

# Zoning Board of Appeals Minutes January 13, 2022

Members Present: Richard Ubert, Chairman  
Vice Chairperson, Tracey Cullen  
Roger Smith, Member  
William Ordon, Member  
Eric Taylor, Member (VIRTUALLY)  
Robert Russo, Alternate Member / Member

Other Attendees: Gregg Doerner, Building Inspector  
Tracey Gronbach, Secretary to the Board

Meeting called to order at 7:02pm.

Chairperson Ubert welcomed everyone to the January 13, 2022, meeting of the Zoning Board of Appeals. He introduced himself and the Board Members.

Chairperson Ubert stated for the record that all applicants are hereby notified that any and 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. He also asked that anyone who comes to speak at the podium please state your name and address for the record and sign in on the sign in sheet so we can record everything properly.

Chairperson Ubert called for a motion to approve the minutes from the December 16, 2021, meeting.

A motion was made by Vice Chairperson Cullen to approve the minutes which was seconded by Mr. Ordon.

Vote on the Motion: Chairperson Ubert	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Smith	aye
Mr. Taylor	aye (VIRTUALLY)

Motion carried: 5 ayes 0 nays

**APPLICATION OF VINCENT CAMARDA.** To consider the appeal filed by the applicant of that part of the Order to Remedy Violation issued by the Building Inspector of the Village of Amityville, dated September 2, 2021, citing the applicant for failing to construct an attached garage in compliance with plans approved by the Zoning Board of Appeals, granted on March 18, 2021, and violating stipulations required by said approval. Premises located on the West side of Grand Central Ave approximately 550 ft south of Dewey Ave in a residence district known as 325 Grand Central Ave a/k/a SCTM#101-14-1-18

To consider an application to amend the prior Zoning Board of Appeals decision, granted on March 18, 2021, granting Vincent Camarda variances to construct an attached garage.

**APPLICATION OF VINCENT CAMARDA.** To consider rescinding the approval granted to Vincent

Camarda on March 18, 2021, pursuant to section 4-2 paragraph B of the Code of the Village of Amityville due to the alleged failure of said applicant to comply with one or more stipulations attached to said approval by the Zoning Board of Appeals. Premises located on the west side of Grand Central Ave approximately 550 ft south of Dewey Ave in a residence district known as 325 Grand Central Ave a/k/a SCTM#101-14-1-18.

**DETERMINATION:** Based on the facts and findings herein, as well as the testimony and evidence submitted in connection with this application, the Zoning Board of Appeals 1) affirms that part of the Order to Remedy Violation issued by the Building Inspector of the Village of Amityville, dated September 2, 2021, citing the applicant for failing to construct an attached garage in compliance with plans approved by the Zoning Board of Appeals, granted on March 18, 2021, and violating stipulations required by said approval, 2) denies the variance relief requested in the alternative, and 3) confirms that the applicant is permitted to improve the Premises pursuant to the Board's approval of March 18, 2021, provided he complies with the stipulations and all other legal requirements.

A motion to approve this application was made by Mr. Smith and was seconded by Vice Chairperson Cullen.

Vote on the Motion: Chairperson Ubert	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Smith	aye
Mr. Taylor	aye (VIRTUALLY)

Motion carried:      5 ayes      0 nays

Mr. Taylor left the meeting at this time, and Mr. Russo became a voting member for the rest of the meeting.

**Application of Horace Hill.** Applicant seeks renewal of a previously approved by special exception non-owner-occupied two-family dwelling, approved prior to March 3, 2010, with no change in ownership pursuant to Section 183-43 C. (6). Premises located on the south side of Locust Drive approximately 250 feet west of Broadway in a "Residential B" district known as 22 Locust Drive a/k/a SCTM# 101-1-2-21.

**Horace Hill, 121-39 235<sup>th</sup> Street, Amityville, NY,** spoke on behalf of this application.

Findings:

- Mr. Hill has owned his property since 1998.

- The house is a high-ranch style home, there are three bedrooms upstairs and four bedrooms down stairs.
- There is ample off-street parking (six to eight spots)
- The current tenants has been there for two years.
- This a Non-Owner-Occupied Two-Family Dwelling.
- Building Inspector Gregg Doerner had inspected this property for a rental inspection and there are no issues.
- No one spoke for or against this application.

Stipulations:

1. Applicant approved for 4 years or up to change of ownership; whichever comes first. 2. Applicant must obtain a rental permit for a Non-Owner-Occupied Two-Family Dwelling.
3. Must maintain property regarding garbage removal and off-street parking.
4. Applicant must adhere to all Village, State, and local ordinances.

A motion to approve this application was made by Vice Chairperson Cullen and was seconded by Mr. Smith

Vote on the Motion: Chairperson Ubert	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Smith	aye
Mr. Russo	aye

Motion carried:      5 ayes      0 nays

**Application of Thomas Hawkins.** Applicant seeks a special exception for the installation of a 6’ Fence in accordance with Section 183-139 A. (2) of the Village Code. Premises located on the North side of Sterling Ave in a “Residence B” District known as 59 Sterling a/k/a SCTM#101-31-23.

Thomas Hawkins, 59 Sterling Ave, Amityville, NY spoke on behalf of his application.

Findings:

- Mr. Hawkins is replacing a four-and-half foot high fence, with a six-foot PVC fence.
- Mr. Hawkins is asking for the six-foot fence for privacy, he has young grandchildren that come to visit. The neighbors on either side of the property have large dogs and the dogs have come over his current fence. He is concerned for safety reasons.
- Mr. Hawkins is also concerned being so close to the train station, he saw someone looking at his property one night, and found out there was a robbery that same evening.
- Vice Chairperson Cullen read a letter from his neighbor Linda Heller, in favor of this application.
- No one spoke against this application.

Stipulations:

1. The fence must be properly anchored with the good side facing towards the neighbors.

2. Applicant must obtain a Fence Permit from the Building Department.
3. Applicant must comply with all plans submitted to the Building Department.
4. Applicant must abide by all applicable State, Village and Local Codes.

A motion to approve this application was made by Vice Chairperson Cullen and was seconded by Mr. Smith.

Vote on the Motion: Chairperson Ubert	aye
Vice Chairperson	aye
Mr. Ordon	aye
Mr. Smith	aye
Mr. Russo	aye

Motion carried:      5 ayes      0 nays

**Application of Glenn Nugent for Ernest Caramanico.** Applicant seeks a variance for nonconforming rear yard setback to maintain an existing 10' x 12' "Tiki Hut" and existing 12' x 11' shed where the required minimum is four foot in accordance with Section 183-40 of the code of the Village of Amityville. Premises located south side of Riverleigh Place approximately 154.41

feet west of Richmond Ave in a "Residence BB" District known as 18 Riverleigh a/k/a SCTM#101-9-2-15.

Findings:

- Mr. Nugent stated that Mr. Caramanico is a lifelong resident and has owned the property for thirty-five years.
- Mr. Nugent said that Mr. Caramanico is here to legalize his "Tiki Hut" and the existing shed which are not anchored to the ground, they are resting on the patio pavers.
- Both structures are sturdy and have not had issues with wind in the past.
- The "Tiki Hut" is two feet off the property line when four-foot setback is required.
- No one spoke for or against this application.

Stipulations:

1. Applicant must comply with all plans submitted to the Building Department.
2. Applicant must obtain all building permits.
3. Applicant must abide by all applicable State, Village and Local Codes.

A motion to approve this application was made by Mr. Odon and was seconded by Vice Chairperson.

Vote on the Motion: Chairperson Ubert	aye
Vice Chairperson	aye
Mr. Ordon	aye
Mr. Smith	aye
Mr. Russo	aye

Motion carried:      5 ayes      0 nays

Motion to adjourn the meeting was made by Mr. Ordon seconded by Mr. Russo.

Vote on the Motion: Chairperson Ubert	aye
Vice Chairperson	aye
Mr. Ordon	aye
Mr. Smith	aye
Mr. Russo	aye

Motion carried:      5 ayes      0 nays

Chairperson Ubert adjourned the meeting at 7:15.

Respectfully submitted:

A handwritten signature in cursive script, reading "Catherine Murdock", is written over a horizontal line.

Catherine Murdock, Clerk/Treasurer