

**INC. VILLAGE OF MANORHAVEN
BOARD OF ZONING APPEALS
September 13, 2022 at 6:30 p.m. – MINUTES**

CALL TO ORDER: 6:32 p.m.

PLEDGE OF ALLEGIANCE: Dominick Masiello

ATTENDANCE:

Chairman Frank Ottaviani, Jerry Volpe, Joseph Zimbardi, Ray Hounigringer via ZOOM, Dominick Masiello, Edward Watt, Alex Kovacevic– Deputy-Village Clerk, Thomas Larounis, Esq., – BZA Attorney; Andrew Levenbaum - BZA Engineer.

APPLICATIONS BEFORE THE BOARD:

(Z613) Matter of 30 Sagamore Hill Drive: Port Washington, NY, 11050, S-4, B-83, Lots 1-20, and 55-64, the applicant seeks to construct a self-storage facility in the E-1 Zoning District and requests: (1) a variance from section 155-24 (C) (2) in order to construct a building of 3 stories and 35.81’ in height when the maximum height permitted under the Code is 2 stories and 26’; (2) a variance from section 155-46 in order to construct a building with premises providing 10 parking spaces including 2 handicap spaces when the Code requires 161 parking spaces; (3) a variance from section 155-34(A) in order to construct a building with a flat roof where there is no ridge and where there is no proposed ceiling below the roofline, when the Village Code requires that there be an 18” average air space between the ceiling beams and roof beams; (4) a variance from section 155-30 (D) of the Village Code in order to construct/place a transformer in the front yard of the subject property when the placement of a structure in the front yard is prohibited; and (5) a special use permit pursuant to section 155-24(A)(7) of the Village Code in order to construct a self-storage facility within the E-1 District, for which such a special use permit may be requested as long as the storage of combustible materials is prohibited and trucks serving the facility shall have a gross weight (GWT) of no greater than 20 tons.

BOARD/APPLICANT COMMENTS:

Kathleen Deegan Dickson, attorney representing applicant requested an adjournment to October 11th.

Frank Ottaviani expressed concern regarding the number of adjournments previously requested.

Frank Ottaviani made a motion to adjourn Z613 to October 11th; seconded by Ray Hounigringer; unanimously carried.

(Z612) 10 Sintsink Drive East: Port Washington, NY 11050, S-4, B-L, Lots 212, 216 in Zoning District C-1 the applicant requests variances from: (1) section 155-35 (E) Entry stairs on the side of the structure leading to a second story, either opened or enclosed, covered or uncovered, are not permitted. Proposed: Enclosed entry stairs leading to a second floor on south side. (2) section 155-46 – Nine off-street parking spots are required. Proposed: No off-street parking spots are provided.

BOARD/APPLICANT COMMENTS:

Bruce Migatz, attorney representing applicant reviewed history of property and surrounding neighborhood. Further discussed prior variances granted. Presented exhibit to Board which included photos of applicant property and other details. Also presented exhibit 8 which included supportive letters from nearby properties.

Dominick Masiello asked if staircase affected any of the parking spots.

Don Alberto, architect representing applicant clarified staircase question asked by Board.

PUBLIC COMMENT:

No public comment given.

Jerry Volpe made a motion to close public comment; seconded by Dominick Masiello; unanimously carried.

Thomas Larounis read a statement regarding the New York State Environmental Quality Review Act.

Roll call vote taken to determine that the Village of Manorhaven Board of Zoning Appeals be Lead Agency under the New York State Environmental Quality Review Act, and that said variances, if granted, have been determined to be Type II Actions for the purpose of the New York State Environmental Quality Review Act, having no significant impact on the environment.; ‘Aye’ approving said application and ‘Nay’ denying application. Results were as follows: Joseph Zimbardi – Aye; Jerry Volpe – Aye; Ray Hounigringer – Aye; Dominick Masiello – Aye; Frank Ottaviani – Aye. Application approved.

Roll call vote taken to approve or deny said application; ‘Aye’ approving said application and ‘Nay’ denying application. Results were as follows: Joseph Zimbardi – Aye; Jerry Volpe – Aye; Ray Hounigringer – Aye; Dominick Masiello – Aye; Frank Ottaviani – Aye. Application approved.

(Z619) Matter of 65 Dunwood Road: Port Washington, NY, 11050, S-4, B-78, Lots 41-42, in Zoning District R-1 the applicant requests variances from: (1) section 155-13.1 (J) Residential District R-1 which provides that the maximum allowed building lot coverage, for a two-family dwelling shall be 25%, and the proposed building lot coverage is 28.4%.

BOARD/APPLICANT COMMENTS:

Edward Butt architect representing applicant reviewed revised drawings and reasoning for increased lot coverage variance.

Joseph Zimbardi expressed concern regarding amount of lot coverage requested.

Dominick Masiello asked how high the water table was and asked a question regarding the ceiling height.

Edward Butt noted that increased height and lot coverage of the building was due to the high water table. Further clarified Board question and noted that the footing was 2 feet above the water line. Also clarified hypothetical question regarding reduced lot coverage dynamics.

Jerry Volpe asked hypothetically what the outcome would be if the lot coverage was reduced.

PUBLIC COMMENT:

No public comment given.

Jerry Volpe made a motion to close public comment; seconded by Dominick Masiello; unanimously carried.

Thomas Larounis read a statement regarding the New York State Environmental Quality Review Act.

Roll call vote taken to determine that the Village of Manorhaven Board of Zoning Appeals be Lead Agency under the New York State Environmental Quality Review Act, and that said variances, if granted, have been determined to be Type II Actions for the purpose of the New York State Environmental Quality Review Act, having no significant impact on the environment.; ‘Aye’ approving said application and ‘Nay’ denying application. Results were as follows: Joseph Zimbardi – Aye; Jerry Volpe – Aye; Ray Hounigringer – Aye; Dominick Masiello – Aye; Frank Ottaviani – Aye. Application approved.

Roll call vote taken to approve or deny said application; ‘Aye’ approving said application and ‘Nay’ denying application. Results were as follows: Joseph Zimbardi – Aye; Jerry Volpe – Aye; Ray Hounigringer – Aye; Dominick Masiello – Aye; Frank Ottaviani – Aye. Application approved.

ADJOURNMENT:

The next BZA Meeting is Tuesday, October 11th at 6:30 p.m.

Alex Kovacevic
Village Deputy Clerk-Treasurer, Acting Secretary to the BZA
Dated: September 14, 2022