

**Zoning Board of Appeals
Minutes
June 25, 2020
Zoom Video Call**

Members Present: Richard Ubert, Chairman
Tracey Cullen, Vice Chairperson
Todd Brice, Member
Roger Smith, Member
Eric Taylor (Alternate Member)

Other Attendees: Tracey Gronbach, Secretary to the Board

Absent: William Ordon, Member
Bryan Donato, Building Inspector

Meeting called to order at 7:00pm.

Chairperson Ubert welcomed everyone to the June 25, 2020 meeting of the Zoning Board of Appeals. He introduced himself and the Board Members. He 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 please state your name and address for the record and sign on the sign in sheet so we can record everything properly.

Chairperson Ubert asked for a motion to approve the minutes May 28, 2020 meeting. Vice Chairperson Cullen made a motion to approve the minutes with edits which was seconded by Mr. Smith.

Vote on the Motion:	Chairman Ubert	aye
	Vice Chairperson Cullen	aye
	Mr. Brice	aye
	Mr. Smith	aye
	Mr. Taylor	aye

Motion carried: 5 ayes 0 nays

Chairperson Ubert read a letter from Central Realty Estates (41, 45, 49 and 51 Park Ave) requesting a one-year extension to their Zoning Board of Appeals approval due to Coronavirus complications.

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Mr. Smith made a motion to approve this request which was seconded by Vice Chairperson Cullen.

Vote on the Motion:	Chairman Ubert	aye
	Vice Chairperson Cullen	aye
	Mr. Brice	aye
	Mr. Smith	aye
	Mr. Taylor	aye

Motion carried: 5 ayes 0 nays

The Extension approved for one year from December 2020 expiration.

Application of Jose Sanchez. Applicant seeks renewal of a previously approved by Special Exception conversion of a one family dwelling to an owner-occupied two-family dwelling approved prior to March 3, 2010, pursuant to Section 183-43C. (6) of the Village Code. Premise located on the South side of Oak Street approximately 1062 feet west of Bayview Avenue in a “Residential B” District known as 75 Oak Street also known as SCTM# 101-5-3-12.

Jose Sanchez, 75 Oak Street, Amityville NY spoke on his behalf of this application.

Findings:

- Applicant seeks renewal of an owner-occupied two-family dwelling.
- Mr. Sanchez has owned the property for two years.
- The first floor is a two-bedroom and one bath apartment. Three people live in this downstairs apartment.
- The second floor– three bedrooms and one bath apartment. Mr. Sanchez lives there with his wife and two kids. He rents out one of the bedrooms to two other people, unrelated to him.
- There is adequate off-street parking.
- No residents spoke for or against this application.
- Approved for 2 years

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Motion to approve this application was made by Mr. Smith and seconded by Todd Brice with the following stipulations.

Vote on the Motion:	Chairman Ubert	aye
	Vice Chairperson Cullen	nay
	Mr. Brice	aye
	Mr. Smith	aye
	Mr. Taylor	aye

Motion carried: 4 ayes 1 nay

Stipulations:

1. This application is approved for two years or change of ownership and or occupancy.
2. Applicant must call the Building Department for inspections.
3. Applicant must maintain adequate off-street parking.
4. Applicant is responsible for maintenance of the property. Applicant must adequately maintain the premises. Applicant must ensure timely and appropriate disposal of all rubbish, trash, and garbage.
5. Applicant must obtain a rental permit.
6. Applicant must abide by all applicable State, Village and Local Codes.

Application of Reality Management 2 Inc. Applicant seeks a renewal of a Special Exception for a non-owner-occupied Two-Family dwelling pursuant to Sections 183-43 c. (6) of the Village Code. Premises located on the Northeast corner of the intersection of Oak St and Wellington Pl in a residential B District known as 66 Oak St a/k/a SCTM#101-4-3-22

Albert Munaror, President of Reality Management 2 Inc., 1713 5th Ave 2nd Floor, Bayshore NY spoke on behalf of this application.

Findings:

- Reality Management 2 Inc. bought the property last summer. They manage over 150 properties (some within Amityville) and has never had a complaint before). He is seeking to renew a special exception for a non-owner-occupied two- family dwelling.
- The first floor is a two-bedroom apartment. A husband and wife with one or two kids reside there.

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- The second floor is also a two-bedroom apartment with a family.
- The driveway holds four vehicles and has adequate off-street parking for both apartments.
- When Reality Management2 Inc. purchased the property last summer he said it was a two-family home.
- Mr. Munaror said he bought the home in foreclosure and made improvements including new siding.
- There had been an issue with inadequate lawn maintenance due to COVID but says it has been resolved. He has committed to improve the condition of the property.
- A letter from **Kathleen Kline, 15 Wellington Place, Amityville** was read into the record by Vice Chairperson Cullen. Mrs. Kline is concerned about the home being non-owner occupied and not maintained. The grass is overgrown and in the sidewalk. Mr. Munaror addressed the issues and said since COVID things were side tracked, but he committed to fix and maintain the landscaping.
- **Janet Colletti, 17 Wellington Place, Amityville** said that the Reality company and the tenants are not good neighbors. Today was the first time in weeks they have touched the landscaping. They do not comply with the garbage rules. The tenants park on the grass and drive the wrong way on the one-way street. The property is unattended and there is always garbage around. The neighbors usually bring the cans up to the house for the tenants. Applicant expressed commitment to address these concerns.

Motion to approve this application was made by Vice Chairperson Cullen and seconded by Mr. Smith with the following stipulations.

Vote on the Motion:	Chairman Ubert	aye
	Vice Chairperson Cullen	aye
	Mr. Brice	aye
	Mr. Smith	aye
	Mr. Taylor	aye

Motion carried: 5 ayes 0 nays

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Stipulations:

1. Application is approved for one year or change of ownership whichever comes first.
2. Applicant must maintain adequate off-street parking.
3. Applicant is responsible for maintenance of the property. Applicant must adequately maintain the premises. Applicant must ensure timely and appropriate disposal of all rubbish, trash, and garbage.
4. Applicant must obtain a rental permit.
5. Applicant must abide by all applicable State, Village and Local Codes.

Motion to adjourn the meeting was made by Mr. Taylor seconded by Mr. Smith.

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

Motion carried: 5 ayes 0 nays

Chairperson Ubert adjourned the meeting at 7:45 pm.

Respectfully submitted:

Catherine Murdock, Clerk/Treasurer