

**Planning Board Minutes  
October 1, 2020  
Zoom Video Call**

Chairperson Mia Jealous-Dank welcomed everyone to the October 1, 2020 Zoom Video Call meeting of the Amityville Planning Board at 7:00 P.M.

Members Present: Mia Jealous-Dank, Chairperson  
Mary D’Andrea, Member  
Colleen Nugent, Member  
Stephen Greenwald, Member  
Amanda Lowe, Member  
Townsend Thorn, Alternate Member

Other Attendees: Jacqueline Aissa & Tracey Gronbach, Secretary to the Board  
Bryan Donato, Building Inspector

The Board and attendees recited the Pledge of Allegiance.

After introducing The Board, Chairperson Jealous-Dank informed applicants that they are hereby notified that any and all agreed upon 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.

Anthony Galeotafiore submitted a letter to Board requesting an extension of time for a previous approval of the application of 221 Broadway.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D’Andrea	-aye
	Colleen Nugent	-aye
	Stephen Greenwald	-aye
	Amanda Lowe	-aye

Motion carried: 5 ayes 0 nays

The first application was the continuation of Avalon Bay-336 Broadway, which was originally heard at the August meeting.

**APPLICATION OF AVALON BAY COMMUNITIES, INC.** Applicant seeks Site Plan Approval and Architectural Review of the proposed 323-unit Multiple Dwelling and 15-unit Townhouses pursuant to Sections 183-152 & 183-153 of the Village Code along with a Sign Variation pursuant to Section 144-17 of the Village Code. Premises located on the North West corner of the intersection of Broadway and Louden Ave in a PR District known as 366 Broadway a/k/a SCTM #101-2-2-3.

**Joseph Buzzell, Esq.** Buzzell, Blanda & Visconti, LLP, 535 Broadhollow Rd, Suite B-4, Melville NY 11747, 535 Broadway, Attorney for Avalon Bay. Mr. Buzzell stated revisions were made to address comments and were filed with The Liro Group and Village of Amityville. There have been extensive hearings, two work sessions and a formal presentation. He asked if there were any other questions The Board needed addressed.

**Chairperson Jealous-Dank** acknowledged that The Board received the completed report from The LiRo Group and Avalon Bay representatives answered everything. There were two primary concerns: one being ponding in the proposed parking deck. This was addressed by adding two catch basins. The second issue was runoff near the townhome area. Nelson and Pope provided an extensive drainage report that hypothesized a significant reduction in the post-development runoff from the pre-development runoff.

**Chairperson Jealous-Dank** stated The Board was satisfied with the responses and revisions provided by the applicant. She then opened the floor to The Board and any members of the audience in attendance for other questions or comments.

**Ms. Nugent** questioned why there are only two proposed fire walls. **Danielle Molaison** from Avalon Bay Communities confirmed plans are code compliant. She added that these details would be part of the construction documents that would be submitted. **Mr. Buzzell** concurred that all was up to code and they were not seeking any variances or waivers. He stated such details would be required as part of the building permit submission. The details that are required by State fire code as well as building code go along with the building permit and would be inspected by the building inspector in that phase.

**Joan Donnison, Bay Village Civil Association**, asked about the fencing and barriers on the east side of the property. She expressed concerns over safety and potential vandalism due to the proximity of the building to the sidewalk. **Tom Dixon**, Site Engineer for Nelson & Pope stated there is a proposed 1' grade from sidewalk elevation to first floor. **Ms. Molaison** added that there is a 10' buffer of landscaping between the sidewalk and the building. She also stated the windowsills were high enough off street level to ensure security. **Chairperson Jealous-Dank** thought the proposed barrier was sufficient.

**Chairperson Jealous-Dank** moved that the Board accept this application with the following stipulations which was seconded by **Ms. D’Andrea**.

Stipulations:

1. The applicant must adhere to the plans submitted in conjunction with this application as approved by The Board, any deviation from the approved plans may require the application to be re-called by this Board.
2. The applicant is responsible to pay all recreational fees pursuant to Section 24-8 A. of the Village Code.
3. The applicant must obtain all proper building permits.
4. The applicant must adhere to all village, state, county, and local codes.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D’Andrea	-aye
	Colleen Nugent	-aye
	Stephen Greenwald	-aye
	Amanda Lowe	-aye

Motion carried:                      5 ayes                      0 nays

The next application was the continuation of Security Dodge-339 & 335 Merrick Road.

**APPLICATION OF 339 MERRICK ROAD REALTY LLC.** Applicant seeks site plan approval and architectural review of the proposed Automotive Service Facility pursuant to Sections 24-6 A. (1) (b) and 24-6 A. (1) (g) of the Village Code. Premises located on the South side of Merrick Rd approximately 362 ft. East of Bayview Ave in a B-2 Business District known as 339 Merrick Rd a/k/a SCTM#101-10-3-6

**Emily Santosus, Security Dodge, Merrick Rd and Harold Gebhard, Architect, 363 N Wellwood Ave, Lindenhurst, NY** spoke on behalf of this application.

**Ms. Santosus** stated that Security Dodge changed the lighting per the request of The Board as well as submitted a new east elevation rendering.

**Mr. Gebhard** concurred that the new lantern style lighting was added, at the request of the Board, to match the lighting on Montauk Highway. He added that the building design was continuous on all four sides and the lantern lighting was throughout. The East Elevation show the new split rock design where the stucco was.

There was a brief discussion on the size of the lanterns and The Board determined that the size presented was adequate.

**Ms. Jealous-Dank** felt the design incorporated The Boards requests.

**Ms. Nugent** disagreed and felt the windows still looked too small and industrial.

**Mr. Gebhard** stated that the windows did not change per last submittal. The sill height remained at 7' in height and the window dimensions are 2'x4'. This is for security purposes.

**Ms. Santosus** asked if moldings would appease The Board.

**Mr. Greenwald** asked in a 4x4 window could be used instead.

**Ms. D'Andrea** felt that as a commercial building the portions on the east elevation were sufficient. She felt molding may look "too colonial" for the style building.

**Mr. Thorn** commended Security Dodge representatives for the revisions to the landscaping design.

**Ms. Jealous- Dank** opened the floor to any members of the audience in attendance for other questions or comments.

**Margaret Shuff**, 77 South Bayview Avenue asked to see plans and renderings for the entire structure, as this was the first time she was seeing the proposal. She was invited to see the plans in person at Security Dodge or Village Hall.

**Chairperson Jealous-Dank** moved that the Board accept this application with the following stipulations which was seconded by **Ms. Lowe**.

Stipulations:

1. The applicant must adhere to the plans submitted in conjunction with this application as approved by The Board, any deviation from the approved plans may require the application to be re-called by this Board.
2. The applicant must obtain all proper building permits.
3. The applicant must adhere to all village, state, county, and local codes.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-nay
	Stephen Greenwald	-aye
	Amanda Lowe	-aye

Motion carried:                      4 ayes                      1 nays

**APPLICATION OF 335 MERRICK ROAD REALTY CORP.** Applicant seeks site plan approval for the proposed parking lot pursuant to Section 24-6 A. (1) (b) of the Village Code. Premises located on the South side of Merrick Rd approximately 200 ft. East of Bayview Ave in a B-2 Business District known as 335 Merrick Rd a/k/a SCTM#101-10-3-5

**Emily Santosus**, Security Dodge, Merrick Rd and **Harold Gebhard**, Architect, 363 N Wellwood Ave, Lindenhurst, NY spoke on behalf of this application.

**Chairperson Jealous-Dank** expressed concerns over the re-use of existing curb cut and exit to Merrick Road from this site as The Board had previously discussed and requested a right turn at this location. Ms. Jealous-Dank has contacted, Tariq Melik, of NYSDOT and is requiring Security Dodge to submit plans to DOT for their review. A case file will be forwarded to Security Dodge from the Planning Board Secretary. The Board made recommendations to the DOT and waits for their concurrence on this issue. The applicant must secure a Highway Work Permit from the DOT before performing any work on a State road.

**Mr. Gebhard** asked if DOT approval would hold up the application. He stated that there is an existing curb cut that currently has no limitation on it. **Chairperson Jealous-Dank** explained this is a major concern for The Board and DOT recommendation is required as well as a work permit. She asked that as Security Dodge goes through the application process and keep The Board apprised of DOT response time.

**Chairperson Jealous-Dank** moved that the Board accept this application with the following stipulations which was second by **Ms. Lowe**.

Stipulations:

1. NYS Department of Transportation review of curb cut and proposed right turn only. Applicant is to comply with findings and obtain a Highway Work Permit if necessary.
2. The applicant must adhere to the plans submitted in conjunction with this application as approved by The Board, any deviation from the approved plans may require the application to be re-called by this Board.
3. The applicant must obtain all proper building permits.
4. The applicant must adhere to all village, state, county, and local codes.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D'Andrea	-nay
	Colleen Nugent	-nay
	Stephen Greenwald	-nay
	Amanda Lowe	-aye

Motion denied:                      2 ayes                      3 nays

**APPLICATION OF TODD BRICE.** Applicant seeks Architectural Review and approval of a proposed 26.5' x 30' commercial garage pursuant to Sections 24-6 A. (1) (g) of the Village Code. Premises located on the West side of S. Ketcham Ave approximately 170ft South of Morris St in a B-3 Marine Business District known as 217 South Ketcham Ave a/k/a SCTM#101-11-1-14.

**Todd Brice, 132 Ocean Avenue, Amityville** spoke on behalf of his application. Mr. Brice stated that this property was in the marine district and that he rebuilt the two- family dwelling already with Zoning Board approval. The two-family dwelling is currently being renting. Brice is proposing a detached two-car garage with office space above. The proposed two-car garage with office space did not require approval from the Zoning Board.

**Chairperson Jealous-Dank** asked The Board for comments

**Ms. D'Andrea** stated the design of the garage was nice and liked the design of the dormer but the proposal needed lighting. She also asked what type of garage door would be installed. **Mr. Brice** responded that the southside of the house has lights and the boat slip /dock area also has lights. He was concerned for the neighbors if he added more lighting. **Mr. Brice** stated that he was using a non-commercial garage door with no glass

**Ms. D'Andrea** questioned if the bottom part of the façade was cement. **Mr. Brice** replied that the cement skirt was there due to the flood zone and flooding issues. The cement skirt was only about 2 ½' in height and was in line with the skirt of the existing dwelling.

The board was pleased with the design.

**Chairperson Jealous-Dank** opened the floor to the public for comments.

**Arthur Chiodo** owner of 233,235 and 237 South Ketcham who resides at 203 S. Ketcham stated that he was for the development and was also pleased with the design.

**Joan Donnison** asked what the garage and office would be used for. She expressed concern over parking and width of driveway. **Mr. Brice** was unsure to the tenant of garage but thought his current tenant on Ocean Avenue, a marine canvas maker, would rent the garage. He reiterated that

the property was in a marine district and that there is much parking in the back for the boat slips that are currently being rented. The proposed driveway is 17' wide.

**Chairperson Jealous-Dank** moved that the Board accept this application with the following stipulations which was second by **Ms. Nugent**.

Stipulations:

1. The applicant must adhere to the plans submitted in conjunction with this application as approved by The Board, any deviation from the approved plans may require the application to be re-called by this Board.
2. The applicant must obtain all proper building permits.
3. The applicant must adhere to all village, state, county, and local codes.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	Stephen Greenwald	-aye
	Amanda Lowe	-aye

Motion carried:                      5 ayes                      0 nays

**APPLICATION OF KURT NITZSCHE** Applicant seeks Architectural Review and approval of the proposed detached garage with roof over patio pursuant to Sections 24-6 A. (1) (h) of the Village Code. Premises located on the South side of Sterling Pl approximately 550ft West of Burch Ave in a B Residence District known as 152 Sterling Pl a/k/a SCTM#101-3-3-6.

**Kurt Nietzsche, 208 Leonard Street North Bellmore**, spoke on behalf of his application. Mr. Nietzsche stated that he would like Board approval to replace his dilapidated garage with a new slightly larger garage with a covered patio facing the yard. He has already obtained approval from the Zoning Board.

**Mr. Thorn** asked if **Nietzsche** lived in the home. **Mr. Nietzsche** explained that his father has relocated from Florida and is currently living at the residence.

**Mr. Thorn** added that he would like the design to look more like the character of the existing home on the property. He suggested cedar shingles on the front face of the proposed garage with the diamond pattern detail to match the house. **Mr. Thorn** also suggested **Nietzsche** replace the 4x4 posts with more decorative columns and details on the overhang to match the home.

There was a discussion on matching the roof pitch to the home, however it was brought to The Boards attention that there was a height restriction. The board agreed that **Mr. Nietzsche's** plan was to current code and no further change to the roof was recommended.

**Ms. D'Andrea** agreed that the proposed garage design should match the character of the existing home better.

**Chairperson Jealous-Dank** opened the floor to the public for comments. There were no comments from the public.

**Chairperson Jealous-Dank** requested that the Applicant come back next month with revised plans reflecting the changes discussed, as listed below.

**Ms. Nugent and Ms. D'Andrea** agreed that the structure needs to be adapted and changed to work better with the existing home.

Recommended Revisions:

1. Provide cedar shingles on the front of the garage
2. Use of Decorative columns in place of post on the side
3. Incorporate some of the details of the main house into the garage

**APPLICATION OF SHEA & KRISTIN THORVALDSEN** Applicant seeks Architectural Review and approval of the proposed 28x46 Boathouse pursuant to Sections 24-6 A. (1) (h) of the Village Code. Premises located on the West side of Riverside Ave approximately 125 ft. South of Perkins Ave in a Residential A District known as 73 Riverside Ave a/k/a SCTM#101-10-4-2.3

**Denat Prastos** spoke on behalf of the applicant. Ms. Prastos stated that the current 36x23 boat house would be replaced with 48x28 boathouse. The structure was already approved by the Zoning Board. In design, special attention was given to keep with the bay village architecture theme blending 19<sup>th</sup> century Victorian with maritime construction.

**Chairperson Jealous-Dank** opened the discussion to The Board. The Board was in agreement that the design would be a beautiful addition to the area and the details were of liking. Particular details, such as the weathervane, were well received by The Board.

**Chairperson Jealous-Dank** opened the floor to the public for comments. There were no comments from the public.

**Chairperson Jealous-Dank** moved that the Board accept this application with the following stipulations which was second by Ms. Nugent.

Stipulations:



1. The applicant must adhere to the plans submitted in conjunction with this application as approved by The Board, any deviation from the approved plans may require the application to be re-called by this Board.
2. The applicant must obtain all proper building permits.
3. The applicant must adhere to all village, state, county, and local codes.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	Stephen Greenwald	-aye
	Amanda Lowe	-aye

Motion carried:                      5 ayes                      0 nays

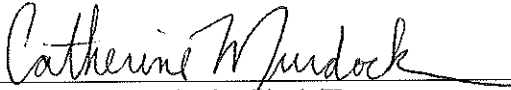
A motion to adjourn the meeting was made by **Chairperson Jealous-Dank** seconded by Ms. Nugent.

Vote on the Motion:	Mia Jealous-Dank, Chairperson	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	Stephen Greenwald	-aye
	Amanda Lowe	-aye

Motion carried:                      5 ayes                      0 nays

Meeting adjourned at 8:05 pm.

Respectfully submitted:

  
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 Catherine Murdock, Clerk/Treasurer  
 Village of Amityville, N.Y.

