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VILLAGE OF GREENPORT
ZONING BOARD OF APPEALS
REGULAR MEETING AGENDA
January 15, 2014
5:00 p.m.

Meeting held at the Greenport Firehouse
236 Third Street, Greenport, New York 11944

APPEARANCES:

- Douglas Moore - Chairman
- David Corwin
- Ellen Neff
- Charles Benjamin

David Abatelli - Village Administrator

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1 (Whereupon, the meeting was called to
2 order at 5:00 p.m.)

3 CHAIRMAN MOORE: This is the regular
4 meeting of the Greenport Zoning Board of
5 Appeals. It's just about 5 p.m.

6 We have a Public Hearing tonight for a
7 request for a variance. It is a Public Hearing
8 for an application for an area variance for Jean
9 Stratton, 424D Fourth Street, Greenport, New
10 York, Suffolk County Tax Map 1001-6-6-16.

11 The applicant proposes to construct an
12 addition to a nonconforming building.

13 Section 150-12A of the Village of
14 Greenport Code requires a 30-foot rear yard
15 setback in the R-2 District. The proposed
16 second floor addition is 14.2 feet from the rear

17 property line, requiring a 15.8-foot rear yard
18 variance.

19 Just to note that this was noticed in the
20 Suffolk Times. The placard was also placed on
21 the property. And the immediate adjoining
22 properties were notified, and they are the Long
23 Island Railroad Company; Karrie Robinson, 424
24 Fourth Street; Laueen Miller, 424 Fourth Street;
25 Walter and Candace Tilford. It's on Oak Place,

3

1 Bayville, New York, but one of the adjoining
2 properties along the water, it looks like. And
3 the previous owner of the subject property was
4 notified as Ann Shengold in Greenport.

5 As is customary, we usually let the
6 applicant or the agent for the applicant
7 describe the project, and if you would like to
8 do so.

9 MR. UELLEDAHL: Okay. Good evening. My
10 name is Frank Uellendahl, on behalf of Jean
11 Stratton, the owner who bought this house a few
12 months ago.

13 She loves this beautiful private street.
14 They all have the same house number, 424, and
15 the -- because of the view, the view of Shelter
16 Island, the view of the water, and also because
17 it's quiet. The train only comes a couple of
18 times a day.

19 The house itself is a ranch, a one-story
20 ranch building with three very small bedrooms,
21 facing east, and it's relatively small, and it's
22 not what the owner would like to maintain. She
23 is thinking about opening up the first floor
24 some more, and add her own master bedroom suite
25 upstairs on the second floor.

4

1 The plans show where the bedroom is going
2 to be. It has a sitting area. It opens up to
3 the Shelter Island views with a small terrace on
4 the second floor, which would be on top of the
5 extended living room.

6 The living room right now, there is an
7 enclosed porch, which would be turned into an

8 extended living room with a small or
9 six-foot-wide wood deck in front of that.

10 This is all within the buildable area, but
11 the reason why we're here tonight is that the
12 rear yard is supposed to be -- is 30 feet, and
13 the structure is sitting partially in the rear
14 yard. It's only 10 feet off the rear lot line,
15 and so are the two neighbors to the east and to
16 the west. They're actually even closer to the
17 fence.

18 And the design actually shows that we are
19 going to set back the second floor another four
20 feet on both sides, so it looks more like a
21 dormer type second floor addition.

22 And the reason we're here is basically to
23 ask for a variance, area variance, to allow
24 us -- to give us a variance for building in the
25 in the rear yard.

5

1 CHAIRMAN MOORE: We'll have the
2 opportunity to speak with the applicant's
3 representative during discussion, but are there

4 any questions right now from the Board?

5 (No Response)

6 CHAIRMAN MOORE: Okay. Thank you.

7 MR. UELLENDahl: Thank you.

8 CHAIRMAN MOORE: Any members of the public
9 who would like to speak, come forward. None, it
10 appears. And the -- oh, yes, okay.

11 MS. MILLER: My name is Laueen Miller, and
12 I'm also at 424 Fourth street. We had a couple
13 of questions, and I actually spoke with Frank
14 yesterday to get some clarification. Just, I
15 think, mostly he satisfied our concerns.

16 Just for your information, we were worried
17 that the intention might be to make a two-family
18 house out of the building, but we've been
19 assured that that's not the case.

20 We were also -- the design that we got by
21 mail differed a little bit, at least visually
22 from our point of view, to what Frank explained
23 to me yesterday in terms of what the intention
24 for the remodeling is. Basically, we don't
25 really see a problem with that.

1 We were also concerned, since we own the
2 driveway, and the traffic, and we are planning
3 to redo the driveway, which we have maintained
4 over the last 40 years, to make sure that there
5 wouldn't be an inordinate amount of traffic.

6 And that also during the construction,
7 that given the limited parking available at that
8 particular house, that every effort be made to
9 have the workers park on Fourth Street and not
10 on the driveway, which we have to maintain for
11 the usage of everyone.

12 So we welcome the new neighbor into the
13 area, and I think, hopefully, what is intended
14 in terms of the modifications will enhance the
15 property, and certainly having a better view of
16 Shelter Island will be, I'm sure, of benefit to
17 the new owner.

18 Thank you very much. And if you need any
19 further information from me, I'm happy to give
20 it. Thank you.

21 CHAIRMAN MOORE: Okay. Would there be

22 anybody else who would like to speak?

23 (No Response)

24 CHAIRMAN MOORE: If not, then, I would
25 entertain a motion to close the Public Hearing.

7

1 MS. NEFF: So moved.

2 CHAIRMAN MOORE: And a second, please.

3 MR. BENJAMIN: Second.

4 CHAIRMAN MOORE: Any discussion on the
5 matter?

6 (No Response)

7 CHAIRMAN MOORE: All in favor?

8 MR. BENJAMIN: Aye.

9 MR. CORWIN: Aye.

10 MS. NEFF: Aye.

11 CHAIRMAN MOORE: Aye.

12 The Public Hearing is closed, and we can
13 go into the regular part of the agenda.

14 I think I'd just like to start off by
15 saying that this is very similar in principle,
16 but larger in scale, than a similar variance
17 that was issued -- or not issued, but it was

18 determined by the Zoning Board that an expansion
19 of a house on Sandy Beach Road did not require a
20 variance, because it actually did not increase
21 the nonconformance of the house.

22 When we were looking at the requirements
23 for setbacks, those are violated because the
24 house already sits too close to the back
25 property line, but this is a preexisting

8

1 nonconforming condition.

2 And I'd just like to read the section of
3 the code that we referenced last time, and that
4 is that it describes a nonconforming as any
5 building which does contain a use permitted in
6 the district in which it is located, but does
7 not conform to the district regulations for lot
8 area, widths or depths, front, side, or rear
9 yards and maximum height, lot coverage or
10 minimum livable floor area per dwelling unit.

11 That said, there's the next section, which
12 is Part A, is, "Nothing in this article shall be

13 deemed to prevent normal maintenance and repair,
14 structural alteration, moving, reconstruction or
15 enlargement of a nonconforming building,
16 provided that such addition or such action does
17 not increase the degree or create any new
18 noncompliance with regards to the regulations."

19 Our interpretation last time was that
20 because the construction was within the same
21 footprint, that a variance was not required, and
22 I'd like to hear any comments from the Board
23 regarding that issue.

24 Because we've had a Public Hearing, we did
25 have the opportunity to hear any concerns from

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1 neighbors about the building's increased height.
2 It is not going over the 35-foot limit in
3 height, and as Mr. Uellendahl said, the lot
4 coverage, I believe, is still within the
5 allowable amount.

6 MR. UELLEDAHL: Correct.

7 CHAIRMAN MOORE: It is not changing, even
8 though the house is getting a bit larger to the

9 front, within the permitted building zone.

10 Any comments from the Board on that, that
11 would feel that that's not appropriate, and that
12 a variance would be required for this project?

13 MR. CORWIN: I don't agree with you. I
14 think it is an increase in nonconforming use,
15 just the same as I felt the way on the one on
16 Sandy Beach.

17 CHAIRMAN MOORE: Other members of the
18 Board, your feelings on this?

19 (No Response)

20 CHAIRMAN MOORE: I think, you know, we
21 should try and be consistent. The principle is
22 that -- the question is whether an increase in
23 volume of the building within the same footprint
24 does constitute an increase in nonconformance.
25 Mr. Corwin has given the opinion that it does.

10

1 And how about the rest of the Board?

2 MS. NEFF: May I ask a question?

3 CHAIRMAN MOORE: Yes.

4 MS. NEFF: I was reading something. In
5 the case on Sandy Beach, which I was present and
6 accounted for, did we decide it didn't need a
7 variance?

8 CHAIRMAN MOORE: Yes.

9 MS. NEFF: That's what I thought.

10 CHAIRMAN MOORE: We returned --

11 MS. NEFF: I wanted to make sure.

12 CHAIRMAN MOORE: We returned an opinion
13 that --

14 MS. NEFF: Okay.

15 CHAIRMAN MOORE: And I don't know if I
16 have the voting here, whether or not --

17 MS. NEFF: That's okay.

18 CHAIRMAN MOORE: Yes.

19 MS. NEFF: You don't have to go to the
20 voting. I think --

21 CHAIRMAN MOORE: But it was supported, you
22 know, with a positive motion and vote as to not
23 require a variance.

24 MS. NEFF: Right. Okay. You don't --

25 CHAIRMAN MOORE: I don't have the

1 paperwork here.

2 MS. NEFF: That's not necessary. But I
3 think that that is my recollection. I apologize
4 for not listening carefully, and that I think
5 that I also see this, since there -- the
6 setbacks are not changing; that I don't -- I
7 don't see it as an increase in the degree to
8 which the building is nonconforming. It is
9 nonconforming, but I don't see -- since we're
10 not talking about any changes to the rear lot
11 lines, I don't see how it is -- increases the
12 nonconformance.

13 CHAIRMAN MOORE: Mr. Benjamin, would you
14 care to comment?

15 MR. BENJAMIN: Well, Section A says,
16 "Nothing in this article shall be deemed to
17 prevent normal maintenance, repair, structural
18 alteration, moving, reconstruction or
19 enlargement of a nonconforming building." I
20 think that's what it means, nothing shall be
21 deemed to prevent enlargement of a nonconforming
22 building.

23 CHAIRMAN MOORE: Okay. And one thing we
24 have, that obviously there could be in some
25 cases a hypothetical expansion of the building

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1 that could become very imposing on neighboring
2 properties. And I think, in that case, that
3 would be an issue of building permit as far as
4 whether there are any other codes violated, and
5 could be an option for reference to the Planning
6 Board regarding structural alterations.

7 So that with everybody having given
8 opinions, would it be the opinion of the Board
9 that we have a motion to indicate that a
10 variance is not required in this case, and that
11 a building permit could be issued on the
12 proposed project? Would that be an agreeable if
13 I make that motion?

14 MR. CORWIN: I think there's two things I
15 would ask --

16 CHAIRMAN MOORE: Yes.

17 MR. CORWIN: -- before you make that

18 motion. One is there's no elevation on the
19 survey or the submitted documents. It's close
20 to the water. My guess would be that it's out
21 of the flood zones, but I don't know that for a
22 fact, so I'm wondering if that's been
23 investigated.

24 And the other thing is the question of the
25 utilities. I think the applicant has to answer

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1 somehow how they're going to handle the utility
2 poles on private property before we proceed,
3 because, as far as I understand, those are all
4 on private property and the Village won't pay
5 for new poles. So it may end up that a neighbor
6 has to pay for a new pole or the applicant has
7 to pay for a new pole and running new wires.

8 CHAIRMAN MOORE: Right. Now, when you
9 indicated elevations, you mean the property
10 elevation?

11 MR. CORWIN: It would be the flood
12 elevations, yes.

13 CHAIRMAN MOORE: The flood elevation, as

14 opposed to an elevation view of the property?

15 MR. CORWIN: That's correct.

16 CHAIRMAN MOORE: Yeah, correct. And
17 that's something we perhaps, you know, could ask
18 you about.

19 MR. UELLEND AHL: I can look into this and
20 we'll report back to you. I mean, are you
21 talking about the grade elevation or the flood
22 zone?

23 MR. CORWIN: The flood zone.

24 MR. UELLEND AHL: Okay.

25 CHAIRMAN MOORE: And that would really

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1 only apply to the fact that you're making a
2 modification on the front of the building. That
3 wasn't the issue here at ground level.

4 MR. UELLEND AHL: Yeah, it doesn't really
5 change -- I mean, still, we're not changing the
6 existing structure to less of --

7 MR. CORWIN: But you're making more
8 intense of a use, so I think it's something that

9 needs to be considered.

10 CHAIRMAN MOORE: Well, we can check and
11 see what the elevations are.

12 The other issue is this whole small
13 neighborhood is private property, I understand.
14 The Village -- is not maintained by the Village,
15 but privately

16 MS. NEFF: Right.

17 CHAIRMAN MOORE: And it's my understanding
18 that when utility changes are made, that it is a
19 cost to the property owners.

20 MR. UELLENDahl: Yes. It has been
21 discussed with the owner. And we will bring
22 this up again before we apply for a building
23 permit, so she understand what's involved. And
24 the discussion, for example, with Karrie
25 Robinson, who is the owner to the west, has

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1 already taken place.

2 CHAIRMAN MOORE: Yeah, and it's
3 interesting. Many times, if an improvement has
4 to occur, I understand, and I can't speak for

5 the Village, but sometimes cost has been
6 negotiated because it may actually improve the
7 electric service. And I notice that the main
8 factor that Mr. Corwin pointed out on the site
9 visit was that the pole in the neighbor's yard
10 very likely is affected by the movement of the
11 wires, and that pole would either have to be
12 moved or another pole added to extend the
13 electric service.

14 MR. UELLEND AHL: Correct. And there is
15 also the option to possibly bring the service
16 down one pole and bring it to the other pole
17 underground, so we don't have the issue of
18 dangling wires close to the second floor
19 addition.

20 CHAIRMAN MOORE: Yes. So, anyway, I
21 don't --

22 MR. UELLEND AHL: So there is a cost
23 involved, which the owner is aware of.

24 CHAIRMAN MOORE: Right. We might wish to,
25 in documenting a decision, should we make that,

1 that it's not necessary for a variance, that it
2 be referred back to the Building Department that
3 the proper, you know, reimbursement, or
4 whatever, would be necessary to -- in other
5 words, responsibility for the utilities would be
6 on the property being improved.

7 MR. UELLEDAHL: Yes, we will take this up
8 with the Building Department.

9 CHAIRMAN MOORE: Okay. So, with those two
10 issues in mind, I would then make a motion that
11 we would like the information regarding the
12 flood zone, that it be supplied to the Building
13 Department, and that the utilities, necessary
14 cost of utilities be discussed, but that the
15 Zoning Board of Appeals has interpreted that a
16 variance is not required for this project. And
17 I would make that motion and ask for a second.

18 MS. NEFF: Second.

19 CHAIRMAN MOORE: And any other discussion?

20 (No Response)

21 CHAIRMAN MOORE: All in favor?

22 MR. BENJAMIN: Aye.

23 MS. NEFF: Aye.

24 CHAIRMAN MOORE: Aye.

25 Mr. Corwin, opposed?

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1 MR. CORWIN: Aye.

2 CHAIRMAN MOORE: So we have three in favor
3 and one opposed. I'm sorry, I forget to ask
4 both sides of the question.

5 So we'll prepare a document back to the
6 Building Department, that it is our
7 interpretation that a variance is not required
8 for this project, but there will be some issues
9 to discuss with the Building Department.

10 MR. UELLEDAHL: Thank you very much.

11 CHAIRMAN MOORE: Okay. Thank you.

12 So the next item is Item #2, and that is a
13 motion to accept an application for an area
14 variance, schedule a site visit, and schedule a
15 Public Hearing for Steven Sommer, 423 New
16 Rochelle Road, Bronxville, New York, 10708, for
17 a property located at 216 North Street,
18 Greenport, New York, Suffolk County Tax Map

19 1001-2-6-8.

20 The owner proposes to construct a new
21 two-family dwelling on a nonconforming lot.

22 Section 150-12A of the Village of
23 Greenport Code requires a 15 side yard --
24 15-foot side yard setback. The proposed side
25 yard setback for the new construction is 11.3

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1 feet, requiring a 3.7 foot side yard area
2 variance.

3 The same section of the Village of
4 Greenport Code requires a 25-foot combined side
5 yard setback. The proposed combined side yard
6 setback for the new construction is 21.3 feet,
7 requiring a 3.7 combined side yard area
8 variance.

9 I make that motion to accept the
10 application. It does look in order. May I have
11 a second, please?

12 MR. BENJAMIN: Second.

13 CHAIRMAN MOORE: And all in favor?

14 MR. CORWIN: Aye.

15 MS. NEFF: Aye.

16 CHAIRMAN MOORE: Aye.

17 CHAIRMAN MOORE: Charlie, did you say aye?

18 MR. BENJAMIN: Aye.

19 CHAIRMAN MOORE: Okay. So that

20 application is accepted.

21 Item #3 is a motion --

22 MS. NEFF: Can I ask you a question about

23 this?

24 CHAIRMAN MOORE: Yes.

25 MR. NEFF: Are the requirements any

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1 different for the setbacks if it's a two --

2 remember, this is a -- really, the first thing

3 it is is to request that a two-family dwelling

4 be constructed on a lot that, if I can read, it

5 says it's 45-by-117, the lot itself.

6 CHAIRMAN MOORE: The lot is a substandard

7 lot, I believe.

8 MS. NEFF: Yes.

9 CHAIRMAN MOORE: Yes.

10 MS. NEFF: Yes. Is that -- and the --

11 MR. CORWIN: Less than 279 square feet.

12 CHAIRMAN MOORE: The lot.

13 MR. CORWIN: And the standard lot would be
14 at this point in time 7500 square feet.

15 CHAIRMAN MOORE: Seventy-five hundred
16 square feet.

17 MS. NEFF: So it's less than half as much.

18 MR. BENJAMIN: So it needs two -- three
19 variances.

20 CHAIRMAN MOORE: Well, the variances for
21 the footprint of the house, whether one-family
22 or two-family, needs a variance --

23 MS. NEFF: Are the same.

24 CHAIRMAN MOORE: -- for the side yard. I
25 believe the front yard setback, even though it's

20

1 not as deep as the code normally requires, is
2 calculated based on the adjoining properties and
3 is permitted.

4 Now, the lot coverage, I did not see the

5 figures on lot coverage. That may be another
6 issue. I'm not sure whether that exceeds the
7 allowable amount, but we can research that, and
8 we'll have to check and see if that would be a
9 required variance as well. Did anyone --

10 MS. NEFF: I would think that that
11 particularly -- all of that needs to be looked
12 at before we say, as is, these are the variances
13 we are reviewing.

14 CHAIRMAN MOORE: Okay. So perhaps,
15 Mr. Abatelli, could we find out by next month
16 about the lot coverage, as far as the
17 construction, because that may just exceed --

18 MR. ABATELLI: Yes. I don't -- I can't
19 swear to it, but I remember discussing that with
20 Eileen back a ways, you know, early, and I think
21 -- I'm pretty sure it was okay. So I don't know
22 if we want to completely put this off, or if we
23 just want to condition it going forward on if
24 there's a problem with the lot coverage.

25 MR. SOMMER: So I'm the owner of the

1 property.

2 CHAIRMAN MOORE: Yes, okay.

3 MR. SOMMER: If I may.

4 CHAIRMAN MOORE: Yes. We're not taking
5 public testimony, but if you have any
6 information that you could clarify that --

7 MR. CORWIN: I don't think we should be
8 taking information. I think --

9 CHAIRMAN MOORE: Okay. Maybe we need to
10 find out by next month.

11 MR. SOMMER: I completely understand that.

12 MR. CORWIN: Just the time for a Public
13 Hearing is the only thing we need to do.

14 CHAIRMAN MOORE: Okay. So we can -- is it
15 the opinion of the Board that we should or
16 shouldn't accept the application, then, because
17 we're going to schedule a Public Hearing?

18 MR. CORWIN: I think we should, yes.

19 CHAIRMAN MOORE: Yeah. I think we can
20 clear that up. And, if necessary, the Building
21 Inspector could repost the information, and we
22 can modify the application, should there be an
23 additional variance requested.

24 So, in that case, we will plan on setting
25 up a Public Hearing for the next month, which

22

1 will be -- February 19th is the normal meeting,
2 and that would be at 5 p.m. And we would
3 schedule a site visit on the property at, say,
4 4:20 for that property? Would that be
5 acceptable?

6 MS. NEFF: Uh-huh.

7 CHAIRMAN MOORE: And we have accepted the
8 application for consideration.

9 MR. CORWIN: I think, logistics-wise, if
10 we went to lower Main Street first --

11 CHAIRMAN MOORE: Okay.

12 MR. CORWIN: -- and then to North Street
13 second --

14 CHAIRMAN MOORE: Okay. So let's --

15 MS. NEFF: We're in the neighborhood,
16 right.

17 MR. CORWIN: -- we would be a little more
18 efficient. So why don't we do it that way?

19 CHAIRMAN MOORE: Yes, I agree, that's a
20 good idea. So we'll make it 4:40 at North
21 Street. We usually take about 20 minutes for
22 each site visit.

23 Okay. So I think that business is
24 completed. We'll move on to Item #4. No, I'm
25 sorry, Item #3. Motion to accept an application

23

1 for an area variance, schedule a site visit and
2 schedule a Public Hearing for Mark LaMaina, 119
3 Main Street, Greenport, New York, Suffolk County
4 Tax Map 1001-5-4-34.

5 The Applicant proposes to construct a
6 restaurant sign, which is directly illuminated,
7 and flashing sign.

8 Section 150-15G(2) of the Village Code
9 prohibits directly illuminated and flashing
10 signs.

11 This is a sign which is already in
12 existence, so this is an "I'm sorry, may I have
13 a variance" application.

14 Mr. LaMaina, at the restaurant on South

15 Main Street, has installed this sign, and we
16 will take a look at it next month. And, again,
17 we would schedule that site visit for 4:20.

18 And so I would make that motion to accept
19 this application. It does look in order.
20 There's a fair amount of documentation supplied.
21 May I have a second, please?

22 MR. CORWIN: Second.

23 CHAIRMAN MOORE: And all in favor?

24 MR. BENJAMIN: Aye.

25 MR. CORWIN: Aye.

24

1 MS. NEFF: Aye.

2 CHAIRMAN MOORE: Aye.

3 So that's accepted. And we will --

4 MR. CORWIN: Just one note.

5 CHAIRMAN MOORE: Yes.

6 MR. CORWIN: The sign should be turned on
7 when we visit.

8 MS. NEFF: So we're -- but --

9 CHAIRMAN MOORE: Yes, yes. It is turned

10 on currently, so I expect it probably will be
11 when we visit.

12 MS. NEFF: But, by the time we --

13 MR. CORWIN: It's not on now during the
14 day.

15 MS. NEFF: Well, it might be now because
16 it's dark.

17 CHAIRMAN MOORE: Well, I drove by it this
18 afternoon and it was on.

19 MR. CORWIN: Okay.

20 MS. NEFF: Okay.

21 CHAIRMAN MOORE: So I think that we will
22 ask that it be turned on, though, so that we can
23 see it when we're there.

24 MS. NEFF: Okay, good.

25 CHAIRMAN MOORE: Okay. So that will be at

25

1 4:20 next month.

2 And then Item #4 is motion to accept the
3 ZBA minutes for December 18th, 2013. So moved.
4 Do I have a second?

5 MS. NEFF: Second.

6 CHAIRMAN MOORE: All in favor?

7 MR. BENJAMIN: Aye.

8 MR. CORWIN: Aye.

9 MS. NEFF: Aye.

10 CHAIRMAN MOORE: Aye. Motion carries.

11 Motion to approve the ZBA minutes for
12 November 20th, 2013. So moved. May I have a
13 second, please?

14 MR. BENJAMIN: Second.

15 CHAIRMAN MOORE: All in favor?

16 MR. CORWIN: Aye.

17 CHAIRMAN MOORE: Aye.

18 MR. BENJAMIN: Aye.

19 MS. NEFF: Excuse me, aye.

20 CHAIRMAN MOORE: Okay. Motion carries.

21 And now the motion is to schedule the next
22 regular ZBA meeting for February 19th, 2014.
23 That would be at 5 p.m. So moved. Second,
24 please.

25 MS. NEFF: Second.

1 CHAIRMAN MOORE: All in favor?

2 MR. BENJAMIN: Aye.

3 MR. CORWIN: Aye.

4 MS. NEFF: Aye.

5 CHAIRMAN MOORE: Aye. Motion carries.

6 And then -- yes?

7 MR. ABATELLI: I just want to -- I was
8 reading the plan before, so it does look like
9 the light coverage, according to the plan there,
10 is like 29. something, like one something
11 percent.

12 CHAIRMAN MOORE: Okay.

13 MR. ABATELLI: And I'm pretty sure what's
14 required is 30.

15 CHAIRMAN MOORE: Thirty.

16 MR. ABATELLI: It might even be 35.

17 CHAIRMAN MOORE: Yes. If you would check
18 on that so we can modify the application before
19 the next meeting

20 MR. ABATELLI: So, if it is under, then we
21 we'll just still go forward with the Public
22 Hearing, but in the notice, we'll include that's
23 what it is.

24 CHAIRMAN MOORE: Yeah, yeah. It will have
25 to be -- the application would have to be

27

1 modified and the public notice would have to be
2 appropriate as well.

3 MS. NEFF: If I just may inquire.

4 CHAIRMAN MOORE: Yes.

5 MS. NEFF: Are the lot -- if there was a
6 one-family house, would there be a different set
7 of numbers for --

8 MR. ABATELLI: There might be. It might
9 be 30 and 35. It might be 35 for two-family, 30
10 for one.

11 MS. NEFF: That's what I --

12 MR. ABATELLI: But I'm not sure, because I
13 know it was changed, but I'm not sure if I'm
14 remembering the old one or the new one.

15 MS. NEFF: But we are talking about a lot
16 45-by-117, I think, and we're talking about they
17 need a variance to build a one-family house,
18 much less a two-family house.

19 MR. ABATELLI: It's possible.

20 MS. NEFF: I think it has to be very
21 carefully looked at what the setbacks and area
22 issues are for each scenario.

23 CHAIRMAN MOORE: Yes.

24 MS. NEFF: Even though the applicant is
25 asking for a two-family.

28

1 CHAIRMAN MOORE: Yes. Yeah, 30% for one
2 family --

3 MS. NEFF: That's what I thought.

4 CHAIRMAN MOORE: -- 35% for two-family.
5 So it actually gives additional leeway. But the
6 setbacks are all exactly the same. And, of
7 course, the parking requirement would be for
8 three vehicles for this application.

9 MS. NEFF: Is there anything about the
10 area of the parking area? In other words, what
11 are we construing as the width of a car or the
12 width of a -- you know, those kinds of things?

13 CHAIRMAN MOORE: Those are standard.

14 MS. NEFF: Well, okay.

15 CHAIRMAN MOORE: I don't know if they're
16 code, but they're --

17 MR. ABATELLI: They're in the code as
18 10-by-20.

19 MS. NEFF: For each car?

20 MR. ABATELLI: Yes, in a different part of
21 the code.

22 MS. NEFF: Okay. Again, I think all those
23 things need to be looked at.

24 CHAIRMAN MOORE: Okay. So, with that
25 discussed, Item #7 is motion to adjourn. So

29

1 moved. May I have a second?

2 MR. CORWIN: Second.

3 MR. BENJAMIN: Second.

4 CHAIRMAN MOORE: And all in favor?

5 MR. BENJAMIN: Aye.

6 MR. CORWIN: Aye.

7 MS. NEFF: Aye.

8 CHAIRMAN MOORE: Aye. The meeting is
9 adjourned.

10 (Whereupon, the meeting was adjourned at 5:30

p.m.)

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C E R T I F I C A T I O N

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3 STATE OF NEW YORK)

4) SS:

5 COUNTY OF SUFFOLK)

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I, LUCIA BRAATEN, a Court Reporter and
Notary Public for and within the State of New
York, do hereby certify:

THAT, the above and foregoing contains a
true and correct transcription of the
proceedings taken on December 18, 2013.

I further certify that I am not
related to any of the parties to this action by
blood or marriage, and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 27th day of December, 2013.

Lucia Braaten