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INCORPORATED VILLAGE OF LAUREL HOLLOW

BOARD OF ZONING APPEALS

March 19, 2019

7:30 p.m.

HEARINGS -

ZV5-2018: Schmidt

Variance is needed for surface coverage

P R E S E N T:

Russell Mohr, Chairman

Jeffrey Blumin, Board Member

Cindy Kaufman, Board Member

Louis Lebedin, Board Member

Vincent Parziale, Board Member

James Antonelli, Village Engineer

Howard Avrutine, Esq., Village Attorney

1 MR. AVRUTINE: The next application  
2 ZV5-2018 public hearing on the application of  
3 Barbara and Walter Schmidt to install a  
4 pavilion, alter a driveway and maintain existing  
5 accessory structures which cause the total  
6 surface area coverage to exceed 20 percent of  
7 the lot area in violation of section 145-511D of  
8 the Laurel Hollow Village Code.

9 29.91 percent is proposed. 28.66 percent  
10 currently exists. The property is designated  
11 section 26 block C 307 and 2117 in the Land and  
12 Tax map of Nassau County.

13 The exhibits in connection with this  
14 application are as follows, first notification  
15 from the Nassau County Planning Commission dated  
16 November 15, 2018. The matter is referred to  
17 the Laurel Hollow Board of Zoning Appeals to  
18 take action as it deemed appropriate.

19 Next exhibit is the legal notice of public  
20 hearing dated February 27, 2019.

21 The next exhibit is affidavit of posting  
22 from Nick Porcaro that the legal notice was  
23 posted conspicuously on the bulletin board main  
24 entrance to the village hall on March 8, 2019.

1           Next exhibit is affidavit of publication  
2           stating that the legal notice was published in  
3           the North Shore Leader on March 6, 2019.

4           Next exhibit is an affidavit from the  
5           deputy clerk stating that the notice of public  
6           hearing was mailed to other interested parties  
7           on February 28, 2019.

8           Next exhibit consists of documents  
9           confirming that the notice of public hearing was  
10          published to the Village of Laurel Hollow  
11          website and sent to village website NEWS  
12          subscribers on March 4, 2019.

13          Next exhibit affidavit of mailing from the  
14          applicant indicating that the notice of public  
15          hearing was mailed on March 8, 2019 to the  
16          individual set forth in the affidavit.

17          And a final exhibit is a photograph of the  
18          proposed pavilion and elevations prepared by  
19          Timbertech Engineering dated 5/10/2018.

20          Good evening, Mr. Rant.

21          MR. RANT: Blatycus and Panetta, 23 Spring  
22          Street, Oyster Bay, New York.

23          I'm here this evening representing the  
24          owners of 1486 Ridge Road and seeking a variance

1 for overall lot coverage.

2 Before we get started, mailing receipts.  
3 So the current owners purchased this property in  
4 August of 20, 2017. And at that time the  
5 property and all of the improvements existed as  
6 they are today and as shown on the plan.

7 What we're proposing to do is construct a  
8 proposed pavilion which is to be built over an  
9 existing patio. So the pavilion itself will not  
10 increase lot coverage. And we're looking to add  
11 a permeable pavor grass, pavor system for its  
12 really for a backup and turnaround spir.

13 So there's a long driveway that enters the  
14 property parking spir in the front. And  
15 regularly shaped parking area in the rear. So  
16 the difficulty that the owner has delivery  
17 vehicles enter the property, if there are cars  
18 parked in the parking area they don't have space  
19 to turn around they are forced to back up out of  
20 the property.

21 So what we are doing is creating a small  
22 thousand square feet it's a permeable pavor.  
23 We're not looking to create an asphalt space.

24 I will submit as part of the record I have

1 two photographs. The first photograph is a  
2 picture of the existing conditions. The first  
3 photograph, as I said, is a picture of the  
4 exiting area where the proposed parking area is  
5 to be located.

6 And the second photograph is a photograph  
7 of a grass pavor system. So you can see what  
8 we're proposing. It's meant to look like a  
9 grass area not create any visible impact.

10 And the photo of the existing area they  
11 have already planted a row of evergreen  
12 screening along that property line.

13 These are recent photographs within a year  
14 or two they will mature create privacy in that  
15 area that doesn't really -- does not exist.

16 As I had previously mentioned, these are  
17 all of the improvements on the site are  
18 existing. They were there when with the owners  
19 purchased the property. They had been there  
20 more than ten years. They haven't caused  
21 detriment or impact to the surrounding  
22 properties.

23 And it's really the improvement that we're  
24 looking to add is purely for functionality to

1 allow delivery vehicles to turn around and  
2 safely exit the property.

3 The lot although it's two-acre zone, it has  
4 gross lot area of 2.1 acre, but portion of it  
5 does fall within a right of way. So we're  
6 forced to remove that portion of the lot for  
7 zoning purposes.

8 So we're left with a 1.84 acres so we're --  
9 substandard lot as far as our area. And we feel  
10 that the minimal increase from the parking area  
11 due to the location of it, the material that's  
12 being selected, will not cause any detriment to  
13 the property to neighboring properties.

14 MR. AVRUTINE: If I may, I would just to  
15 put on the record photograph depicting the  
16 driveway is marked as Applicants Exhibit Number  
17 One. The photograph depicting the grass pavor  
18 system that's applicant's at this point  
19 described is marked as Applicants Exhibit Number  
20 Two.

21 So, again, really application is what we're  
22 bringing an existing property up to conformance.  
23 And getting the proper approval from the  
24 village. And if the board members have any

1 questions I would be happy to answer them.

2 MR. MOHR: Pergola is counted now as part  
3 of the lot area, correct?

4 MR. RANT: Yes, pavilion built over an  
5 existing patio. There is no increase in square  
6 footage.

7 MR. MOHR: Only other thing I noticed in  
8 that proposed parking area there is a propane  
9 tank I'm assuming that's going to be related.

10 MR. RANT: Yes. That would be relocated  
11 outside. Nassau county fire marshal requires 10  
12 feet separation so that would be relocated -- it  
13 was already done. It was already relocated.

14 MR. MOHR: We were there prior to the snow  
15 storm.

16 MR. RANT: For the record Dan from  
17 Designsapes was the contractor.

18 MR. AVRUTINE: Let's have his name for the  
19 record, sir, would you mind coming up, give your  
20 appearance for the record.

21 MR. STEIGERWALD: Dan Steigerwald from the  
22 Designsapes 355 South Country Road, East  
23 Patchogue, New York.

24 And as far as the gas tank that's taken

1 care of. It's been permitted and executed as  
2 far as relocating gas tanks.

3 MR. AVRUTINE: Where's it been relocated to  
4 just for the record.

5 MR. STEIGERWALD: Right here. It was here.  
6 It was just moved.

7 MR. AVRUTINE: Can you describe because the  
8 court reporter has to take it down.

9 MR. RANT: It was located north of the  
10 proposed parking area.

11 MR. AVRUTINE: Thank you. Mr. Rant, I have  
12 a question. Can you please describe what  
13 creates the increase in lot coverage from the  
14 28.6 of currently existing to the 29.91  
15 proposed.

16 MR. RANT: This is the thousand square foot  
17 permeable parking. I believe the code reads  
18 impervious area. We were asked by the building  
19 inspector to include that area in our coverage  
20 and that is the increase. That's the only.

21 MR. AVRUTINE: That's the sole increase.

22 MR. RANT: The sole increase.

23 MR. AVRUTINE: And the pavilion that you're  
24 looking to construct does not at all increase.



1 MR. RANT: Does not increase the existing  
2 coverage.

3 MR. AVRUTINE: Thank you.

4 MR. MOHR: Anymore questions from the  
5 board? Any questions from the public?

6 MR. AVRUTINE: Let the record reflect that  
7 there are none.

8 Motion to close the public hearing.

9 MS. KAUFMAN: So moved.

10 MR. AVRUTINE: Kaufman.

11 May I have a second?

12 MR. LEBEDIN: Second.

13 MR. AVRUTINE: Member Lebedin.

14 All in favor.

15 (Board said aye.)

16 MR. AVRUTINE: Let the record reflect that  
17 the matter is type two under New York State  
18 Environmental Quality Review Act motion on the  
19 application.

20 MS. KAUFMAN: Motion to approve.

21 MR. AVRUTINE: Motion to approve as  
22 submitted by member Kaufman.

23 May I have a second?

24 MR. LEBEDIN: Second.

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MR. AVRUTINE: Member Lebedin.  
All in favor.  
MR. AVRUTINE: Application approved.  
MR. RANT: Thank you very much.

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