

MINUTES OF THE VILLAGE OF ATLANTIC BEACH
BOARD OF ZONING APPEALS MEETING
65 THE PLAZA, ATLANTIC BEACH, NY 11509

JUNE 15, 2017

CALL TO ORDER

At 8:00 PM Chairman Anthony Siniscalchi called the meeting to order.

ROLL CALL

Present were:

Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins
Village Attorney Charles S. Kovit
Building Inspector Steven Cherson
Village Clerk Emily Siniscalchi
Court Reporter Linda Caffera

Absent: Alternate Commissioner Jesse Lunin-Pack EXCUSED

Village Clerk Emily Siniscalchi read the procedure that we will be following for this meeting.

Village Clerk Emily Siniscalchi said anyone that wishes to speak tonight must sign in.

Village Clerk Emily Siniscalchi said the approval for the following would take place at the end of this meeting.

- Approval of Minutes
- Approval of Findings of Facts

Chairman Siniscalchi asked Mr. Cherson to state the relief the applicants are seeking.

Case # 17310 - 41 Ulster LLC, 41 Ulster Avenue

Maintain a one family single family dwelling on a larger lot

Request for variance from the following sections of the Zoning Code of the Village of Atlantic Beach, NY also known as Section 58, Block 40, Lots 30-33 on the Nassau County Land and Tax Map.

Article XV - General Provisions

§250-14 - Subdivision into undersized or substandard lots

It shall be unlawful and deemed a violation of this chapter for the owner of a parcel of property to subdivide the same, either by sale, devise, gift or otherwise, into smaller plots which would result in the creation of one or more undersized or substandard-sized plots, with relation to the area and street frontage and minimum width requirements of this chapter in effect at the time of such subdivision, and any plot so created shall be deemed to be in violation of this chapter, and said violation shall be deemed to extend and apply to all lots newly created out of the original plot subdivided, whether or not one or more of the newly created plots is technically in conformity with the then-existing chapter.

Proposed front yard setback on Tioga Avenue is 40 feet where the minimum width of 55 feet at the front setback line is required

Chairman Siniscalchi asked if there was anyone to speak for.

Case # 17310 - 41 Ulster LLC, 41 Ulster Avenue (Continued)

David Leno, Esq., Rivkin Radler Law Firm said he was here on behalf of the applicant. He said there is insufficient front yard and his client has no intention of a curb cut on Tioga Avenue.

Submitted into evidence were the following:

- Applicant Exhibit 1: Nassau County Land & Tax map for Ulster and Tioga Avenues marking the area for this case.
- Applicant Exhibit 2: e-mail from Daniel Schwartz to Marc Sholes and Attorney Leno stating they approve the variance

Chairman Siniscalchi asked if the Board had any questions. Commissioner Watkins asked if they have any intention of raising the property and they said the Sholes may want to install a swimming pool and 41 Ulster is just additional land.

Chairman Siniscalchi asked if there was anyone to speak, Sworn in was Rosanne Golden, 51 Ulster Avenue and asked what are they going to do with the house. Mr. Leno said he does not know the immediate plan if they are going to tear down the existing house and build a new one.

Chairman Siniscalchi asked if there was anyone to speak against - there was no one

Commissioner Baessler moved the adoption of the following:

RESOLVED, to grant Case # 17310 - 41 Ulster Avenue, LLC as submitted with the condition that there will be no curb cuts on Tioga Avenue.

The foregoing was seconded by Chairman Siniscalchi and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

Case # 17311 - Evelyn and Holly Cook, 49 Daytona Street

Construct a second story addition with interior alterations

Request for variance from the following sections of the Zoning Code of the Village of Atlantic Beach, NY also known as Section 58, Block 17, Lot 53 on the Nassau County Land and Tax Map.

Article IV - A Residence District
§250-22 Front Yards.

B. In case of a corner lot, a front yard shall be required on each street, and, notwithstanding the foregoing, each front yard shall be not less than 25 feet, provided that, if at the effective date of this chapter any corner lot is held in single and separate ownership having a width of less than 55 feet, the depth of the front yard on one side of the lot may be decreased when authorized as a special exception by the Board of Zoning Appeals.

Proposed front yard setback Daytona Street 10'-4"
Proposed front yard setback Pacific Boulevard 10'-9"

Case # 17311 - Evelyn and Holly Cook, 49 Daytona Street (Continued)

Chairman Siniscalchi asked if there was anyone to speak on this case

Sworn in was Holly Cook owner of 49 Daytona Street - she said she is here to discuss the setback - wants to update residence expansion of existing 2nd story - not touching existing footprint. She said the property is in line with all properties on Daytona Street and looking to make it nicer.

Chairman Siniscalchi asked if there was anyone to speak for
Sworn in was Ann Teese, 68 Daytona Street and said she has seen three houses the Cook's have and upgraded - all and gorgeous.

Chairman Siniscalchi asked if there was anyone else to speak for - there was no one
Chairman Siniscalchi asked if there was anyone to speak against - there was no one

Commissioner Jacobs moved the adoption of the following:

RESOLVED, to grant Case #17311 - Evelyn and Holly Cook, 48 Daytona Street as submitted.

The foregoing was seconded by Commissioner Baessler and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

APPROVAL OF FINDINGS OF FACTS

Each member of the Board was given a copy of the Findings of Fact and given an opportunity to review and correct.

Commissioner Watkins moved the adoption of the following:

Case # 17309 - Beach & Broome LLC, 2001 Park Street - wall sign -
New York State Assembly District 20 - Melissa Miller
- New York State Assemblywoman

The foregoing was seconded by Commissioner Jacobs and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

Case #15278 - 88 Dutchess LLC - Attorney Kovit explained the case
Chairman Siniscalchi moved the adoption of the following;
Seconded by Commissioner Baessler and passed by the following vote:

APPROVAL OF FINDINGS OF FACTS (Continued)

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

APPROVAL OF MINUTES

Each member of the Board was given a copy of the Minutes and given an opportunity to review and correct.

Commissioner Baessler made a motion to accept the minutes of May 25, 2017 as written.

The foregoing was seconded by Commissioner Watkins and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

ADJOURNMENT

At 8:20 PM Chairman Siniscalchi made a motion to adjourn.

The foregoing was seconded by Commissioner Watkins and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Allan Jacobs
Commissioner Steven Watkins

Noes: None

Emily Siniscalchi, Village Clerk