

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

Call to Order: 6:32 p.m.

Pledge of Allegiance: Jeremy Devine

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

December 10, 2019 at 6: 30 p.m. - Z- 595 - 59 Orchard Beach Boulevard, Port Washington, NY, 11050, S-4, B-59, L-636 in Zone R-4. Applicant, Pond Ridge Homes, seeks a variance: (1) from Section 155 – 16 (B) of the Village Code in order to construct a building with a building area of 45.02% of the lot area where the maximum permitted is 35%; (2) from section 155 – 35 (A) of the Village Code in order to maintain the eaves that project into the side yards by 42 inches when cornices, eaves, and gutters cannot project more than 24 inches into side yards; and (3) from section 155 – 35 (E) of the Village Code in order to maintain an open side entry stair leading to the second floor under both the left and right side of the building when the Code does not permit entry stairs on the side of the structure leading to a second-story, either open or enclosed, covered or uncovered.

- *Jeremy Devine moved to adjourn Z595 to December 10, 2019 at 6:30 p.m.; seconded by Jerry Volpe; unanimously carried.*

EXECUTIVE SESSION:

- *Jerry Volpe moved to enter into Executive Session at 6:35 p.m. to seek the Advice of Counsel; seconded by John DiLeo; unanimously carried.*

- *Jeremy Devine moved to close the Executive Session and resume the regular session at 6:57p.m.; seconded by Jerry Volpe; unanimously carried.*

APPLICATIONS BEFORE THE BOARD:

Z-598- 21 Juniper Road, Port Washington, NY, 11050, S-4, B-45, L-70, 71, 72 in Zone R-1. Applicant, 21 Juniper LLC, Moritz Maroof, seeks variances: (1) from Section 155 – 13.1(F) of the Village Code which requires a 20 foot rear yard setback in order to allow: emergency escape and rescue window wells that encroach into the required rear yard setback by 3 feet 8 inches, and to permit the installation of air conditioning condensers that encroach into the required rear yard setback by 3 feet 6 inches; (2) from section 15-13.1(G) to construct a building with height of 27 feet where no building shall exceed 26 feet in height from the established grade; (3) from section 155 – 13.1(J) to construct a two-family dwelling resulting in building lot coverage of 30.21% when the maximum building lot coverage permitted for a two-family dwelling is 25%; and (4) from section 155-13.1(K) to construct a building with total lot coverage of 50.15% where total building lot coverage shall not exceed 50% of the area of the lot.

Board/Applicant Comments:

- Charles D’Alessio, architect for the applicant, explained all changes on the drawings. The applicant is seeking approval tonight. They will not require a backyard setback variance as previously requested, but will still seek the height variance due to the water table.

Public Comment:

- Colleen O’Neill feels that the changes were made by the applicant just to ‘move on’ with the their project. She felt changes were not made to accommodate his neighbors.

- Laura Bigliotti feels the larger home will create additional parking problems; she feels it does not fit in with the neighborhood. She has lived on Juniper Rd. her whole life and has never heard of any flooding problems on their street.

- Lori Leeds asked if the curb cuts would change. She was told that they would not.

- *Jeremy Devine* moved to close public comment; seconded by *Jerry Volpe*; motion unanimously carried.
- *John DiLeo* moved to designate this application as a Type II application, holding no significant impact on the environment; seconded by *Jeremy Devine*; unanimously carried.
- *Jeremy Devine* moved to accept this application, with a height variance of 27 feet and 28% lot coverage; seconded by *Jerry Volpe*; motion unanimously carried.

Z-599 – 2 Cornwall Lane, Port Washington, NY 11050, S-4, B-103, L 62 in Zone R1. Applicant, Raymond Lim, seeks the following variances on a one story rear addition: (1) from Section 155-13.1E of the Village Code, seeking an east side yard of 6.33 feet, a west side yard of 5.583 feet and an aggregate of 11.91 feet from the legal minimum side yard setback of 6 feet with a minimum aggregate of 14 feet. (2) from Section 155-13.1 (J) of the Village Code, seeking 32.42%, where the stated the maximum lot coverage for a two-family dwelling shall be 25%; (3) from Section 155-35 of the Village Code, seeking an emergency/rescue window well opening projecting into the east side yard by 3 feet, where emergency escape and rescue opening window wells which encroach into side yards are not permitted.

Board/Applicant Comments:

- *Andrew Kaplan*, architect for the applicant discussed the project, noting that they are still seeking a side lot variance which will be matched to the pre-existing variance in place. They will match it. They also are seeking the increase in lot coverage to match the pre-existing lot coverage.

Public Comment: None

- *Jeremy Devine* moved to close public comment; seconded by *Jerry Volpe*; motion unanimously carried.
- *Jeremy Devine* moved to designate this application as a Type II application, holding no significant impact on the environment; seconded by *John DiLeo*; unanimously carried.
- *Jerry Volpe* moved to accept the application pending a review of the final plans by the Building Supervisor; seconded by *John DiLeo*; unanimously carried.

ADJOURNMENT:

- *Jeremy Devine* motioned to adjourn the meeting at 7:24 p.m.; seconded by *John DiLeo*; unanimously carried.

SHARON NATALIE ABRAMSKI, RMC, CMC
 Village Clerk-Treasurer, Secretary to the BZA
 Dated: November 19, 2019