

\INC. VILLAGE OF MANORHAVEN
BOARD OF ZONING
33 Manorhaven Blvd. Port Washington, 11050
July 16, 2019 at 7 p.m. - MINUTES

Call to Order: 7:01 p.m.

Pledge of Allegiance: Rita Di Lucia

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.

Z- 595 - 59 Orchard Beach Boulevard, Port Washington, NY, 11050, S-4, B-59, L-636 in Zone R-4. (Continued hearing) Applicant, Pond Ridge Homes' Counsel, Anthony Piacentini, requested an adjournment to **8/13/2019 at 7 p.m.** Witnesses were unavailable.

- *Jeremy Devine moved to accept the adjournment; seconded by John Di Leo; unanimously carried.*

APPLICATIONS BEFORE THE BOARD:

Z- 597 – 43/45 Orchard Beach Boulevard, Port Washington, NY, 11050, S-4, B-59, L-640, 642 in Zone C-1. Applicant, Christopher Fillas, seeks a variance: (1) from section 155 – 18C(2)c of the Village Code in order to allow accessory use of existing building over surface water where accessory uses shall not be permitted over surface waters and shall be located inland, away from the water to maximum extent practicable, so as to provide space immediately abutting the water for water-dependent uses; (2) from section 155 – 18C(3)a of the Village Code for a special use permit for proposed restaurant where accessory uses allowed under this subsection shall be permitted only by special permit to be issued by the Board of Appeals; and (3) from section 155 – 46 of the Village Code in order to provide no off-street parking spaces where the minimum number of off-street parking spaces required is 44.

Board/Applicant Comments:

- Elias Fillas, a partner/owner of the restaurant noted that they were seeking a parking variance. His architect was not in attendance.
- Bill Rogel, Superintendent of Buildings, said that they have only 29 spots of the required 44.
- Elias Fillas noted that there would be less seating than the previous restaurant had due to the new layout of the restaurant, Further Discussion ensued regarding parking possibilities.

Public Comment:

- Clair di Napoli feels that the Village needs the restaurant and thinks it will be a great addition for the Village.
- Rich Helfont said the restaurant is in his backyard. He had questions about the hours of operation, whether there would be live music and outdoor dining. He also questioned if there would be a location for overflow parking
- Elias Fillas commented that there is no new seating after 10 p.m., no live music and the outdoor deck would be much smaller, only large enough for a fire pit and drinks. He noted that in the summer, the usual boats are not stored in the Parking lot, so it is empty. Lunch will be served during the summer months.
- Andrew Levenbaum asked about their catering plans during the winter months..
- Klaus Merrick, also a neighbor next to the restaurant, said that he has seen restaurants come and go. He noted that there are an additional 20 parking spots without the boats in the summertime. He was concerned about noise, but was in favor of a restaurant.

EXECUTIVE SESSION:

- Jeremy Devine moved to enter into Executive Session to seek the advice of Counsel, seconded by Joe Zimbardi; unanimously carried.

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- Jerry Volpe moved to close the Executive Session and resume the regular session, seconded by Joe Zimbardi; unanimously carried.

- Patrick Gibson asked the Board to continue the hearing on August 13 at 7 p.m., keeping the public comments open.

- John Di Leo moved to adjourn to 8/13/19; seconded by Joe Zimbardi; unanimously carried.

ADJOURNMENT:

- Jeremy Devine moved to close the meeting at 7:34 p.m.; seconded by Joe Zimbardi; unanimously carried.

* The next BZA Meeting is: August 13, 2019

SHARON NATALIE ABRAMSKI, RMC, CMC

Village Clerk-Treasurer, Secretary to the BZA

Dated: July 16, 2019