

**INC. VILLAGE OF MANORHAVEN
PLANNING BOARD HEARING
July 15, 2019 at 7 p.m. - MINUTES**

CALL TO ORDER: 7:01 p.m.

PLEDGE OF ALLEGIANCE: Mike Masiello

ATTENDANCE: *Mario DeSantis, Dan Garcia, Dominick Masiello, Mike Masiello, Zygmunt Jagiello, Chair, Sharon Abramski – Clerk; Ken Gray – PB Attorney; Roger Cocchi – Covering for Village Engineer.*

EXECUTIVE SESSION:

- *Michael Masiello moved to enter into Executive Session to seek the advice of Counsel; seconded by Dominick Masiello; unanimously carried.*
- *Michael Masiello moved to close the Executive Session and resume the regular session; seconded by Zygmunt Jagiello; unanimously carried.*

APPLICATIONS BEFORE THE BOARD:

PB 4-2019 - Application of Linda Prudente, owner of premises known as 17 Dunes Lane, Port Washington, New York, known on the Nassau County Land and Tax Map as Section 4, Block F, Lot 906, for site plan approval to construct a new two-family dwelling.

BOARD AND APPLICANT COMMENTS:

- Paul Russo, architect for the applicant, discussed the drawings for 17 Dunes Lane. He addressed the revision requests made by the Village Engineer showing inverted elevations of pipes.
- Mike Masiello asked is there is **shielding over the air conditioning units. Russo promised that he would add those to the drawings with a 4 ft. fence around them.** The soil boring report showed that there was no water within twenty-five (25) feet.
- Zygmunt Jagiello asked about a blank on the Environmental Assessment Form.
- Ken Gray noted that this would be deemed as a Type II action under SEQRA.

PUBLIC COMMENT: None

- *Mike Masiello moved to close the Public Comment; seconded by Dominick Masiello; unanimously carried.*
- *Michael Masiello moved to accept the application with the change to the air conditioning shielding; seconded by Mario DeSantis; unanimously carried.*

PB 3-2019 - Application of 2 Manorhaven LLC/Cary Wolf, owner of premises known as 2Manorhaven Blvd, Port Washington, New York, known on the Nassau County Land and Tax Map as Section 4, Block H, Lot 87, for site plan approval to convert three-bay automotive repair garage to a convenience store.

BOARD AND APPLICANT COMMENTS:

- Bruce Migatz, attorney, appeared on behalf of the applicant, 2 Manorhaven LLC/Cary Wolf.
- Ken Gray, Village PB Attorney, spoke to the Village Building Superintendent regarding the property. The BZA classified the application as a SEQRA Type II action. He knew of no flooding or footprint changes. The property is not prone to pooling of flooding problems. The change of use would not cause an increase on a flooding probability. The drywell, put in two (2) years ago, was accepted at the time and has not surfaced any problems.
- Bruce Migatz agreed with Ken Gray adding that there would be no runoff concerns with the change of use.

- Larry O'Brien, architect for the applicant noted that restrooms would have public access.
 - Mike Masiello asked where lighting is located on the drawings (Discuss took place.) He requested that the lighting be reduced at 11 p.m. O'Brien noted that those adjustments could be added to lighting for after 11 p.m. Zygmunt Jagiello requested that the lighting changes be presented to the Village PB Engineer to be approved
 - Bill Rogel appeared to confirm that there are no known water runoff problems on the property.
 - Michael Masiello had a question regarding the traffic impact study and the noted increase of 15% in traffic. Migatz clarified that it was "pass through" traffic already occurring on the roadways. He noted that the convenience store is not a destination."

PUBLIC COMMENT:

- Robert O'Brien asked the about the nature of the store. Who will the vendor be, hours of operation, will there be gas, foot traffic. He felt that the Village does not need a new convenience store. He feels it will increase traffic at that corner.
- Bruce Migatz noted that this would be similar to the store on Port Washington Blvd. and the store would close at 11 p.m. they may or may not sell alcohol at that location.
- Zygmunt Jagiello asked why they were seeking the change of use. Migatz explained that "Mom/Pop" service stations are going out of business due to computer advances in auto repairs. Clients use dealerships to address complicated repairs and the owner feels that the demand is there for a convenience store.
- Mike Masiello confirmed that there would be no cooking on the premises.

NOTE: The Planning Board agreed that they would rely upon the BZA's Recent SEQRA determination of a designation as a Type II action, and accept that there are no environment issues or the potential for a substantial change in the runoff. For the Record: the drainage is not grandfathered with the property.

- Mario DeSantis moved to close the Public Comment; seconded by Dominick Masiello; unanimously carried.
- Mike Masiello moved to accept the application conditionally upon receiving an acceptable lighting plan to be approved by the Village PB Engineer, seconded by Zygmunt Jagiello; unanimously carried by all but Daniel Garcia, who voted nay.

PB 5-2019 – Application of Jill Miscioscia and Anthony Matinale, owners of premises known as 27 Oldwood Road, Port Washington, New York, known on the Nassau County Land and Tax Map as Section 4, Block 61, Lots 5,6 & 104, for site plan approval to construct a front porch, second floor and an addition to the rear of existing residential one-family dwelling.

BOARD AND APPLICANT COMMENTS:

- James Martino, architect, appeared on behalf of the applicant. He explained the additions to the one-family dwelling to the life-long Manorhaven resident's property. The Village PB Engineer requested changes twice over the past weeks, including the request for a soil boring test. Changes and the soil boring test were submitted at the meeting. Since the plans were not submitted in a timely manner, the Village PB Engineer did not have an opportunity to review them. Roger Cocchi, sitting in for Raul Cotillo, did mention that at first glance the soil boring test did show favorable results.
- Mike Masiello asked for a rendering. The applicant, Jill Miscioscia submitted a drawing, which Clerk Abramski marked as **PB5-2019 -Exhibit 1 – 7/15/19**. Masiello noted that he believed that they had all the information they needed for now.

PUBLIC COMMENT:

- Barry Schulman, who lives across the street from the applicant, said that they would be a "great benefit" as neighbors in Manorhaven.
- Eliena Gromecko, resident at 31 Oldwood Rd., is the next door neighbor. She showed the Board images of her home next to the proposed location of additions. She feels the house will be much larger than her home and all the other homes on the street. She also complained about the dust and that she could not leave her windows open.

- Mike Masiello explained that they renovations meet all the requirements and the applicants have to right to do renovations and the addition. – Gromecko wants to be sure they addition is done correctly.

- Zygmunt Jagiello noted that the drawings are in compliance.

- Ken Gray, Village PB Attorney, explained that the applicant originally wanted to make changes and had the proper permits. Once they began work, they found damage and had to change the scope of construction. The Building Superintendent approved the scope of work and any safety concerns.

- Jill Mischochia, applicant, said the contractor (her father) was working on the property when he discovered the unexpected damage. He started taking it down piece by piece to avoid dust. She apologized for any dust that occurred despite their best efforts to avoid it.

- Eliena Gromecko said the Contractor said he does not care about her children. Miscioscia apologized for any misunderstanding and reassured her that they have every intention of being good neighbors. Rogel noted that he was called by Gromecko regarding the dust. He made suggestions to control the dust between the properties.

- Dominick Masiello suggested water to cut down on dust.

- Dominick Masiello moved to close the Public Comment; seconded by Mike Masiello; unanimously carried.

- Mario DeSantis moved to accept the application contingent upon the Village PB Engineer's review and acceptance of newly submitted drawing change, the soil boring results and a screening of the work site; seconded by Zygmunt Jagiello; unanimously carried.

PB6-2019 – Application of 14 Hendon Corp./Ventura Plumbing, owner of premises known as 5A Sintsink Drive East, Port Washington, New York, known on Nassau County Land and Tax Map as Section 4, Block 39, Lots 32 and 33, for site plan approval to convert plumbing storage into a dog kennel.

BOARD AND APPLICANT COMMENTS:

- The applicant's architect, Walter Walton, spoke regarding what he called primarily an interior renovation with no change to the footprint of the building. He added that there would be cosmetic upgrades to the outside fascia of the building. He discussed the radius map of a sound decibel study that was performed of the surrounding area. He noted that there would be twenty-four (24) spots for overnight accommodations for dogs. All of the runs and play spaces are indoors. He also mentioned that they have been no parking problems and the current store which h is also primarily a drop-off/pick-up only location.

- The Village PB Engineer, noted that the drainage will remain exactly the same and there are no drywells.

- Mike Masiello asked more about parking and permission granted from Guy LaMotta in the lot of LaMotta's Restaurant.

- Bruce Migatz added that the BZA granted a parking variance based on drop off/pick-up of pets. Parking was not contingent upon the agreement with LaMotta's.

PUBLIC COMMENT: None

- Mike Masiello moved to close the Public Comment; seconded by Zygmunt Jagiello; unanimously carried.

- Mike Masiello moved to accept the application; seconded by Dan Garcia; unanimously carried.

ADJOURNMENT:

- **Mario DeSantis** moved to close the meeting; seconded by Dominick Masiello; unanimously carried.

Next Scheduled Meeting is: August 6, 2019 at 7 p.m.

Manorhaven, New York

July 15, 2019

SHARON NATALIE ABRAMSKI, RMC, CMC

VILLAGE CLERK-TREASURER