

**MINUTES OF THE MEETING HELD BY  
THE BOARD OF ZONING APPEALS  
AT VILLAGE HALL**

**DATE: July 31, 2023    TIME: 6:00 PM**

**PRESENT:**

Russel Mohr, Chairman  
Jeffrey Blumin, Member  
Vincent Parziale, Member  
Julia Zoiner, Member

**ALSO PRESENT:**

Howard D. Avrutine, Village Attorney (By Zoom)  
James Antonelli, Village Engineer (By Zoom)

**EXCUSED:**

Louis Lebedin, Member

See list at end of minutes

**PROCEEDINGS**

The Chairman called the meeting to order at 6:10 PM.

Notice of tonight's meeting was posted and provided to the Oyster Bay Herald by the Deputy Village Clerk as well as posted on the Village website.

On motion by Member Blumin, seconded by Member Parziale and unanimously carried, with member Lebedin not present, the Board approved the minutes of the meeting held on June 6, 2023.

**1<sup>st</sup> ITEM: ZV13-2023 and ZS14-2023:**

The hearing then commenced on the application of Michael Rant on behalf of Clifford Scott Chabina to construct a swimming pool, patios, pool cabana, pergola, raised garden, sports court, and putting green at 6 Springwood Path where the proposed structures do not comply with the following sections of the Laurel Hollow Zoning Code:

- Section 145-12 A. (2) states that within any steep or very steep slope area, no disturbance of the land or any vegetation thereon.... shall be permitted without a permit from the Village of Laurel Hollow Board of Zoning Appeals.... and, where applicable, a permit from the Village of Laurel Hollow Planning Board pursuant to the Tree Ordinance. The proposal will disturb both steep slope and very steep slope areas.
- Section 145-5 A. (2) of the Laurel Hollow Village Code states that no building or structure shall hereafter be erected, altered or enlarged in the Residence District except on a lot which, for each principal building, together with its accessory buildings and structures, has a lot frontage on a street of at least 150', except that where said frontage coincides with the circumference of a cul-de-sac at the extremity of a dead-end street, such front lot line frontage shall be at least 50 feet. The structure is proposed on a lot with no street frontage or cul-de-sac frontage.
- Section 145-5 B. (2) of the Laurel Hollow Village Code states that an accessory building or structure having a building area of less than 500 square feet shall be set back at least 40

feet from every lot line not abutting a street. The raised garden is proposed to be set back 23 feet from the side property line.

- Section 145-5 B. (2) of the Laurel Hollow Village Code states that an accessory building or structure having a building area of less than 500 square feet shall be set back at least 40 feet from every lot line not abutting a street. The patio and outdoor fireplace / chimney are proposed to be set back 38.3 feet and 38 feet, respectively, from the rear property line.
- Section 145-5 B. (3) of the Laurel Hollow Village Code states that an accessory recreational structure shall be set back at least 40 feet from the rear lot line. The putting green is proposed to be set back 21 feet from the rear lot line.

This property is designated as Section 14 Block A Lot 1038 on the Land and Tax Map of Nassau County.

The exhibits were made part of the record and discussion ensued. After discussion by the Board, including testimony of the applicant's engineer Michael Rant and neighbor Michael Tighe at 35 Elizabeth Drive, the Board closed the hearing to further evidence and testimony.

It was determined that the application under Case No. ZV13-2023 seeking dimensional variances is deemed Type II under SEQRA.

It was moved by Member Blumin, seconded by Member Parziale and unanimously carried, with Member Lebedin not present, that the application for dimensional variances be approved conditioned upon submission of a revised site plan relocating the putting green to create a 30 ft. setback and submission of landscaping plan both to the satisfaction of the Board of Zoning Appeals.

With respect to the application under Case No. ZS14-2023 to disturb steep slopes and very steep slopes, it was moved by Member Parziale, seconded by Member Blumin and unanimously carried, with Member Lebedin not present, that the Board declare itself lead agency under SEQRA.

It was moved by Member Parziale, seconded by Member Blumin and unanimously carried, with Member Lebedin not present, that the action be deemed unlisted under SEQRA.

It was moved by Member Blumin, seconded by Member Parziale and unanimously carried, with Member Lebedin not present, that the Board enact a negative declaration under SEQRA.

It was moved by Member Blumin, seconded by Member Zoiner and unanimously carried, with Member Lebedin not present, that the application under Case No. ZS14-2023 for disturbance of steep slopes and very steep slopes be approved conditioned upon submission of a revised site plan relocating the putting green to create a 30 ft. setback and submission of landscaping plan both to the satisfaction of the Board of Zoning Appeals. The approval resolution will be attached to these minutes.

**2<sup>nd</sup> ITEM: ZV15-2023 and ZS16-2023:**

The public hearing then commenced on the application of Anthony E. Core to maintain utilities in a severely steep slope area, install utilities in a steep slope and very steep slope area, and install a new wooden staircase in a severely steep slope area at 48 Laurel Cove Road where the proposed structures do not comply with the following sections of the Laurel Hollow Zoning Code:

- The applicant wishes to amend a portion of a plan previously approved by the Board of Zoning Appeals to eliminate two tiers of retaining walls and instead install one taller retaining wall. This amended work is proposed in an area that is not within the required zoning setbacks.
- As per Section 145-12 A. (3) of the Laurel Hollow Village Code, no disturbance of any land defined as a "severely steep slope" herein shall be permitted other than the construction of a simple wooden staircase or similar structure, not to exceed four feet in width, which is approved by the Village of Laurel Hollow Board of Zoning Appeals and receives a permit from the Village of Laurel Hollow Building Inspector. The proposal includes the maintenance of existing water service lines in a severely steep slope area.
- As per Section 145-12 A. (2) of the Laurel Hollow Village Code, within any steep or very steep slope area, no disturbance of the land or any vegetation thereon, other than an activity permitted by right as set forth below, shall be permitted without a permit from the Village of Laurel Hollow Board of Zoning Appeals pursuant to the standards, procedures and requirements of § 145-12C hereof. The proposal involves the installation of new utility lines in steep slope and very steep slope areas.
- As per Section 145-12 A. (3) of the Laurel Hollow Village Code, no disturbance of any land defined as a "severely steep slope" herein shall be permitted other than the construction of a simple wooden staircase or similar structure, not to exceed four feet in width, which is approved by the Village of Laurel Hollow Board of Zoning Appeals and receives a permit from the Village of Laurel Hollow Building Inspector. The applicant seeks to build a 4' wide wooden staircase in a severely steep slope area and requires Board of Zoning Appeals approval.
- An accessory building or structure having a building area of up to 500 square feet shall be set back at least 40 feet from every lot line not abutting a street per Section 145-5. (B.)(2). The proposed stair structure is set back 11.2' from the northerly lot line and the existing wood deck to be maintained is set back 13' from the southerly property line, respectively.

This property is designated as Section 26 Block A Lots 289 and 1232 on the Land and Tax Map of Nassau County.

The exhibits were made part of the record and discussion ensued. After discussion by the Board, including testimony by the applicant's attorney Kathleen Deegan-Dickson and Project Engineers Joseph Heaney, Steven Feihel and Louis Goldstein, all on behalf of the applicant, the Board closed the hearing to further evidence and testimony.

With respect to that portion of the application seeking dimensional variance relief and to amend the plan previously approved by the Board of Zoning Appeals (Case No: ZV15-2023), those matters were deemed Type II under SEQRA.

It was moved by Member Parziale, seconded by Member Blumin and unanimously carried with Member Lebedin not present, that application No. ZV15-2023 seeking dimensional variance relief and to amend the plan previously approved by the Board of Zoning Appeals be approved as submitted and in accordance with the Landscape Plan filed by the applicant as Applicant's Exhibit No. 2 at the hearing.

With respect to application No. ZS16-2023 to disturb steep slopes, very steep slopes, and severely steep slopes, it was moved by Member Blumin, seconded by Member Parziale and unanimously carried, with Member Lebedin not present, that the Board declare itself lead agency under SEQRA.

It was moved Member Parziale, seconded by Member Blumin and unanimously carried, with Member Lebedin not present, that the action be deemed unlisted under SEQRA.

It was moved by Member Parziale, seconded by Member Zoiner and unanimously carried, with Member Lebedin not present, that the Board enact a negative declaration under SEQRA.

It was moved Member Blumin, seconded by Member Zoiner and unanimously carried, with Member Lebedin not present, that the Board approve Case No. ZS16-2023 seeking to disturb steep slopes, very steep slopes and severely steep slopes as submitted and in accordance with the Landscape Plan filed by the applicant as Applicant's Exhibit No. 2 at the hearing.

A copy of the approval resolution will be attached to these minutes.

The Board then attended to administrative matters.

There being no further business, the meeting was adjourned at 7:41 PM.

*Russel Mohr*

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Russel Mohr, Chairman

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Date

Scott and Logan Chabina  
Dwight and Christa Relyea  
Michael Rant (on behalf of Chabina)  
Michael Tighe  
Anthony E. Core

6 Springwood Path, Laurel Hollow, NY  
47 Laurel Cove Road, Oyster Bay, NY  
6 Springwood Path, Laurel Hollow, NY  
35 Elizabeth Drive, Laurel Hollow, NY  
48 Cove Road, Laurel Hollow, NY

Albert Core, RA  
Steven Feihel, PE (on behalf of Core)  
Lou Goldstein (on behalf of Core)  
Joe Heaney (on behalf of Core)  
Kathleen Deegan Dickson, Esq. (on  
behalf of Core)

173 School Street, Westbury, NY  
177 Crossways Park Drive, Woodbury, NY  
16 Spring Street, Oyster Bay, NY  
16 Spring Street, Oyster Bay, NY  
333 Earle Ovington Blvd., Uniondale, NY