

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

**DATE: August 15, 2017 TIME: 7:30 PM**

**PRESENT:**

Russell Mohr, Chairman  
Jeffrey Blumin, Member  
Newton Burkett, Member  
Cindy Kaufman, Member  
Louis Lebedin, 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 7:48 PM.

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

On motion by Member Burkett, seconded by Member Blumin and unanimously carried, with Members Kaufman and Lebedin not participating, the Board approved the minutes of the meeting held on April 19, 2017.

On motion by Member Burkett, seconded by Member Blumin and unanimously carried, with Members Kaufman and Lebedin not participating, the Board adopted a Resolution and Findings of Fact in connection with Case No. ZS5-2016 for the application of Todd E. Andrews, A.I.A. on behalf of Harold Reese for slope disturbance.

On motion by Member Blumin, seconded by Member Burkett and unanimously carried, with Members Kaufman and Lebedin not participating, the Board adopted Decisions and Findings of Fact in connection with Case No. ZV4-2016 for the application of Todd E. Andrews, A.I.A. on behalf of Harold Reese for variance relief.

**1<sup>st</sup> ITEM: ZV8-2017:**

The public hearing then commenced on the application of Albert and Cathleen Bauer to construct a second floor addition/alteration with respect to property known as 11 Woodgreen Way and designated as Section 14, Block A, Lot 1082 on the Land and Tax Map of Nassau County where the existing building is nonconforming with respect to setback from a side yard lot line and the proposed addition will increase the nonconformity in violation of Section 145-21(A) of the Laurel Hollow Village Code--the existing setback is 20.4 feet.

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 Blumin and unanimously carried that the meeting 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 Kaufman and unanimously carried that the application be approved as submitted.

**2<sup>nd</sup> ITEM: ZV7-2017:**

The 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, including testimony by counsel on behalf of various residents and by several of the residents themselves. It was determined that the public hearing will be continued on a future date to be determined by the Board.

**3<sup>rd</sup> ITEM: ZV4-2017:**

The public hearing then commenced on the application of Neal M. Wechsler, Architect, PC on behalf of Colin Williams-Hawkes 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 where:

1. The servants' building shall be a detached building to be used exclusively for living or sleeping accommodations of *bona fide* domestic servants and caretakers as required by Section 145-5(E)(3)(d)(1) of the Laurel Hollow Village Code--Proposed servants' building is used as both servants' quarters and garage;
2. No accessory building shall be erected at a distance less than the same distance from the front lot line as the principal building as required by Section 145-5(B)(2) of the Laurel Hollow Village Code--Principal Building setback--395.1'; Accessory Building setback--204.4';
3. No accessory building shall exceed 1,000 square feet as required by Section 145-5(A)(1)(c) of the Laurel Hollow Village Code--2,537 square feet is proposed;
4. No accessory building shall exceed 25% of the area of the principal building as required by Section 145-5(A)(1)(c) of the Laurel Hollow Village Code--133% is proposed; and,
5. No accessory building shall have a heating system as required by Section 145-5(A)(1)(c) of the Laurel Hollow Village Code.

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

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

The Board then reserved Decision on the application.

**4<sup>th</sup> ITEM: ZV5-2017/ZS6-2017:**

The hearing then commenced on the application of Edward Butt on behalf of George Poll to construct a new boat house and dock where:

1. The parcel is not an improved residential property as required by Section 145-20.1(B) of the Laurel Hollow Village Code;
2. No accessory building shall be erected on a lot that is less than 2 acres (87,120 square feet) in area as per Section 145-5(A)(1) of the Laurel Hollow Village Code--A lot size of 0.21 acres (9,284 square feet) is proposed;
3. No accessory building shall be erected on a lot with less than 150 feet of street frontage as per Section 145-5(A)(2) of the Laurel Hollow Village Code--A street frontage of 0'-0" is proposed;
4. No accessory building shall be erected on a lot that does not have a minimum contiguous building area of 15,000 square feet as per Section 145-5(3) of the Laurel Hollow Village Code--A buildable area of 4,493 square feet is proposed;
5. No accessory building shall be erected unless it has a setback of 40'-0' from every lot line not abutting a street as per Section 145-5(B)(2) of the Laurel Hollow Village Code--A set back of 20'-10" is proposed on the west side and a setback of 14'-4" is proposed on the east side; and,
6. Accessory buildings or structures must be on the same lot with a principal building per Section 145-2(B) of the Laurel Hollow Village Code. The proposed accessory building would be located on a lot with no principal building.

In addition, the proposed construction will disturb steep and very steep slopes as shown on the Slope Analysis prepared by Bladykas & Panetta L.S. & P.E., P.C., dated 4/12/2017 and last revised 6/7/2017; the Topographic Map prepared by Bladykas & Panetta L.S. & P.E., P.C., dated 12/23/2015 and last revised 5/23/2016; Site Plan prepared by Bladykas & Panetta L.S. & P.E., P.C., dated 6/27/2017 and the construction plans prepared by Edward Paul Butt Architect, AIA dated 6/27/2016 and last revised 5/31/2017.

All of the relief sought is with respect to property located at 1458 Ridge Road and designated as Section 26, Block C, Lot 258 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 determined that the public hearing will be continued on a future date to be determined by the Board.

**5<sup>th</sup> ITEM: ZS8-2015/F1-2015:**

The public hearing then commenced on the re-opening of the application of James Murphy, Esq. on behalf of Steven and Elizabeth DiRaimo to regrade the rear yard with respect to property known as 3 Cedarwood Court and designated as Section 14, Block A, Lot 1106 on the Land and Tax Map of Nassau County where the updated regrading plan deviates from the plan previously approved by the Board of Zoning Appeals, and as shown on the Site Plan prepared by Paul Angelides, P.E., P.C. and dated 4/7/2017.

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 Blumin and unanimously

carried that the hearing be closed to further evidence and testimony.

It was moved by Member Kaufman, seconded by Member Burkett and unanimously carried that the Board declare itself lead agency under SEQRA.

It was moved by Member Blumin, seconded by Member Burkett and unanimously carried that the action be deemed unlisted under SEQRA.

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

It was moved by Member Kaufman, seconded by Member Burkett and unanimously carried that the application be approved subject to the following conditions:

1. Submission of a revised regrading plan which includes modifications as recommended by the Village Engineer at the public hearing all to the satisfaction of the Village Engineer;
2. All work contemplated by the approval sought herein shall be completed within sixty (60) days of approval of the revised regrading plan by the Village Engineer.

The Board then attended to administrative matters.

There being no further business, the meeting was adjourned at 11:20 PM.

**Russell A. Mohr**

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Russell Mohr, Chairman

**10/25/2017**

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Date

Rachel A. Scelfo, Esq. (on behalf of George Poll)	100 Motor Parkway, Hauppauge, NY
Edward Butt, Architect (on behalf of George Poll)	82 Haddon Road, New Hyde Park, NY
Albert Bauer	11 Woodgreen Way, Laurel Hollow, NY
Joseph Scarpulla	251 Main Street, Huntington, NY
Richard and Jan DiGeronimo	42 Springwood Path, Laurel Hollow, NY
Patricia and Colin Williams-Hawkes	48 Springwood Path, Laurel Hollow, NY
Neal Wechsler (on behalf of Colin Williams-Hawkes)	48 Springwood Path, Laurel Hollow, NY
Adam Cassel	3 Cedarwood Court, Laurel Hollow, NY
James Murphy, Esq. (on behalf of Christopher Bragoli and Steven and Elizabeth DiRaimo)	1045 Oyster Bay Road, East Norwich
Lexie Howard	341 Sabal Palm Lane, Vero Beach, FL

Henry Sombke (on behalf of Christopher Bragoli)	140 Half Hollow Road, Dix Hills, NY
Mike Mainland (on behalf of Christopher Bragoli)	140 Half Hollow Road, Dix Hills, NY
Steven and Liz DiRaimo	3 Cedarwood Court, Syosset, NY
Peter Quick	118 Horseshoe Road, Mill Neck, NY
Bob Maione	1316 Ridge Road, Laurel Hollow, NY
Chris Bragoli	1216 Moore's Hill Road, Laurel Hollow, NY
Timothy and Caroline Mullen	1226 Moore's Hill Road, Laurel Hollow, NY
Lisa and Ben Basil	1220 Moore's Hill Road, Laurel Hollow, NY
Tom Quick	1214 Moore's Hill Road, Laurel Hollow, NY
Cathleen Bauer	11 Woodgreen Way, Laurel Hollow, NY
Stanley and Susie Trotman	1222 Moore's Hill Road, Syosset, NY