

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

**DATE: February 28, 2017 TIME: 7:00 PM**

**PRESENT:**

Russell Mohr, Chairman  
Jeffrey Blumin, Member  
Cindy Kaufman, Member  
Chris Hadjandreas, Member

**ALSO PRESENT:**

Howard D. Avrutine, Village Attorney  
James Antonelli, Village Engineer

**EXCUSED:**

Newton Burkett, Member

See list at end of minutes

**PROCEEDINGS**

The Chairman called the meeting to order at 7:05 PM.

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

On motion by Member Kaufman, seconded by Member Hadjandreas and unanimously carried, with Member Burkett not present and Member Blumin abstaining, the Board approved the minutes of the meeting held on November 15, 2016.

**1<sup>st</sup> ITEM: ZV7-2015:**

The Board then considered the status of the application of James M. Murphy on behalf of Jeffrey and Joanne Klein for variances regarding premises at 1484 Laurel Hollow Road and designated as Section 26, Block A, Lots 216A, 216B, 223, 725 and 742 on the Land and Tax Map of Nassau County. The issue before the Board was whether to dismiss the application as a result of the applicant's failure to proceed with same. The Board considered the matter and took no action with respect to same.

**2<sup>nd</sup> ITEM: ZV11-2016:**

The application of Faranak Tafreshi-Safaii to maintain an existing shed with respect to property known as 433 Cold Spring Road and designated as Section 25, Block 49, Lot 31 on the Land and Tax Map of Nassau County was approved conditioned upon the installation of suitable evergreen screening surrounding the shed structure acceptable to the Board of Zoning Appeals.

It was moved by Member Blumin, seconded by Member Kaufman and unanimously carried, with Member Burkett not present, that the screening installed by the applicant is acceptable to the Board of Zoning Appeals.

**3<sup>rd</sup> ITEM: ZV9-2016:**

The public hearing then commenced on the application of Andrew Kipnes to maintain accessory structures at 1599 Laurel Hollow Road where the accessory structures are:

- 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--Pool: 38.8'; Patio adjacent to Principal Building: 25.0'; Pool Patio: 27.4'; Tree House: 8.3'; Shed: 7.3'
- 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--Pool: 95.0'; Pool Equipment: 73.0'; Pool Patio: 84.0' Generator: 59.1'; Shed: 93.0'
- Located at a distance less than the same distance from the front lot line as the principal building in violation of Section 145-5(B)(2) of the Laurel Hollow Village Code--Principal Building: 98.8'; Generator: 59.1'; Pool: 75.0'; Pool Patio: 84.0'; Pool Equipment 95.0'; and
- Swimming Pool is not located in the rear yard as required by Section 145-20(F)(1)(b) of the Laurel Hollow Village Code.

The property is designated as Section 26, Block 2, Lot 48 on the Land and Tax Map of Nassau County.

Member Hadjandreas disclosed to the Board and to the applicant that he resides directly adjacent to the property under application and that he could nonetheless be impartial with respect to the application. The applicant expressed no opposition to Member Hadjandreas participating with respect to the application. As a result, Member Hadjandreas participated fully.

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

It was noted for the record that this matter is deemed Type II under SEQRA.

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

A copy of the decision approving the application will be affixed to these minutes.

**4<sup>th</sup> ITEM: ZV12-2016:**

The public hearing then commenced on the application of Kean Landscaping Inc., on behalf of Robert and Kandy Sullivan to install a pool, spa, patio, and terrace with respect to property known as 1392 Ridge Road and designated as Section 26, Block C, Lot 2121 on the Land and Tax Map of Nassau County where the proposed total surface coverage exceeds 20% of the lot area in violation of Section 145-5(A)(1)(d) of the Laurel Hollow Village Code--22.34% exists and 23.96% is proposed.

The exhibits were made part of the record and discussion ensued. After discussion by the

Board, including input by resident Larry Rush residing at 1390 Ridge Road, it was moved by Member Kaufman, seconded by Member Hadjandreas and unanimously carried, with Member Burkett not present, that the hearing be closed to further evidence and testimony.

It was noted for the record that this matter is deemed Type II under SEQRA.

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

A copy of the decision approving the application will be affixed to these minutes.

**5<sup>th</sup> ITEM: ZV2-2017:**

The public hearing then commenced on the application of Ron Israeli and Nancy Lippman Israeli to maintain three electrical junction boxes with respect to property known as 1454 Ridge Road and designated as Section 26, Block C, Lot 257 on the Land and Tax Map of Nassau County where two of the accessory structures are not set back at least 40 feet from every lot line not abutting a street and where one accessory structure is not set back at least 100 feet from the lot line abutting the street as required by Section 145-5(B)(2) of the Laurel Hollow Village Code--Side yard setbacks: 3.36' and 0.0' / Front yard setback: 64.42'.

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

It was noted for the record that this matter is deemed Type II under SEQRA.

It was moved by Chairman Mohr, seconded by Member Kaufman and unanimously carried, with Member Burkett not present, that the application be approved conditioned upon installation of adequate evergreen screening for the electrical panel located adjacent to Ridge Road to the satisfaction of the Board of Zoning Appeals.

A copy of the decision approving the application will be affixed to these minutes.

**6<sup>th</sup> ITEM: ZV1-2017:**

The public hearing then commenced on the application of David Schulsinger to maintain a gazebo with outdoor kitchen with respect to property known as 36 Timber Ridge Drive and designated as Section 26, Block 2, Lot 9 on the Land and Tax Map of Nassau County where the 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--Side yard setback: 25.4'.

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

It was noted for the record that this matter is deemed Type II under SEQRA.

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

A copy of the decision approving the application will be affixed to these minutes.

**7<sup>th</sup> ITEM: ZV3-2017:**

The public hearing then commenced on the application of Kevin and Maureen McNulty to install a pool and patio with respect to property known as 1240 Moore's Hill Road and designated as Section 26, Block E, Lot 85 on the Land and Tax Map of Nassau County where the accessory structures are 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--Side yard setback of patio: 30.6'; Side yard setback of pool: 33.3'; and rear yard setback of pool: 31.9'.

The exhibits were made part of the record and discussion ensued including input by neighbors Frank Palopoli and Mary Jo Balkind. It was moved by Member Blumin, seconded by Member Kaufman and unanimously carried, with Member Burkett not present, that the hearing be closed to further evidence and testimony.

It was noted for the record that this matter is deemed Type II under SEQRA.

It was moved by Member Blumin, seconded by Member Hadjandreas and unanimously carried, with Member Burkett not present, that the application be approved subject to submission of a landscape plan depicting solid fencing and dense evergreen landscaping along the easterly property line to the satisfaction of the Board of Zoning Appeals.

A copy of the decision approving the application will be affixed to these minutes.

**8<sup>th</sup> ITEM: ZV4-2016/ZS5-2016:**

The continued public hearing then commenced on the application of Todd E. Andrews, AIA, on behalf of Harold Reese to construct a new single-family dwelling and swimming pool where the lot does not have frontage on a street of at least 150 feet in violation of Section 145-5(A)(2) of the Laurel Hollow Village Code -- 0 feet is proposed; and where the principal building is not setback 60 feet from every street line in violation of Section 145-5(B)(1) of the Laurel Hollow Village Code -- 50.44' is proposed. In addition, the proposed construction will disturb very steep and severely steep slopes as shown on the: Slope Analysis prepared by Bladykas & Panetta L.S. & P.E., P.C., dated 8/29/2015 and last revised on 12/24/2015; Site Plan prepared by Bladykas & Panetta L.S. & P.E., P.C., dated 8/29/2015 and last revised on 2/22/2017; Tree Removal Plan prepared by Bayview Landscape Architecture dated 9/28/2016 and last revised on 2/13/2017; and, the Map prepared by Bladykas & Panetta L.S. & P.E., P.C., dated 8/29/2015 and last revised on 9/28/2016. The relief sought is with respect to property located at Ridge Road and designated as Section 26, Block C, Lots 2011 and 2024 on the Land and Tax Map of Nassau County.

The exhibits were made part of the record and discussion ensued. In addition to a presentation made by the applicant, his attorney, and several other professionals, testimony

was offered by representatives of Dr. Marcia Kramer Mayer, an abutting neighbor located at 1320 Ridge Road, in opposition to the application.

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

It was moved by Member Blumin, seconded by Chairman Mohr and unanimously carried, with Member Burkett not present, that the Board of Zoning Appeals act as lead agency under SEQRA regarding this application.

It was moved by Member Kaufman, seconded by Member Hadjandreas and unanimously carried, with Member Burkett not present, that the application be deemed unlisted under SEQRA.

The Board then reserved decision on the application.

The Board then attended to administrative matters.

There being no further business, the meeting was adjourned at 10:15 PM.

**RussMohr**

---

Russell Mohr, Chairman

4/19/2017

---

Date

Ellen Roche' Architect (on behalf of Israeli)	8 Glen Way, Cold Spring Harbor, Laurel Hollow, NY
Mary Jo Balkind	1564 Laurel Hollow Road, Laurel Hollow, NY
Frank Palopoli	
Andrew Schmitz (on behalf of Kipnes)	161 South Down Road, Huntington, NY
Andrew Kipnes	1599 Laurel Hollow Road, Laurel Hollow, NY
Robert M. Calica, Esq. (on behalf of Marcia Kramer Mayer)	100 Garden City Plaza, Garden City
Marcia Kramer Mayer	1320 Ridge Road, Laurel Hollow, NY
Harold Reese, Jr.	74 Whitehall Road, Rockville Centre
Todd Andrews (on behalf of Harold Reese)	67 Main Street, Centerbrook, CT
David Wortman (on behalf of Harold Reese)	100 Motor Parkway, Ste. 135, Hauppauge
Kevin Murphy	5 Main Street, Cold Spring Harbor, NY
Maureen McNulty	1240 Moore's Hill Road, Laurel Hollow, NY
Hrvoje Marnika (on behalf of McNulty)	3 Cherrywood Drive, E. Northport, NY
Kevin McNulty	1240 Moore's Hill Road, Laurel Hollow, NY
Bobby Sullivan	1392 Ridge Road, Laurel Hollow, NY

Chuck Panetta (on behalf of Harold  
Reese)  
Nancy Israeli  
David Schulsinger  
Larry Rush

23 Spring Street, Oyster Bay, NY

1454 Ridge Road, Laurel Hollow, NY  
36 Timber Ridge Drive, Laurel Hollow, NY  
1390 Ridge Road, Laurel Hollow, NY