

**INC. VILLAGE OF MANORHAVEN  
BOARD OF ZONING  
December 12, 2017 – 7:00 P.M.  
MINUTES**

**Call to Order:** 7:03 pm

**Pledge of Allegiance** led by Rita DiLucia.

**Attendance:** Jerry Devine, Dominick Masiello, Frank Ottaviani, Dan Renna, Patrick Gibson - Chair, Donald Badaczewski - Deputy Clerk, Jeffrey Blinkhoff - BZA Attorney, Andrew Levenbaum - BZA Engineer.

- *Motion to enter into executive session at 7:04 pm by Jeremy Devine; seconded by Dominick Masiello; motion unanimously carried.*

- *Motion to close executive session at 7:19 pm by Jeremy Devine; seconded by Dan Renna; motion unanimously carried.*

- *Motion to adjourn Z575 (4 Manhasset Avenue), Z567 (12 Manorhaven Blvd), and Z576 (76B Juniper Road) to January 16, 2018 by Jeremy Devine; seconded by Dan Renna; motion unanimously carried.*

**Z568 – 48 Ashwood Road**, Port Washington, S-4 B-75 L-p/o 31, 224, 225 in Zone R1. Applicant seeks to construct a new two-family dwelling and requests variances of (1) section 155-13.1(D) of the Village Code under which the permitted front yard setback on the subject property is 31.9 feet and where a setback of 15 feet is proposed; and (2) section 155-13.1(E) under which the permitted side yard setback is 6 feet and 5 feet is proposed; (3) section 155-13.1(J) of the Village Code under which the total building lot coverage permitted is 25% and where **29.79%** is proposed; and (4) 155-13.1(K) under which the total of building lot coverage and the area occupied by structures, terraces, paved yard areas, paved driveways and any other impermeable surface shall not exceed 50% of the area of the lot and where **75.3%** is proposed. \* **NOTE: this is a correction**

**Z569–50 Ashwood Road**, Port Washington, NY, S-4 B-75 L-p/o 31, 32, 33in Zone R1. Applicant seeks to construct a new two-family dwelling and requests variances of (1) section 155-13.1(D) of the Village Code under which the permitted front yard setback on the subject property is 31.9 feet and where a setback of 15 feet is proposed; (2) section 155-13.1(J) of the Village Code under which the total building lot coverage permitted is 25% and where 28% is proposed.

**Z570 –52 Ashwood Road**, Port Washington, NY, S-4 B-75 L-p/o 33, 34, 35, and 36 in Zone R1. Applicant seeks to construct a new two-family dwelling and requests variances of (1) section 155-13.1(D) of the Village Code under which the permitted front yard setback on the subject property is 31.9 feet and where a setback of 15 feet is proposed; (2) Section 155-13.1(J) of the Village Code under which the total building lot coverage permitted is 25% and where 28% is proposed.

**Z571 – 54 Ashwood Road**, Port Washington, NY, S-4 B-75 L-p/o 36, 37 and 38 in Zone R1. Applicant seeks to construct a new two-family dwelling and requests variances of (1) section 155-13.1(D) of the Village Code under which the permitted front yard setback on the subject property is 31.9 feet and where a setback of 15 feet is proposed; (2) Section 155-13.1(J) of the Village Code under which the total building lot coverage permitted is 25% and where 28% is proposed.

**Z572 – 56 Ashwood Road**, Port Washington, NY, S-4 B-75 L-40, 39, P/O 38 in Zone R1. Applicant seeks to construct a new two-family dwelling and requests variances of (1) section 155-13.1(D) of the Village Code under which the permitted front yard setback on the subject property is 31.9 feet and where a setback of 15 feet is proposed; and (2) Section 155-13.1(J) of the Village Code under which the total building lot coverage permitted is 25% and where 28% is proposed.

**Board/Applicant Comments:**

- Chairman Gibson requested that the application be re-noticed based on comments regarding lot coverage calculations received from the Superintendent of Buildings.
- Member Renna requested a need for a parking plan for the existing and proposed developments.
- Chairman Gibson noted that there is no fire hydrant within 300' of the property.
- The Board requested that the applicant obtain a new letter from the PWFD regarding the accessibility of the proposed developments by fire equipment.
- In response to questions from the Board, the applicant stated that he had obtained preliminary site plan approval for a property subdivision to create five 48' lots from six 40' lots, pending approval from the Nassau County Planning Commission.

**Public Comment:**

- *Caroline Dubois asked if permitting a variance with respect to the setback would set a precedent for any future development on the Thypin Steel property. Chairman Gibson explained that no action by any Zoning Board of Appeals serves as a binding precedent in future applications.*
- *Rita DiLucia asked whether the development would still include cantilevers, as the lot coverage would be calculated differently due to the Building Superintendent's letter. The applicant responded that the proposed development would still include cantilevers.*
- *John Orr pointed out that the change in lot coverage when area under cantilevers was included was substantial.*
- *Motion to close public comment by Member Ottaviani; seconded by Member Devine; motion unanimously carried.*

**Adjournment:** 8:07 p.m.

- *Motion to adjourn by Member Devine; seconded by Member Ottaviani; motion unanimously carried.*

Donald Badaczewski, Deputy Clerk  
Dated: December 12, 2017  
Manorhaven, New York