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INCORPORATED VILLAGE OF LAUREL HOLLOW
BOARD OF ZONING APPEALS
PUBLIC HEARING
October 25, 2017
7:30 p.m.

VILLAGE HALL
1492 Laurel Hollow Road
Syosset, New York 11791-9603

PRESENT: RUSSELL MOHR, CHAIRMAN
NEWTON J. BURKETT, MEMBER
LOUIS LEBEDIN, MEMBER

ALSO PRESENT:
HOWARD AVRUTINE, village Attorney

ZV12-2017: silver

RONALD KOENIG
OFFICIAL COURT REPORTER

Proceedings

1 MR. AVRUTINE: ZV12-2017, the public hearing
2 on the application of Alan J. Cooper, Architect, on
3 behalf of Peter and Nancy Silver to maintain an existing
4 shed at 12 Woodvale Drive, where the shed is not set
5 back at least 40 feet from every lot line not abutting a
6 street in violation of Section 145-5(B)(2) of the Laurel
7 Hollow Village Code. The existing side yard setback is
8 20 feet.

9 The property under application is designated
10 as Section 25, Block 48, Lot 7 on the Land and Tax Map
11 of Nassau County.

12 The exhibits in connection with tonight's
13 application are as follows:

14 First, notification from the Nassau County
15 Planning Commission dated September 25, 2017 that the
16 matter under application is referred to the Laurel
17 Hollow Board of Zoning Appeals for action as it deems
18 appropriate.

19 The next exhibit is the legal notice of public
20 hearing dated September 22, 2017.

21 The next exhibit is an affidavit of posting
22 from Nick Porcaro stating that the notice of public
23 hearing was posted conspicuously on the bulletin board
24 at the main entrance to the Office of the Village Clerk
25 on October 13, 2017.

Proceedings

1 The next exhibit is an affidavit of
2 publication from James Slater stating that the legal
3 notice was published in the Oyster Bay Guardian on
4 October 13, 2017.

5 The next exhibit is an affidavit from the
6 Deputy Clerk stating that the notice of public hearing
7 was mailed to interested parties on October 6, 2017.

8 The next exhibit consists of documents
9 confirming that the notice of public hearing was
10 published to the Village of Laurel Hollow website and
11 sent to village website NEWS subscribers on October 6,
12 2017.

13 And the final exhibit is an affidavit of
14 mailing from the applicant, indicating that the notice
15 of public hearing was mailed on October 10, 2017 to the
16 individuals set forth in the affidavit.

17 Is there a representative on behalf of the
18 applicant?

19 MS. SILVER: Yes.

20 MR. AVRUTINE: Please state your name and
21 address for the record.

22 MS. SILVER: I'm the owner, Nancy Silver,
23 12 Woodvale Drive.

24 MR. AVRUTINE: Thank you.

25 You may proceed.

1 MS. SILVER: So I'm here to ask you to
2 maintain a shed that's been on the property for many
3 years.

4 We purchased the home in 1998. The shed was
5 placed in its current configuration then. Looking back
6 at the County property card, an earlier version of the
7 shed, the shed is actually two rooms, one is ten by 10
8 and then at some point was expanded by another 8 feet.
9 So the original 10-by-10 shed was existent in 1977,
10 according to the Nassau property card. Sometime between
11 that point in time and when we purchased the home, it
12 was extended by another 8 feet.

13 It is 20 feet from the side yard setback.
14 It's set back 200 feet approximately from the street
15 line from the front yard.

16 I'm just asking for an exception in order to
17 maintain the shed in its present condition.

18 MEMBER LEBEDIN: If it was a 40-foot line, it
19 wouldn't be quite as exposed to the road. It wouldn't
20 be --

21 MS. SILVER: It's not exposed to the road at
22 all.

23 MEMBER LEBEDIN: Well, it is. I saw it today.
24 I can tell. All I was suggesting, if it was positioned
25 at the 40-foot line, it wouldn't be so obvious from the

1 road. So I would suggest adding foliage, some plantings
2 to make it --

3 CHAIRMAN MOHR: To buffer that area.

4 MS. SILVER: I understand what you are saying,
5 yes.

6 And the neighbors in back of us, I don't
7 believe see it. I know the neighbor that faces
8 Woodvale, there are dense trees along that property
9 lines, so they don't see it. The folks on Waylor,
10 behind us, I haven't been in that yard, but there are
11 trees that separate their yard.

12 MEMBER BURKETT: Can you state what the shed
13 is made of and what you do with the shed.

14 MS. SILVER: Sure. It's a wood frame, cedar
15 shake siding, and asphalt roofing. And we store our
16 patio furniture and lawn garden implements.

17 CHAIRMAN MOHR: Is there anyone here from the
18 public who would like to speak on this matter?

19 MR. AVRUTINE: Let the record reflect that
20 there was no response.

21 CHAIRMAN MOHR: So, if you could put evergreen
22 type --

23 MS. SILVER: Of course.

24 CHAIRMAN MOHR: -- in between the shed and the
25 roadway. A couple of trees that are right in front of

1 it, that would resolve that issue.

2 MS. SILVER: Fine. No problem.

3 MEMBER BURKETT: Do we want to put conditions
4 in writing?

5 CHAIRMAN MOHR: Probably --

6 MR. AVRUTINE: That would be, assuming the
7 Board was inclined to approve the application.

8 MR. BURKETT: Right, if we did.

9 MR. AVRUTINE: Any other questions from the
10 Board?

11 A motion to the close the public hearing?

12 MEMBER BURKETT: Moved.

13 MR. AVRUTINE: Member Burkett.

14 And a second?

15 MEMBER LEBEDIN: Second.

16 MR. AVRUTINE: Member Lebedin.

17 All in favor?

18 CHAIRMAN MOHR: Aye.

19 MEMBER BURKETT: Aye.

20 MEMBER LEBEDIN: Aye.

21 MR. AVRUTINE: Let the record reflect this
22 matter is deemed Type II under the New York State
23 Environmental Quality Review Act.

24 And do we have a motion on the application?

25 MEMBER BURKETT: I'll motion to approve.

Proceedings

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MR. AVRUTINE: Is that to approve with the condition of evergreen screening sufficient to screen the property from view from Woodvale Drive?

MEMBER BURKETT: Yes.

MR. AVRUTINE: By Member Burkett. A second?

MEMBER LEBEDIN: Second.

MR. AVRUTINE: By Member Lebedin. All in favor?

CHAIRMAN MOHR: Aye.

MEMBER BURKETT: Aye.

MEMBER LEBEDIN: Aye.

MR. AVRUTINE: Approved with the condition as stated.

MS. SILVER: Thank you very much.

CERTIFIED THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT OF THE ORIGINAL STENOGRAPHIC MINUTES IN THIS CASE.

RONALD H. KOENIG
Senior Court Reporter