

Village of Hewlett Bay Park
Board Of Zoning Appeals
Hewlett Bay Park, New York 11557

Minutes of April 2, 2023

Attendees: Leonard Schiffman, Chair
Lee Schluskel and Stella Gershfeld, Members

The meeting was called to order by the Chair at 6:30 P.M. at 180 Woodside Drive Hewlett, New York.

This is a continuation of the hearing on the application of Carmine Abruzzo, 162 Cedar Avenue, Hewlett Bay Park, New York, to construct a new dwelling, where such construction requires a variance of Village Code §146-12, to permit the dwelling to have as ide height/setback ratio of 1.08, where a maximum of 0.85 is permitted. Premises are designated as Section 41, Block A, Lot 2 on the Nassau County Land and Tax Map.

The original architectural plans presented a side-height setback ratio of 1.08, where Village Code §146-12, stipulates a maximum ratio of 0.85. The homeowner and his architect presented amended plans demonstrating a reduction of the ratio to 0.90, which included just under 2 feet of roof peak above the 0.85 line. Those plans were reviewed by the Village Building Inspector, Dennis Fromigia, who has confirmed the above.

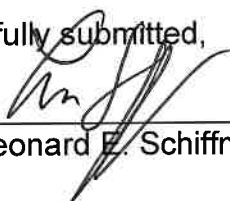
The Board closed the public hearing, and reserved decision. The Board Members discussed the requested variance taking into account the magnitude of violation of the as yet unbuilt structure, the waterfront location of the proposed residence, proximity to neighboring structures, the proposed tree line camouflage barriers, and other factors, including the large front setback unique to this "flag pole" accessed shaped lot.

On motion of Mrs. Gershfeld and seconded by Mr. Schluskel, and unanimously approved, the Board declared itself to be the lead agency under the New York State Environmental Quality Review Act ("SEQRA") and determined that the relief requested is a Type II matter under SEQRA which requires no environmental review, and, in accordance with the short-form format authorized by Village Code §146-33.1, granted

the variances, as modified (0.90 height setback ratio), subject to the following conditions:

(i) the work shall be constructed in conformity with the amended plans, as the Board grants herein only the amended variance as identified above, (ii) no later than six (6) months after the filing of this decision with the Village Clerk the property owner shall obtain all required licenses and permits, and (iii) no later than one (1) year from the date of permit issuance, the property owner shall obtain all required certificates of occupancy and/or completion, to the extent approved herein.

Respectfully submitted,



Leonard E. Schiffman

4-3-2023
Date