

**Zoning Board of Appeals
May 21, 2015
Minutes**

Members Present: Alison Varley, Chairperson
 Richard Ubert, Vice Chair
 Kirk Hurme, Member
 Tracey Cullen, Alternate
 Bill Ordon, Member
 Todd Brice, Member

Also Present: Thomas Whalen, Code Enforcement
 Stephen Greenwald, Director of Operations

Meeting called to order at 7:00pm

Chairperson Varley welcomed everyone to the May 21st, 2015 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.

Ms. Varley asked the Board for a motion to approve the minutes from the April 16, 2015 meeting. A motion was made by Mr. Ordon and seconded by Mr. Ubert.

Chairperson Varley stated the although the date of the meeting was not listed in the legal advertisement in the paper it was still legal to hold the meeting since the applicants had sent certified letters to their neighbors and posted signs on their property to notify the public. It was also posted on the Village Website.

Application of John Smits, Architect as agent for owner Michael Marino. Applicant seeks area variances pursuant to exceeding the permitted building height and encroaching the required side yard associated with the elevation of and additions of a garage, master bath, master bedroom, and raised rear deck to the existing one and one half story one family dwelling pursuant to Sections 183-46 and 183-51 of the Village Code. Premises located on the west side of Norman Ave. approx. 765 feet south of Richmond Ave. in a "Residential A" district k/a 65 Norman Ave. a/k/a SCTM# 101-13-10-11

Findings:

1. The house was built in 1938 and is one and one half stories.
2. Applicant has received approval from New York Rising to raise the home
3. Applicant is asking for base flood plus 2 feet bringing the total height to 31.6 feet on the portion of the house which will be the extension housing a master bedroom and bath
4. A detached one story garage will be demolished due to flooding from Super Storm Sandy

5. A new 2 car attached garage 21 feet wide will be added to the home on the south side which will reduce the side yard setback from 30 feet to 9 feet.
6. The existing boiler room will house all mechanics
7. Pack units will be used for air conditioning and will be housed on the north side of the home

A motion to approve the application with the following stipulations was made by Mr. Brice and seconded by Mr. Ubert

Stipulations:

1. All mechanical equipment needs to be 12 feet off the property line
2. The air conditioning units must be housed on the north side of the home
3. Planning Board approval is required
4. Applicant must secure all necessary permits and abide by all state and local codes

Vote on the Motion	Ms. Varley	aye
	Mr. Ubert	aye
	Mr. Hurme	aye
	Mr. Ordon	aye
	Mr. Brice	aye

Motion carried 5 ayes 0 nays

Application of David Sullivan. Applicant seeks a Special Exception to erect a six foot solid non see through fence within the side yards of his premises pursuant to Section 183-139 A (1) of the Village Code. Premises located on the west side of South Bayview Avenue approx. 200 feet south of MacDonald Ave. in a "Residential B" district k/a 253 South Bayview Avenue a/k/a 101-14-2-10.1

Findings:

1. Applicant lives on a major road and his property is located right next to Ronback Marina
2. Applicant has no privacy with all the boats being serviced
3. Applicants property is also next to Amityville Beach which had a good deal of both pedestrian and vehicle traffic
4. Applicant has owned the property for 1 year and 7 months
5. Applicant plans to put a 5 foot fence with an additional 1 foot of lattice and provided samples of the type of fence
6. Applicant neighbor has a 6 foot fence on his property

A motion to approve the application with the following stipulations was made Mr. Ubert and seconded by Mr. Ordon

Stipulations:

1. Applicant must secure a fence permit
2. The fence must be securely anchored with the good side facing out
3. Fence must be erected as diagramed or amended on the plot survey submitted
4. Applicant may not be allowed to place barbed wire on the top of the fence
5. Applicant must conform to all Village Codes

6. Maintenance of the fence will be the responsibility of the applicant/owner

Vote on the Motion	Ms. Varley	aye
	Mr. Ubert	aye
	Mr. Hurme	aye
	Mr. Ordon	aye
	Mr. Brice	aye

Motion carried	5 ayes	0 nays
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Application of Peter Imbert. Applicant seeks a Special Exception to waive the requirement for the installation of a sidewalk in front of the in process of construction house and variances pursuant to the required height and non-permitted interior plumbing associated with the detached accessory building pursuant to Sections 152-14 and 183-40 of the Village Code. Premises located on the south side of Griffing Ave. approx. 350 feet west of Grand Central Ave. in a "Residential BB' district k/a 70 Griffing Ave a/k/a SCTM# 101-12-3-43

Findings:

1. Applicant provided a Google Map showing that no other homes nearby have sidewalks
2. The pool house will be an uninhabitable accessory building and be 540 square feet and used for storage
3. The in ground pool will not exceed the area variance
4. The bathroom in the pool house will only be accessible through an outside entrance
5. Similar variances have been issued for 308 Ocean Ave. and 46 Bourdette Pl., Amityville
6. The height variance sought for the pool house is to accommodate additional storage space
7. Two similar height variances have been granted at 180 and 176 Ocean Ave., Amityville

A motion to approve the application with the following stipulations was made by Mr. Ordon and seconded by Mr. Ubert

Stipulations:

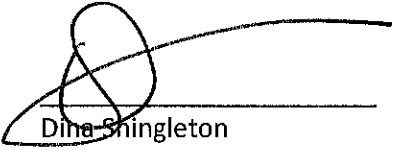
1. Applicant must secure all necessary permits and abide by all state and local codes
2. The pool house must remain a non-habitable space
3. All mechanical equipment must be housed on the outside of the structure
4. The structure must be built according to specified plans submitted to the Building Department
5. The height of the structure can be no higher than 18 feet from grade to the top of the ridge

Vote on the Motion	Ms. Varley	aye
	Mr. Ubert	aye
	Mr. Hurme	aye
	Mr. Ordon	aye
	Mr. Brice	aye

Motion carried	5 ayes	0 nays
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Meeting adjourned at 8:10 pm

Respectfully submitted

A handwritten signature in black ink, consisting of a large, stylized loop that crosses itself, followed by a long horizontal stroke extending to the right.

Dina Singleton
Clerk/Treasurer