

Board of Appeals
Thursday, August 21, 2014

Members Present: Alison Varley, Chairperson
Richard Ubert, Vice Chairman
Kirk Hurme
Todd Brice
Tracey Cullen, Alternate

Absent: Bill Ordon

Also Present: Tom Whalen, Code Enforcement Officer
Diane Ortiz, Secretary to the ZBA

Meeting called to order at 7:05 p.m.

Chairperson Varley welcomed everyone to the August 21, 2014 meeting of the Zoning Board of Appeals, and introduced all the members. Chairperson Varley stated applicants are hereby notified that any/all agreed concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

After the executive session and corrections were made to the July 23, 2014 meeting minutes, Chairperson Varley called for a motion to approve the minutes of the July 23, 2014 meeting of the Board of Appeals, copies of which were sent to all members of the Board. Kirk Hurme so moved; Richard Ubert seconded.

Vote on the Motion	Mr. Ubert	-aye
	Mr. Cullen	-aye
	Mr. Hurme	-aye
	Ms. Varley	-aye

Motion Carried: 4 ayes 0 nays

Application of **Rohit Khazanghi [Science of Spirituality] as agent for Narender Kohli** (14-08-01). Applicant seeks a use variance pursuant to the expansion of the existing parking areas further into the adjacent northern and eastern Residential "B" districts of their premises pursuant to Section 183-43 of the Village Code. Premises located on the East side of County Line Road approximately 168' S/o Cedar St. in a Residential "B" District k/a 79 and 89 County Line Road a/k/a SCTM #101-7-1-50.3 and 51.

Findings:

1. Proper notice was provided to all parties including the Town of Oyster Bay and Nassau County
2. Applicants are seeking a use variance for a better flow of traffic with a U-turn
3. Property is surrounded by several residential properties
4. Several neighbors spoke in opposition of encroaching 89 County Line Road and additional parking
5. Properties were merged in 2007 with several stipulations from the Planning Board
6. Applicants are seeking extra parking and additional egress and ingress for anticipated growth over the next several years. Applicants stated that membership has approximately doubled since 2004

7. Applicants usually have two major functions throughout the year for which the extra parking would not be sufficient, but additional ingress and egress is needed for buses
8. Existing property has two means of egress and ingress
9. The applicants state that at all other times parking as exists is sufficient as well as ingress and egress to the premises
10. Several adjacent neighbors have complaints about overhead lighting, noise, compost, access to their properties, dumpsters, landscaping and overall maintenance of the property and spoke in opposition to this application

After due consideration, the Board finds there was no hardship articulated to justify the requested variance and previous stipulations of the Planning Board dated 17 January 2007 state that "Parcel #1 (containing the existing house) shall not be used for access to Parcel #2 (vacant parcel being acquired by applicant). Motion was made by Mr. Uberty, and seconded by Mr. Brice, to deny the application.

Vote on the Motion	Ms. Varley	-aye
	Ms. Cullen	-aye
	Mr. Hurme	-aye
	Mr. Brice	-aye
	Mr. Uberty	-aye

Motion to Deny Carried: 5 ayes 0 nays

There being no further business to come before the Board of Appeals; Ms. Varley made a motion to adjourn the meeting; Mr. Hurme seconded the motion.

Vote on the Motion	Ms. Varley	-aye
	Ms. Cullen	-aye
	Mr. Hurme	-aye
	Mr. Brice	-aye
	Mr. Uberty	-aye

Motion Carried: 5 ayes 0 nays

Diane C. Sheridan,
Administrator/Clerk

The meeting was declared adjourned at 8:30 p.m