

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

**DATE: April 17, 2019 TIME: 7:30 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 7:30 PM.

Notice of tonight's meeting was posted and provided to the North Shore Leader by the Deputy Village Clerk.

On motion by Member Lebedin, seconded by Member Kaufman and unanimously carried, the Board approved the minutes of the meeting held on March 19, 2019.

**1<sup>st</sup> ITEM: ZV1-2019:**

The Board then considered the application of Elaine Kawas of the Laurel Group on behalf of Gregg and Melissa Newman to install multiple accessory structures at 80 Wildwood Drive and designated as Section 25, Block 64, Lot 7 on the Land and Tax Map of Nassau County where:

1. The proposed 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. Proposed setbacks: pool patio rear yard setback—23'7"; pool rear yard setback—33'9"; pool equipment side yard setback—12'10"; pool equipment rear yard setback—18'3"; firepit terrace side yard setback—24'6"; firepit terrace side yard setback—15'11"; and in-ground trampoline rear yard setback—26'3"; and,
2. The proposed sports court is not set back at least 40 feet from every lot line not abutting a street as required by Section 145-5(B)(3) of the Laurel Hollow Village Code. Proposed setbacks rear yard setback—26'7".

The exhibits were made part of the record and discussion ensued. After discussion by the Board, including testimony by interested residents, it was moved by Member Blumin, seconded by Member Parziale and unanimously carried, that the hearing be closed 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 Blumin, the Board voted to approve the application as submitted with the following conditions:

1. There will be no lighting for the tennis court/sports court;
2. Additional evergreen screening will be provided on the northwest portion of the tennis court/sports court to the satisfaction of the Board of Zoning Appeals. The applicant shall submit a proposed plan regarding same for the Board's consideration; and,
3. All construction equipment and vehicles shall enter the premises via Wildwood Drive and utilize the existing driveway on the subject premises.

The Board voted as follows on this application:

Chairman Mohr	Yes
Member Blumin	Yes
Member Kaufman	Abstain
Member Lebedin	Abstain
Member Parziale	Yes

**2<sup>nd</sup> ITEM: ZV4-2019/ZS5-2019:**

The public hearing then commenced on the application of Michael Rant on behalf of Eugene and Mary Buccellato to install patios, a retaining wall and outdoor kitchen at 143 Stillwell Lane where:

- A proposed accessory structure is not set back at least 40' from every lot line not abutting a street as required by Section 145-5(B)(2) of the Laurel Hollow Village Code. The proposed side yard setback for the lower patio is 3'6".

In addition, the proposed construction will disturb steep and very steep slopes as shown on the site plan prepared by Bladykas & Panetta, L.S. & P.E., P.C. dated 1/14/2018 and last revised on 2/27/2019.

All of the relief sought is with respect to property located at 143 Stillwell Lane and designated as Section 14, Block 14, Lots 19 and 20 on the Land and Tax Map of Nassau County.

Exhibits were made part of the record and discussion ensued. After discussion by the Board, it was moved by Member Kaufman, seconded by Member Blumin and unanimously carried, that the hearing be closed to further evidence and testimony.

With respect to applicant's request for variance relief under Case No. ZV4-2019, it was determined that the application be deemed Type II under SEQRA.

It was moved by Member Lebedin, seconded by Member Parziale and unanimously carried, that the application be approved as submitted conditioned upon installation of additional evergreen plantings and screening suitable to Board of Zoning Appeals with a minimum height

of 8 to 10 feet at planting in order to screen the improvements from view from Stillwell Lane and from adjoining properties.

With respect to the applicant's request for slope disturbance under Case No. ZS5-2019, it was moved by Chairman Mohr, seconded by Member Kaufman and unanimously carried, that the Board declare itself lead agency under SEQRA.

It was moved by Chairman Mohr, seconded by Member Lebedin and unanimously carried, that the action be deemed unlisted under SEQRA.

It was moved by Chairman Mohr, seconded by Member Parziale and unanimously carried, that the Board enact a negative declaration under SEQRA.

It was moved by Member Parziale, seconded by Member Kaufman and unanimously carried, that the application be approved as submitted conditioned upon installation of additional evergreen plantings and screening suitable to Board of Zoning Appeals with a minimum height of 8 to 10 feet at planting in order to screen the improvements from view from Stillwell Lane and from adjoining properties. A copy of the approval resolution will be affixed to these Minutes.

**3<sup>rd</sup> ITEM: ZV6-2019:**

The public hearing then commenced on the application of James M. Murphy on behalf of David and Kristina Jacobson to maintain an existing frame shed, generator, and garage at 1314 Ridge Road and designated as Section 26, Block C, Lots 254 and 256 on the Land and Tax Map on Nassau County where:

1. The existing accessory structures are not set back at least 40' from every lot line not abutting a street as required by Section 145-5(B)(2) of the Laurel Hollow Village Code. Existing setbacks: Generator rear yard setback—13'5"; Frame shed side yard setback—20'6"; Frame shed rear yard setback—11'6";
2. An accessory building or structure having a building area of more than 500 square feet shall be set back at least 50 feet from every lot line not abutting a street as required by Section 145-5(B)(2) of the Laurel Hollow Village Code. Existing side yard setback—40'5".

The exhibits were made part of the record and discussion ensued. After discussion by the Board, it was moved by Member Kaufman, seconded by Member Lebedin and unanimously carried, that the hearing be closed to further evidence and testimony.

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

It was moved by Member Parziale, seconded by Member Kaufman and unanimously carried, that the application be approved as submitted conditioned upon:

1. Installation of adequate evergreen screening on the easterly, westerly and southerly sides of the shed to the satisfaction of the Board of Zoning Appeals. The applicant shall submit a revised drawing depicting proposed screening;
2. Screening as currently exists will be maintained surrounding the generator.

The Board then attended to administrative matters.

There being no further business, the meeting was adjourned at 9:45 PM.

***Russell Mohr***

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Russell Mohr, Chairman

***12/12/2019***

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Date

Helen W. Travis

Scott Sheehan (on behalf of Newman)

Michael Rant (on behalf of Eugene and  
Mary Buccellato)

James Murphy (on behalf of David and  
Kristina Jacobson)

James J. Bell

Gregg Newman

Matthew Miller

Jennifer Bell

533 Cold Spring Road, Laurel Hollow, NY

31 Prospect Street, Huntington, NY

23 Spring Street, Oyster Bay, NY

1045 Oyster Bay Road, East Norwich, NY

1298 Ridge Road, Laurel Hollow, NY

80 Wildwood Drive, Laurel Hollow, NY

171 Stillwell Lane, Laurel Hollow, NY

1298 Ridge Road, Laurel Hollow, NY