

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

**DATE: October 25, 2017 TIME: 7:30 PM**

**PRESENT:**

Russell Mohr, Chairman  
Newton Burkett, Member  
Louis Lebedin, Member

**ALSO PRESENT:**

Howard D. Avrutine, Village Attorney

See list at end of minutes

**EXCUSED:**

Jeffrey Blumin, Member  
Cindy Kaufman, Member

**PROCEEDINGS**

The Chairman called the meeting to order at 7:30 PM.

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

On motion by Member Lebedin, seconded by Member Burkett and unanimously carried, with Members Blumin and Kaufman not present, the Board approved the minutes of the meeting held on August 15, 2017.

**1<sup>st</sup> ITEM: Decision on Application No. ZV4-2017:**

On motion by Member Lebedin, seconded by Chairman Mohr and unanimously carried, with Members Blumin and Kaufman not present, the Board denied the application of Neal M. Wechsler, Architect, PC on behalf of Colin Williams-Hawkes for variances required in order to construct a two-story addition to an existing accessory building with respect to property located at 48 Springwood Path and designated as Section 14, Block A, Lot 1057 on the Land and Tax Map of Nassau County.

**2<sup>nd</sup> ITEM: ZV11-2017:**

The public hearing then commenced on the application of Gregory and Nicolle DeRosa to construct additions with respect to property known as 31 Woodfield Court and designated as Section 14, Block A, Lot 1127 on the Land and Tax Map of Nassau County where the proposed floor area ratio is greater than .090 in violation of Section 145-5(D)(4) of the Laurel Hollow Village Code--0.094 is proposed.

The exhibits were made part of the record and discussion ensued. After discussion by the Board, it was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the hearing be closed to further evidence and testimony.

It was then determined that the action be deemed Type II under SEQRA.

It was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the application be approved as submitted.

**3<sup>rd</sup> ITEM: ZV12-2017:**

The public hearing then commenced on the application of Alan J. Cooper, Architect on behalf of Peter and Nancy Silver to maintain an existing shed with respect to property known as 12 Woodvale Drive and designated as Section 25, Block 48, Lot 7 on the Land and Tax Map of Nassau County where the existing shed is not set back at least 40 feet from every lot line not abutting a street in violation of Section 145-5(B)(2) of the Laurel Hollow Village Code--the existing side yard setback is 20.0 feet.

The exhibits were made part of the record and discussion ensued. After discussion by the Board, it was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the hearing be closed to further evidence and testimony.

It was then determined that the action be deemed Type II under SEQRA.

It was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the application be approved conditioned upon the applicant installing sufficient evergreen screening such that the existing shed will not be visible from Woodvale Drive.

**4<sup>th</sup> ITEM: ZV10-2017:**

The hearing then commenced on the application of Loukas and Nicole Boutis to install a swimming pool and patio with respect to property known as 45 Cedarfield Road and designated as Section 14, Block A, Lot 1116 on the Land and Tax Map of Nassau County where:

1. The accessory structures are not set back at least 40 feet from every lot line not abutting a street in violation of Section 145-5(B)(2) of the Laurel Hollow Village Code--patio setback--20.8 feet; pool setback--25.9 feet; and,
2. The total surface coverage shall not exceed 20% of the lot area according to Section 145-5(A)(1)(d) of the Laurel Hollow Village Code--23.6% is proposed.

The exhibits were made part of the record and discussion ensued. After discussion by the Board, it was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the hearing be closed to further evidence and testimony.

It was then determined that the action be deemed Type II under SEQRA.

It was moved by Member Lebedin, seconded by Member Burkett and unanimously carried, with Members Blumin and Kaufman not present, that the application be approved conditioned upon the submission of a revised plan where the proposed surface coverage does not exceed 22% of the lot area.

**5<sup>th</sup> ITEM: ZV9-2017:**

The public hearing then commenced on the application of Dennis Oliver, Architect, on behalf of Margaret Austin to install a swimming pool, patio and cabana with respect to property known as 391 Cold Spring Road and designated as Section 25, Block C1, Lot 1065 on the Land and Tax Map of Nassau County where:

1. The proposed pool will not be located in the rear yard in violation of Section 145-20(F)(1)(b) of the Laurel Hollow Village Code; and
2. The proposed paver patio 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--Patio setback--134.0 feet, Principal Building setback--135.13 feet.

The exhibits were made part of the record and discussion ensued. The applicant's representative then withdrew the applicant's request for a variance in connection with Village Code Section 145-5(B)(2) with respect to the proposed paver patio. As a result, the sole variance before the Board sought approval to construct the swimming pool other than in the rear yard. The applicant submitted a revised site plan depicting the modification which eliminated the variance for the paver patio. After discussion by the Board, it was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the hearing be closed to further evidence and testimony.

It was then determined that the action be deemed Type II under SEQRA.

It was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the application be approved in accordance with the revised site plan submitted at the public hearing.

**6<sup>th</sup> ITEM: ZV7-2017:**

The continued public hearing then commenced on the application of James Murphy, Esq. on behalf of Christopher Bragoli to install a swimming pool, spa, patio and tennis court with respect to property known as 1216 Moore's Hill Road and designated as Section 26, Block C, Lot 2154 on the Land and Tax Map of Nassau County where the proposed accessory structures will cause the surface area coverage to exceed 20% of the lot area in violation of Section 145-5(A)(1)(d) of the Laurel Hollow Village Code--32.8% is proposed.

The exhibits were made part of the record and discussion ensued. Subsequent to the public hearing held in connection with this application on August 15, 2017, the applicant submitted a revised plan which eliminated the proposed tennis court. In accordance with the revised plan, the proposed total surface coverage will be 27%. Mr. Murphy advised the Board that the revised site plan was submitted after consultation with and approval by all impacted

neighbors. After discussion by the Board, it was moved by Member Burkett, seconded by Member Lebedin and unanimously carried, with Members Blumin and Kaufman not present, that the hearing be closed to further evidence and testimony.

It was then determined that the action be deemed Type II under SEQRA.

It was moved by Member Lebedin, seconded by Chairman Mohr and unanimously carried, with Members Blumin and Kaufman not present, that the application be approved as submitted in accordance with the revised site plan.

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

11/29/2017

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Date

Jeanine Palatella	19 Golf Lane, Huntington, NY
Steven Dubner (on behalf of Christopher Bragoli)	140 Half Hollow Road, Dix Hills, NY
Richard and Jan DiGeronimo	42 Springwood Path, Laurel Hollow, NY
Henry Sombke (on behalf of Christopher Bragoli)	140 Half Hollow Road, Dix Hills, NY
Jim Margolin (on behalf of Gregory and Nicolle DeRosa)	52 Elm Street, Huntington, NY
Greg DeRosa	31 Woodfield Court, Laurel Hollow, NY
Chris Bragoli	1216 Moore's Hill Road, Laurel Hollow, NY
Patricia and Colin Williams-Hawkes	48 Springwood Path, Laurel Hollow, NY
James Murphy, Esq. (on behalf of Christopher Bragoli)	1045 Oyster Bay Road, East Norwich, NY
Nicole Boutis	45 Cedarfield Road, Laurel Hollow, NY
Nancy Silver	12 Woodvale Drive, Laurel Hollow, NY
Hrvoje Marnika (on behalf of Loukas and Nicole Boutis)	3 Cherry Wood Drive, E. Northport, NY