

MINUTES
BOARD OF APPEALS
VILLAGE OF HEWLETT BAY PARK
30 PIERMONT AVENUE
HEWLETT BAY PARK, NEW YORK

March 9, 2023

Present: Leonard Schiffman, Chair
Stella Gershfeld and Lee Schlussel, Members
Dana Garraputa, Deputy Village Clerk
Brian S. Stolar, Esq., Village Attorney
Dennis Fromigia, Building Inspector (via Zoom)

The meeting was called to order at 7:00 p.m.

The Board opened the continued public hearing on the application of 1335 Paine Rd LLC, 1335 Paine Road, Hewlett Bay Park, New York, to maintain an extension over an existing garage, which requires variances of (a) Village Code §146-12(B), to permit a height setback ratio of 0.958, where a maximum of 0.85 is permitted, and (b) Village Code §146-18, to permit a side yard setback of 18.7 feet, where a minimum of 30 feet is required. Premises are designated as Section 42, Block 191, Lot 12 on the Nassau County Land and Tax Map.

The applicant was represented by Emily Gan and Young Yoon. The minutes of the hearing were stenographically transcribed.

The applicant's representatives informed the Board that they were withdrawing the request for a variance of Village Code §146-12(B), and now only seek a variance of Village Code §146-18 to permit a side yard setback of 18.7 feet. These changes are reflected in the revised plans filed with the Village on October 11, 2023 (the "Amended Plans")

On motion by the Chair, seconded by Ms. Gershfeld, and adopted unanimously,

the Board closed the hearing on the 1335 Paine Road application.

The Board discussed the 1335 Paine Road application. After such discussion, on motion made by the Chair, seconded by Ms. Gershfeld, and adopted unanimously, 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 variance of Village Code §146-18, on account of the Board's previous determination in 1990 permitting this setback, 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.

The Board opened the public hearing on the application Carmine and Colette 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 applicants were represented by Young Yoon. The minutes of the hearing were stenographically transcribed.

The applicants' representative advised that they had submitted revised plans,

with a revision date of January 17, 2023, which plans modify the height setback ratio to 0.90.

The Board requested additional details concerning the linear height of the proposed height setback encroachment. On motion duly made by the Chair, seconded by Ms. Gershfeld, and unanimously adopted, the Board continued the public hearing to April 23, 2023, at 7:00pm.

There being no further business, the meeting was adjourned at 7:48 p.m.

THE ABOVE MINUTES WERE FILED IN THE
OFFICE OF THE VILLAGE CLERK OF THE
INCORPORATED VILLAGE OF HEWLETT BAY PARK AT

TIME: _____ A.M./P.M. ON

DATE: _____, 2023 BY
(Month) (Day)

Dr. Leonard Schiffman, Chairman