be required on each street, and, notwithstanding the foregoing, each front yard shall be not less than 25 feet.

Proposed front yard setback 16 feet on Bay Boulevard

Chairman Siniscalchi asked if there was anyone to speak on this case.

Sworn in was Thomas Domanico, 108 Merrick Road, Lynbrook, NY.

He said he was here two months ago on this case and now made some modifications - front and rear yard elevations; still 3 story home but downplaying affect on Village.

Commissioner Cornish had questions on bedrooms and said it looks like it is a story and gym.

Case # 18329 - Nadir Uygan, 1895 Bay Boulevard
Construct a third story to an existing two story single family dwelling (Continued)

Attorney Kovit asked Mr. Domanico - at the last meeting their Attorney was here and was it OK for just Mr. Domanico to present the case and the answer was yes.

Chairman Siniscalchi asked if there was anyone else to speak for - there was no one. Chairman Siniscalchi asked if there was anyone to speak against - there was no one.

Commissioner Baessler moved the adoption of the following:

RESOLVED, to deny Case #18329 to construct a third story to an existing two story single family dwelling.

The foregoing was seconded by Commissioner Cornish and passed by the following vote:

Ayes:

Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

APPROVAL OF FINDINGS OF FACTS

Each member of the Board was given a copy of the Findings of Fact and given an opportunity to review and correct.

Commissioner Baessler moved the adoption of the following:

Case # 18327 Christopher and Anna Kyriakides, 2115 Pacific Boulevard
Construct a three story single family dwelling

Case # 18328 Steven Shankman, 2121 Pacific Boulevard
Construct a three story single family dwelling

Case # 18331 Anthony Livreri & Erica Gerard, 62 Albany Boulevard
Construct a one story side addition and arbor

Benjamin Kest Living Trust and Marisa Kest Tenants in Common
58 Rensselaer Avenue

Case # 18332 Construct a 16' x 34' in ground swimming pool in the side yard

Case # 18333 Raise the existing grade in the rear yard

Case # 18334 Construct a 9' x 16' cabana

Case # 18335 Construct a covered porch and balcony

The foregoing was seconded by Commissioner Watkins and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Cal Baessler
Commissioner Steven Watkins

Abstain: Commissioner George Cornish
Commissioner Allan Jacobs

APPROVAL OF MINUTES

Each member of the Board was given a copy of the Minutes and given an opportunity to review and correct.

Commissioner Baessler made a motion to accept the minutes of March 15, 2018 as written by the Village Clerk.

The foregoing was seconded by Commissioner Watkins and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Cal Baessler
Commissioner Steven Watkins

Abstain: Commissioner George Cornish
Commissioner Allan Jacobs

Noes: None

ADJOURNMENT

At 8:45 PM Chairman Siniscalchi made a motion to adjourn.

The foregoing was seconded by Commissioner Watkins and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

Emily Siniscalchi, Village Clerk