

**INC. VILLAGE OF MANORHAVEN  
BOARD OF ZONING  
33 Manorhaven Blvd. Port Washington, 11050  
February 19, 2019 at 6:30 p.m.  
MINUTES**

**Call to Order:** 6:34 p.m.

**Pledge of Allegiance:** Bruce Migatz, Esq.

**Attendance:** Jeremy Devine, John Di Leo, Jerry Volpe, Joseph Zimbardi, Patrick Gibson - Chair, Sharon Abramski – Village Clerk, Jeffrey Blinkhoff – BZA Attorney; Andrew Levenbaum - BZA Engineer.

**EXECUTIVE SESSION:**

*- Motion to go into Executive Session at 6:34 p.m. for legal advice by John Di Leo; seconded by Jerry Volpe; motion unanimously carried*

*- Motion to close Executive Session at 7:17 p.m. by Joe Zimbardi; seconded by Jerry Devine; motion unanimously carried.*

**APPLICATIONS BEFORE THE BOARD:**

**Z582 – 22 Sagamore Hill Drive, Port Washington, NY, 11050**, S-4 B-39 L- 1-10, 56-58 in Zone E1. Applicant Secatoag 20-26, LLC proposes to construct one mixed-use building seeking: (1) a special use permit seeking mixed-use development in the E-1 zoning district in accord with section 155 – 24 (A)(22) of the Village Code; (2) seeks a variance of section 155 – 24 (C)(2) under which buildings shall not exceed 26 feet and 2 stories in height as measured from the established street grade adjoining the property in order to construct a building of 35.66 feet in height, and three stories high not including the elevator bulkhead which adds an additional 4 feet to the building height and rooftop access stairs; (3) seeks a variance of section 155 – 24(C)(6) in order to allow for minimum front yard setbacks of less than the required 20 feet, with a 5 foot proposed setback on Sagamore Hill Drive; (4) seeks a variance of section 155 – 34 (A) of the Village Code which requires that in all cases where flat roof construction is used and there is no ridge, that there shall be an average airspace of 18 inches between the ceiling beams and roof beams to instead allow that there will be no 18 inch space as required with the ceiling beams and roof beams being the same portion of the proposed structure; (5) seeks a variance of section 155 – 38 of the Village code which prohibits buildings of wood frame or metal-skin construction in any commercial or industrial district to instead propose the construction of a building where no construction method is specified; (6) seeks a variance of section 155 – 45 (J) of the Village Code which requires that in commercial or industrial districts each off-street parking area shall have an area of not less than 10' x 20', with access drives or aisles, in usable shape and condition of not less than 20 feet, to instead propose parking spots with varying sizes and out of conformance with the required dimensions; (7) seeks a variance of section 155 – 46 of the Village Code which requires 83 off-street parking spaces to instead allow for 33 off-street parking spaces.

**COMMENTS BY THE BOARD AND APPLICANT:**

*- BZA Attorney Jeffrey Blinkoff discussed the Ethics Board Hearing which took place on February 13, 2019. Blinkoff introduced a letter from the Ethics Board dated 2/19/2019. The letter to Mayor Avena and the Board of Trustees stated that nothing was presented or found to cause any of the BZA members to have to recuse themselves. The letter was marked as **Exhibit 1**.*

*Blinkoff noted that before the meeting a resident brought a matter to him stating that Jerry Volpe resides in a Dejana owned apartment. He asked Volpe to address the matter before the public.*

*- Jerry Volpe stated that he has lived in his apartment for the past eleven years and never received any type of benefit while living there. He gave a brief description of his job history, with no position related to Dejana or his businesses. He felt strongly that he should not have to recuse himself based on his*

residency. Blinkoff agreed.

**SEQRA AND DECISION:**

- Blinkoff drafted a decision based on discussions with the BZA Board regarding the Dejana application. The decision reviewed criteria based on NYS Law.

- *Motion to name the BZA as the lead agency and the application as a Type II action under SEQRA by Joe Zimbardi; seconded by Jerry Devine; unanimously carried.*

- *Motion to accept the application made by Joe Zimbardi; seconded by Jerry Volpe; motion carried..*

*Joe Zimbardi - Aye*

*Jerry Devine - Aye*

*Patrick Gibson - Aye*

*Jeremy Devine - Nay*

*John Di Leo - Nay*

**ADJOURNMENT:** 7:34 p.m.

*Motion to close the meeting by Jeremy Devine; seconded by Joe Zimbardi; motion unanimously carried*

SHARON NATALIE ABRAMSKI, RMC, CMC

Village Clerk-Treasurer, Secretary to the BZA

Dated: February 19, 2019