

**INC. VILLAGE OF MANORHAVEN
BOARD OF ZONING APPEALS
July 12, 2022 at 6:30 p.m. – MINUTES**

CALL TO ORDER: 6:31 p.m.

PLEDGE OF ALLEGIANCE: Alex Kovacevic

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

EXECUTIVE SESSION:

Jerry Volpe made a motion to enter into executive session to seek legal counsel; seconded by Joseph Zimbardi; unanimously carried at 6:32 p.m.

Jerry Volpe made a motion to close executive session and re-enter public session; seconded by Dominick Masiello; unanimously carried at 7:00 p.m.

APPLICATIONS BEFORE THE BOARD:

Z614 – 13 Dunes Lane Port Washington, NY 11050, S-4, B-F- L-962, 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% while the proposed building lot coverage is 29 %.

Deputy Clerk Alex Kovacevic notified Board that the applicant had requested an adjournment.

Ray Hounigringer made a motion to adjourn matter to July hearing date; seconded by Dominick Masiello; unanimously carried.

Z616 28 Kirkwood Road, Port Washington, NY 11050 S-4, B-45, L-137 in the R-1 Residential Zone, the applicant seeks variances from: (1) Section 155-13.1(J) of the Village Code to construct a two-family dwelling where the building lot coverage will be 29.8% when the maximum allowed building lot coverage is 25%,and from (2) Section 155-35 of the Village Code in order to construct two rear stairwells to the basement and four air-conditioners located 16.4 feet from the rear yard lot line when the minimum rear yard setback is 20 feet.

Deputy Clerk Alex Kovacevic notified Board that the applicant had requested an adjournment.

Jerry Volpe made a motion to adjourn matter to August hearing date; seconded by Frank Ottaviani; unanimously carried.

(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 27.29%.

BOARD/APPLICANT COMMENTS:

Edward Butt, architect representing applicant reviewed specifications of property and further noted that egress windows would be removed.

Andrew Levenbaum questioned drainage calculations and proximity of drywells not being within 10 feet of water service. Further commented that footing should be two (2) feet above ground water.

PUBLIC COMMENT:

No public comment given.

Joseph Zimbardi made a motion to adjourn matter to August hearing; seconded by Jerry Volpe; unanimously carried.

(Z620)Matter of 68 Edgewood Road, Port Washington, NY 11050, S-4, B-78, Lots 34-36, in Zoning District R-1 the applicant requests variances from: (1) section 155-13.1 (G) Residential District R-1 which provides that no building shall exceed two stories or 26 feet in height measured from established street grade and the applicant proposes a building with a height of 28.5 feet as measured from established street grade; (2) 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 28.66%; (3) section 155-45 K(2) which provides that for any construction on an interior lot of a new one-family or two-family dwelling, only one curb cut shall be permitted, and such curb cut shall be limited to 16 feet in width, and the applicant proposes two 8-foot curb cuts.

Deputy Clerk Alex Kovacevic notified Board that the applicant had requested an adjournment.

Ray Hounigringer made a motion to adjourn matter to August hearing date; seconded by Dominick Masiello; unanimously carried.

(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.

Deputy Clerk Alex Kovacevic notified Board that the applicant had requested an adjournment.

Jerry Volpe made a motion to adjourn matter to August hearing date; seconded by Joseph Zimbardi; unanimously carried.

Matter of 23A Kirkwood Road, Port Washington, NY 11050, S-4, B-44, L-267, 375, 377, in Zoning District R-1 the applicant requests variances from: (1) section 155-13.1 (G) Residential District R-1 which provides that no building shall exceed two stories or 26 feet in height measured from established street grade and the applicant proposes a building with a height of 34 feet as measured from the street grade; (2) 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 29%; (3) section 155-35 Appurtenance Construction in that the applicant proposes to maintain one rear stoop and four air conditioners encroaching into the minimum rear yard setback of 20 feet by having setbacks of 17' for the stoops, 16' for the air conditioners and such items are not permitted appurtenance encroachments of the Village Code into minimum rear yards.

Matter of 23B Kirkwood Road, Port Washington, NY 11050, S-4, B-44, L-164, in Zoning District R-1 the applicant requests variances from: (1) section 155-13.1 (G) Residential District R-1 which provides that no building shall exceed two stories or 26 feet in height measured from established street grade and the applicant proposes a building with a height of 34 feet as measured from the street grade; (2) 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 29%; (3) section 155-35 Appurtenance Construction in that the applicant proposes to maintain one rear stoop and four air conditioners encroaching into the minimum rear yard setback of 20 feet by having setbacks of 17' for the stoops, 16' for the air conditioners and such items are not permitted appurtenance encroachments of the Village Code into minimum rear yards.

BOARD/APPLICANT COMMENTS:

Stephen Ressa Esq., representing applicant reviewed variances sought. Further reviewed other properties in the area with approved variances. Provided comments on rear yard retaining wall.

Rui Gomes, architect representing applicant reviewed height reduction from prior application. Further noted recent positive drainage direction. Mr. Gomes additionally reviewed site plan.

Dominick Masiello posed a question regarding the crown of the road in relation to the property.

Ray Hounigringer questioned how far the property sat above the water table.

Frank Ottaviani questioned how the backyard retaining wall would be constructed and questioned the material to be used.

Andrew Levenbaum questioned the drawing labeled D-1 for drainage. Further recommended that drywell elevations be modified.

Stephen Ressa expressed that the applicant intends to build a property in accordance with existing properties.

PUBLIC COMMENT:

Alex Kovacevic read a letter on behalf of resident Lorraine Whittaker regarding 23A and 23B Kirkwood Road.

Frank Ottaviani made a motion to adjourn the matter to the August hearing; seconded by Dominick Ottaviani; unanimously carried.

ADJOURNMENT:

Frank Ottaviani made a motion to adjourn the meeting;; seconded by Dominick Ottaviani; unanimously carried at 7:42 p.m.

The next BZA Meeting is Tuesday, August 9th at 7:00 p.m.

Alex Kovacevic
Village Deputy Clerk-Treasurer, Acting Secretary to the BZA
Dated: July 19, 2022