

**BOARD OF APPEALS
FEBRUARY 19, 2015**

Members Present: Richard Ubert, Vice Chairman
Kirk Hurme
Todd Brice
Tracey Cullen

Members Absent: Alison Varley, Chairperson
Bill Ordon

Also Present: Tom Whalen, Code Enforcement Officer
Stephen Greenwald, Assistant to the Board

Meeting called to order at 7: 00 p.m.

Vice Chairmen Ubert welcomed everyone to the February 19, 2015 meeting of the Zoning Board of Appeals, and introduced all the members. Mr. Ubert stated applicants are hereby notified that any/all agreed concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

Mr. Ubert informed the applicants that the full Board was not present this evening and that it would require a 3 out of 4 vote to approve any application. If they so choose, the applicants could ask for a postponement to be heard until the entire Board was present. None of the applicants chose to do so at the meeting.

Mr. Ubert asked the Board for a motion to approve the minutes from the September 25, 2014, October 16, 2014, and January 22, 2015 meetings.

Motion was made by Mr. Hurme, and seconded by Ms. Cullen.

Vote on the Motion	Mr. Hurme	-aye
	Mr. Brice	-aye
	Mr. Ubert	-aye
	Ms. Cullen	-aye

Motion Carried: 4 ayes 0 nays

Application of David Heller. Applicant seeks to exceed the permitted lot coverage and reduce the required side yard and aggregate pursuant to the erection of a one story addition to the east side of the existing one family; in part one story and in part two story frame dwelling pursuant to Sections 183-15 and 183-17 of the Village Code. Premises located on the north side of Purdy Lane approx. 327' east of South Bayview Avenue in a "Residential A" district k/a 33 Purdy Lane a/k/a SCTM# 101-12-5-56

Motion Carried:

4 ayes

0 nays

Application of Christopher Pearson (14-12-03). Applicant seeks a continuation of a special exception permitting the outdoor storage of construction equipment and vehicles pursuant to Section 183-81 of the Village Code. Premises located on the East side of Broadway (Rt. 110) approx. 215 N/o Oak Street in part "Business 1" in part "Business 2" and in part "Residential B" district k/a 247/249 Broadway a/k/a SCTM# 101-4-3-55 and 101-4-3-56

Findings:

1. Applicant has owned the property for the past 12 years
2. Applicant has renewed his Special Exception every year
3. Applicant has yearly inspections by the Building Inspector. The last inspection showed that the applicant met all stipulations from the prior certification
4. Applicant requests that the Certification be extended for more than one year
5. The property is used to store construction materials, and vehicles applicant uses for his business
6. There is a 55 square foot building on the property which has electricity
7. There are currently one 18 foot and four 20 foot trailers on the property
8. Applicant states that one of the 20 foot trailers will be moved soon
9. Applicant stores his boat on the property during the winter
10. A part of the property is leased to a car dealer for the storage of cars
11. No one spoke for or against the application

A motion to approve the application was made by Mr. Brice and seconded by Ms. Cullen with the following stipulations:

1. The Special Exception will be approved for 6 months, or until a change of ownership or any lessee, whichever comes first
2. Applicant is limited to 3 storage containers with an approximate size of 8 feet by 20 feet with no-hazardous materials. Applicant must secure proper licenses from the Board of Trustees
3. Storage containers must be placed as close as possible to the existing building
4. Maximum height of construction materials is 6 feet
5. Maximum height of construction equipment is 12 feet
6. No debris is allowed on the property
7. A maximum of 40 cars can be stored on the western portion of parcel
8. All vehicles must be loaded or unloaded on the owner's property. No loading or unloading can take place on municipality owned land
9. All materials and equipment to be stored must be owned or legally leased by the property owner and stored/ arranged orderly to the satisfaction of the CEO
10. Applicant must abide by all applicable state and local codes
11. Applicant must apply for all necessary permits from the Building Department
12. The Building Inspector has the right to inspect the premises at any time to make sure the stipulations are being maintained
13. There are to be no unregistered vehicles on the property

Vote on the Motion	Mr. Hurme	-aye
	Mr. Brice	-aye
	Mr. Ubert	-aye
	Ms. Cullen	-aye

Motion Carried: 4 ayes 0 nays

Application of Robert A. Curcio Jr. as agent for the estate of Charlotte Bleeker owner (14-12-04). Applicant seeks to reduce the required lot size; increase the lot density from eight (8) dwelling units to twelve (12) dwelling units; reduce the required side and rear yard setbacks and reduce the required parking spaces pursuant to the proposed erection of twelve one bedroom dwelling units pursuant to Sections 183-61; 183-63; and 183-139 of the Village Code. Premises located on the north side of Oak Street approx. 180 feet E/o Broadway (Rt. 110) in a "Residential C" district k/a 22-30 Oak Street a/k/a SCTM# 101-4-3-45; 101-4-3-46 and 101-4-3-47

Findings:

1. Project will have a depth of 143 feet
2. Total square footage of the proposed project is 29,540 feet
3. Zoning was changed to a "Residence C" district by the Board of Trustees on November 10, 2014
4. The front yard setback will be 30 feet from Oak Street
5. Applicant will upgrade the landscaping that separated the municipal parking lot to the west of the property line and repave municipal parking lots
6. Each unit will be 1,300 square feet
7. The project is designed to meet the needs of young professionals
8. Each unit will have 2 full bathrooms, one being a Master Bath
9. The side yard setback being requested is needed because of Fire Department requirements
10. Area variance: Need relief because of minimum 1 acre lot for 12 units and they are just shy of that.
11. Parking: Need to be reduced to 1.5 cars per unit. Residents could use municipal lot for over flow
12. The required east yard setback is 14 feet. They only have 9.8 feet
13. The side yard setback being requested is needed because of Fire Department requirements
14. Suffolk County has been notified due to the projects location on a county road. A response was received leaving all decisions up to local jurisdiction

A motion to approve the application was made by Mr. Brice and seconded by Ms. Cullen with the following stipulations:

1. Applicant must secure all necessary permits
2. Applicant must abide by all state and local codes
3. Applicant must obtain approval from the Board of Health
4. Applicant must seek approval from the Planning Board

