

**MINUTES OF THE MEETING HELD BY  
THE BOARD OF ZONING APPEALS  
HELD VIA ZOOM VIDEO CONFERENCING  
(Due to COVID-19 Public Assembly Restrictions)  
STENOGRAPHICALLY RECORDED**

**DATE: June 10, 2021 TIME: 6:00 PM**

**PRESENT:**

Russell Mohr, Chairman  
Jeffrey Blumin, Member  
Cindy Kaufman, Member  
Louis Lebedin, Member  
Vincent Parziale, Member

**ALSO PRESENT:**

Howard D. Avrutine, Village Attorney  
James Antonelli, Village Engineer  
  
See list at end of minutes

**PROCEEDINGS**

The Chairman called the meeting to order at 6:05 PM.

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

On motion by Member Parziale, seconded by Member Blumin and unanimously carried, the Board approved the minutes of the meeting held on March 30, 2021.

**1<sup>st</sup> ITEM: ZV6-2021, ZS5-2021, and F1-2021:**

The public hearing then commenced on the application of Walden Engineering on behalf of Anthony Core and Gina Core to install retaining walls at 48 Laurel Cove Road, where the retaining walls exceed three feet in height and are located within a required setback, in violation of Section 145-18(B) of the Laurel Hollow Village Code. Proposed sections of the wall are as high as 7.5 feet and as close as 15 feet to the property line where a 40 foot side yard setback is required.

The proposed retaining walls also involve the excavation of approximately 2035 cubic yards of land and installation of approximately 1715 cubic yards of fill as well as disturbance of steep, very steep and severely steep slopes as defined in Section 145-12 of the Village Code as shown on the Cut/Fill Concept Plan and the Topographical Site Map prepared by Walden Environmental Engineers, PLLC dated 4/14/2021.

This property is designated as Section 26, Block A, Lot 289 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 applicants and their representatives as well as testimony by residents and their representatives, the hearing was continued to a future meeting in order to accommodate discussions between the applicants and their representatives and surrounding residents regarding the application and the potential submission of revised plans.

**2<sup>nd</sup> ITEM: ZV-1-2021:**

The continued public hearing then commenced on the appeal and application of Jessica Boskoff and Dana Boskoff to maintain a water feature at 2 Woodgreen Way, Laurel Hollow where:

- The proposed accessory structure is not set back at least 100 feet from every lot line abutting a street as required by Section 145-5 (B)(2) of the Laurel Hollow Village Code. Water Feature Setback=59.2'
- The proposed accessory structure is located at a distance closer to the front lot line than the principal building which is in violation of Section 145-5 (B)(2) of the Laurel Hollow Village Code; Setback of principal building from Woodgreen Way=81.1'; Water Feature Setback=59.2'.

This property is designated as Section 14, Block 25, Lot 8 on the Land and Tax Map of Nassau County.

At the Board of Zoning of Appeals meeting held on March 30, 2021, the applicants withdrew the portion of the application seeking approval of an outdoor shower. In addition, the Board approved the portion of the application seeking variances for the pool equipment pursuant to a Landscape and Sound Attenuation Plan submitted by the applicant subsequent to the March 30, 2021 meeting and thereafter approved by the Board. Therefore, the sole relief being considered during this continued hearing concerns the variances required with respect to the water feature located in the front yard setback of the existing dwelling.

The exhibits were made part of the record and discussion ensued. After discussion by the Board, including testimony by the applicants and their representatives, the Board closed the hearing to further evidence and testimony.

The Board then determined that the application be deemed Type II under SEQRA.

On motion by Member Kaufman, seconded by Member Parziale and unanimously carried, the Board voted to approve the variance in connection with the water feature in strict accordance with the Landscape Plan provided to Board and the further condition that there will be no lighting of the water feature. Lastly, the Board conditioned approval upon installation of all landscaping depicted on the approved Landscape Plan no later than November 30, 2021.

**3<sup>rd</sup> ITEM: ZV8-2021:**

The public hearing then commenced on the appeal and application of Charles Mulham to install a pergola at 10 Woodgreen Way, Laurel Hollow where the proposed accessory structure will not be set back at least 40 feet from every lot line not abutting a street as required by Section 145-5(B)(2) of the Laurel Hollow Village Code. Proposed rear yard setback for pergola=5.0' feet.

This property is designated as Section 14, Block 25, Lot 22 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, the Board closed the hearing to further evidence and testimony.

The Board then determined that the application be deemed Type II under SEQRA.

On motion by Member Parziale, seconded by Member Lebedin, and unanimously carried, the Board voted to approve the variance conditioned on placement of the proposed pergola at a distance of at least 6.6 feet from the rear property line and further conditioned upon installation of landscaped screening between the pergola structure and the property line to mitigate potential visual impacts to the satisfaction of the Board.

**4<sup>th</sup> ITEM: ZV4-2021**

The public hearing then commenced on the application of Richard Cuccia to maintain a shed at 26 Vista Drive, Laurel Hollow where the existing accessory structure is not set back at least 40 feet from every lot line not abutting a street as required by Section 145-5(B)(2) of the Laurel Hollow Village Code. Existing rear setback = 23.1 feet.

This property is designated as Section 25, Block 64, Lot 15 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, the Board closed the hearing to further evidence and testimony.

The Board then determined that the application be deemed Type II under SEQRA.

On motion by Member Parziale, seconded by Member Lebedin and unanimously carried, the Board voted to approve the application as submitted conditioned upon Board verification that existing landscaped screening is sufficient and further conditioned upon the applicant installing landscaped screening between the existing shed and Vista Drive. The approval was further conditioned upon there being no heat, lighting, or electricity in the shed structure.

**5<sup>th</sup> ITEM: ZV7-2021:**

The public hearing then commenced on the application of Miguel Taveras to install a pool cabana at 459 Cold Spring Road, Laurel Hollow, where the accessory building is not less than or equal to 25% of the building area of the principal building and is not less than or equal to 1000 square feet in building area as required by Section 145-5(A)(1)(c) of the Laurel Hollow Village Code. The proposed accessory building is 61.76% of the building area of the principal building and has a building area of 3230 square feet.

This property is designated as Section 25, Block 48, Lot 3 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 and his representative, as well as testimony by a local resident, the Board continued the hearing on a date to be determined for submission of a revised plan.

**6<sup>th</sup> ITEM: ZV9-2021:**

The public hearing then commenced on the appeal and application of Kean Landscaping Inc. on behalf of Kandy Sullivan to install exterior beach access stairs and landings at 1392 Ridge Road, Laurel Hollow where:

- Section 145-5(A.)(2) 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(E)(2) allows for permitted uses that include accessory buildings and structures for private and noncommercial purposes, subordinate and incidental to the single family dwelling. The structure is proposed on a lot that has no single family dwelling.
- Section 145-5(E)(3) allows for permitted uses that include uses customarily incidental and accessory to a single family dwelling, provided that they are located on the same lot and under the same ownership. The structure is proposed on a separate lot (under the same ownership) than the lot where the single family residence is located.
- An accessory building or structure having a building area of more than 500 square feet up to 1,000 square feet shall be set back at least 50 feet from every other lot line not abutting a street per Section 145-5(B)(2). The proposed structure is set back 14.625' and 20.083' from the northern and southern side property lines, respectively.

This property is designated as Section 26, Block C, Lot 2119 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 and the applicant's representatives, the Board closed the hearing to further evidence and testimony.

The Board then determined that the application be deemed Type II under SEQRA.

On motion by Member Parziale, seconded by Member Lebedin and unanimously carried,

the Board voted to approve the variance as requested with the condition:

The variance approval is conditioned upon submission of a Declaration of Restrictive Covenants to the satisfaction of the Village Attorney and to be recorded in the Nassau County Clerk's Office against the property under application that the accessory structure to be constructed shall remain only as long as the parcels known as Section 26, Block C, Lots 2121 and 2119 remain in common ownership. If at any time those parcels are not held in common ownership, the accessory structure authorized hereunder shall be demolished and removed. The Certificate of Occupancy and/or Compliance issued in connection with said accessory structure will also include that restriction and condition.

The Board then attended to administrative matters.

There being no further business, the meeting was adjourned at 9:30 PM.

*Russell A. Mohr*

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Russell Mohr, Chairman

10/29/2021

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Date

Anthony Core and Gina Core	535 Split Rock Road, Syosset, NY
Kathleen Deegan Dickson, Esq. (on behalf of Anthony Core and Gina Core)	333 Earle Ovington Blvd., Uniondale, NY
Joseph Heaney, PE (on behalf of Anthony Core and Gina Core)	16 Spring Street, Oyster Bay, NY
Albert Core, Architect (on behalf of Anthony Core and Gina Core)	535 Split Rock Road, Syosset, NY
Lou Goldstein, Walden Eng. (on behalf of Anthony Core and Gina Core)	16 Spring Street, Oyster Bay, NY
James Cammarata, Esq. (on behalf of Dwight and Christa Relyea)	53 East Main Street, Oyster Bay, NY
Dwight and Christa Relyea	47 Laurel Cove Road, Laurel Hollow, NY
John Romanelli	53 Laurel Cove Road, Laurel Hollow, NY
Dana Boskoff	2 Woodgreen Way, Laurel Hollow, NY
Joseph Piscitelli (on behalf of Jessica Boskoff and Dana Boskoff)	144 East 44 <sup>th</sup> Street, New York, NY
Charles Mulham	10 Woodgreen Way, Laurel Hollow, NY
Richard Cuccia	26 Vista Drive, Laurel Hollow, NY