

**INC. VILLAGE OF MANORHAVEN  
BOARD OF ZONING APPEALS  
October 11, 2022 at 6:30 p.m. – MINUTES**

**CALL TO ORDER:** 6:30 p.m.

**PLEDGE OF ALLEGIANCE:** Alex Kovacevic

**ATTENDANCE:** *Chairman Frank Ottaviani, Jerry Volpe, Joseph Zimbardi, Ray Hounigringer, Dominick Masiello, Edward Watt, Alex Kovacevic– Deputy-Village Clerk, Thomas Larounis, Esq., – BZA Attorney.*

*Jerry Volpe made a motion to enter executive session; seconded by Frank Ottaviani; unanimously carried at 6:32 p.m.*

*Jerry Volpe made a motion to close executive session and re-enter public hearing; seconded by Joseph Zimbardi; unanimously carried at 7:02 p.m.*

**APPLICATIONS BEFORE THE BOARD:**

**(Z623) 57-61 Manorhaven Boulevard:** Port Washington NY, 11050 S-4, B-71, Lot 1. The applicant seeks to repair an existing storefront and perform interior alterations to an existing building involving a change of use and change of occupancy classification. (1) 155-46 There is an off-street requirement to provide a minimum of 18 parking spaces. Proposed: No off-street spaces are provided.

**BOARD/APPLICANT COMMENTS:**

Jeffrey Brodsky - applicant of said matter discussed the proposed plan details, scheduling of proposed gym and parking dynamics.

Dominick Masiello - directed a question about parking to Church Representative.

Michael Monaco - business owner of proposed project noted that signs would be placed to ensure that customers do not illegally park in Church parking lot.

**PUBLIC COMMENT:**

Monsignor Robert Clerkin - noted that the Church parking lot is private and felt that any additional parking load could create dangerous conditions and pose an insurance issue for the Church. Further mentioned that he was not in favor of the application.

Frank Ottaviani - mentioned that in the past fences had been used to eliminate illegal parking in private areas.

Mike Moran - resident expressed concern regarding limited parking on Cottonwood Road and it's surrounding area.

Dominick Masiello - mentioned that the Church could be liable if anyone were to get injured in Church parking lot.

Michael Barry - resident felt as though parking was not sufficient in the area to support the proposed application.

Roy Schneider - resident felt as though parking was not sufficient in the area to support the proposed application although in favor of supporting new businesses.

Jeffrey Brodsky - raised concerns regarding proposed project starting in the wintertime. Further noted that he would provide a bollard and chain at his own cost for the Church parking lot if allowed.

Bill Rogel – Building Superintendent, when asked about current parking situation with existing restaurant Margaritas, mentioned that the prior Village Administration may have allowed alternative parking in preserve parking lot.

Lou Gilano - representative of application noted that existing building needed repair.

Thomas Larounis – mentioned that facade condition and repair was not on the agenda for the Board to render a decision.

Frank Ottaviani – mentioned that he was in support of new businesses for the growth of the community.

Maria Carpinelli - asked why issues weren't resolved before projects started.

Jerry Volpe - explained that the Village must follow the process set forth by the Village Code.

Bill Rogel - mentioned that existing repair to facade was done on an emergency basis.

*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. If approved, a required condition would include the Village Engineer to review and approve said plan. Results were as follows: Joseph Zimbardi – Aye; Jerry Volpe – Aye; Ray Hounigringer – Aye; Dominick Masiello – Nay; Frank Ottaviani – Aye. Application approved.*

**(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:**

Frank Ottaviani - read a letter dated October 9<sup>th</sup> from Mayor Popeleski, directing the matter to the Board of Trustees.

Kathleen Deegan Dickson – attorney representing the applicant felt that the matter was not in the purview of the Board of Trustees.

Frank Ottaviani - asked how the applicant's law firm was in receipt of the internal letter dated October 9<sup>th</sup>.

Kathleen Deegan Dickson - further commented that she had heard of the October 9<sup>th</sup> letter.

**ADJOURNMENT:**

*Frank Ottaviani made a motion to adjourn meeting; seconded by Jerry Volpe; unanimously carried at 8:12 p.m.*

**The next BZA Meeting is Wednesday, November 9th at 6:30 p.m.**

Alex Kovacevic  
Village Deputy Clerk-Treasurer, Acting Secretary to the BZA  
Dated: October 12, 2022