

**INC. VILLAGE OF MANORHAVEN  
BOARD OF ZONING MEETING  
JULY 18, 2017 – 7:00 P.M. - MINUTES**

**Call to Order:** 7:00 p.m.

**Pledge of Allegiance:** Mayor Jim Avena

**Attendance:** Jeremy Devine, Brendan Fahey, Dominic Masiello, Frank Ottaviani, Chairman Patrick Gibson, Clerk Sharon Abramski, Jeffrey Blinkoff, Esq., Andrew Levenbaum, Engineer.

*- Motion to enter into Executive Session at 7:02 p.m. by Dominic Masiello, Seconded by Brendan Fahey, unanimously accepted.*

Legal matters discussed with reference to the applications before the Board.

*- Motion to adjourn Executive Session at 7:37 p.m. by Jeremy Devine, Seconded by Frank Ottaviani, unanimously accepted.*

**Applications Before the Board:**

**1. Z575- 4 Manhasset Avenue**, Port Washington, NY, Section 4, Block 82, Lot 1 in Zone R-1. Applicant seeks a variance from section 155-12 (D) (1) to maintain a daycare center/school in a residential zone. The proposed work is to change the current Occupancy from Group F (factory) to Group E (educational).

- Christine Mucci appeared on behalf of the owners (Warny Holding Corp.) and asked for an adjournment until August 8<sup>th</sup>.

*Motion to accept adjournment to August 8, 2017 by Jeremy Devine; seconded by Brendan Fahey; unanimously accepted.*

**2. Z573 (Continued Hearing) 5 Secatoag Avenue**, Port Washington, NY 11050, S-4 B-83 L-27, 28, 29 & 225 in Zone E1. Peter Meyer, owner of said property seeks: (1) a special permit from the Board of Zoning and Appeals pursuant to section 155-24 A (22) of the Village Code for a mixed use in residence zone E-1; (2) a variance of section 155-24 A (22)(a)[2] of the Village Code under which the minimum size of a two bedroom dwelling is 1,100 square feet and where two units are proposed having an area of 962 square feet (Unit “A”) and 955 square feet (Unit “B”); (3) a variance of section 155-24 A (1)(d) under which the number of parking spaces required is 7 and 6 are proposed; (4) a variance of section 155-45 J of the Village Code under which each off-street parking area is required to be 10 x 20 feet and where 8.66 x 20 feet is proposed; (5) a further variance of section 155-45 J under which a driveway is required to be of 20 feet and where 13.05 feet is proposed; and (6) a variance of section 155-24 C(6) of the Village Code under which the minimum front yard setback permitted is 26 feet and where 4.6 feet is proposed.

- Bruce Migatz, Esq. representing the applicant, inspected the premises and provided the Board with additional materials. He stated that some of the variance requests are “pre-existing conditions.”

- Chairman Gibson noted that one 1 bedroom and one 2 bedroom apartment would eliminate the need for a variance. The true variances were the size of the parking spots and size of the apartments.

**Public Comment:**

- John Orr feels that the Zoning Board allows too many variances and that is one of the reasons that there are overcrowding and parking problems.

- Oscar Cibants and Steve Ressa, property owners next door, want an opportunity to review the drawings to see if they have any objections before a decision is made.

*Motion to continue the hearing on August 8, 2017 by Frank Ottaviani; seconded by Dominic Masiello; unanimously accepted.*

3. Z572 – 56 Ashwood Road, Manorhaven, 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.

4. Z568 – 48 Ashwood Road, Manorhaven, NY, 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 27.87% 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 71.8% is proposed.

5. Z569 – 50 Ashwood Road, Manorhaven, NY, S-4 B-75 L- p/o 31, 32, 33 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.

6. Z570 – 52 Ashwood Road, Manorhaven, 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.

7. Z571 – 54 Ashwood Road, Manorhaven, 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.

- Peter Mineo, Esq, representative for the applicant asked if he could discuss all applications together. He reviewed each application's similarities and differences in variance requests.

*He presented Exhibit A – March 8, 2016 Planning Board Decision and Exhibit B – 1970 and 1973 Surveys of 48 Ashwood Road to the Board. He noted a recorded easement agreement for all ten lots.*

- Paul Russo, architect for the applicant, answered right of way questions and said he would prepare a composite.

*Motion to continue hearing by Frank Ottaviani; seconded by Brendan Fahey; unanimously accepted.*

**Adjournment:**

*Motion to Close the Meeting at 8:35 p.m. by Frank Ottaviani; seconded by Dominic Masiello; unanimously accepted.*

SHARON NATALIE ABRAMSKI, RMC, CMC  
Village Clerk-Treasurer-Secretary to the BZA  
Dated: July 18, 2017  
Manorhaven, New York