

Town of North Hempstead



Chairman
David L. Mammina, R.A.,
A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19795.A – DKA Properties, variances 70-125, 70-103.A, 70-103.B, 70-103.F, 70-103.O, 70-229.A, 70-135, and 70-231 to maintain an addition to an auto body shop (not a permitted use) with insufficient off-street parking, parking stall dimensions, number of loading zones, access to a street, and access aisle width, fencing exceeding the permitted height, and non-compliance with previous decision #12879; W/side 363 Great Neck Rd., 478.99' S/of Water Mill Ln., Great Neck, Sec. 2, Blk. 42, Lot 319, B-A District.

WHEREAS, an application (14-104673) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by David A. Crowe, R.A., dated February 24, 2015, and a survey prepared by Alexander Tsukerman, L.L.S., dated May 13, 2013.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Levine
Aye: Member Levine, Vice Chairman McCarthy, Chairman Mammina
Nay: Member Aloe
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A.,
A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19906 - John & Jennifer Tramutola, variances 70-102.C.2, 100.2.A.4.b and 70-102.C.4 to maintain pool barrier forward of rear building line, retaining wall and fencing exceeding permitted height, and pool equipment in a side yard; E/side #53 Turf Ln. 232.42' N/of I.U. Willets Rd., Roslyn heights, Sec. 7, Blk. 168, Lot 58, R-AA District.

WHEREAS, an application (14-110025) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

DENIED IN PART, with respect to the variances sought from sections 70-102.C(2) and 70-100.2.A4(b), and **GRANTED IN PART**, with respect to the variance sought from section 70-102.C(4), of the dimension and in the location shown on drawings prepared by Rosebery Architectural Studio, dated February 27, 2015, and a survey prepared by Charles Panetta, L.L.S. & P.E., dated October 17, 2008, **SUBJECT TO THE CONDITION THAT** the the property owner install and/or maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the pool equipment from Turf Lane and the neighboring properties.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Vice Chairman McCarthy
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman

David L. Mammìna, R.A., A.I.A.

Members

Donal McCarthy, Esq.

Paul Aloe, Esq.

Leslie Francis, Esq.

David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road

Manhasset, NY 11030

(516) 869-7667

Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19942 – Alison Warnell, variances 70-41.A, 70-102.C.5.a & 70-100.1.A to maintain a one-story rear addition, deck, and pool with insufficient side yard setbacks, and accessory structures in a front yard; E/side #341 Nassau Blvd., 40' S/of Madison Ave., Garden City Park, Sec. 33, Blk. 516, Lot 7-8, R-B District.

WHEREAS, an application (15-100182) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

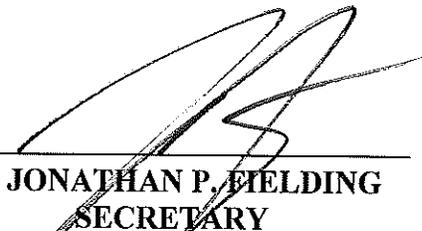
GRANTED, of the dimension and in the location shown on drawings prepared by Michael Angelone, P.E., dated July 1, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Levine

Aye: Member Levine, Member Aloe, Vice Chairman McCarthy

Absent: Member Francis, Chairman Mammìna



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammìna, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19945 - Jacqueline Fowler, variance 70-100.2.A(2) to maintain fencing beyond the front building line; SW/cor. 30 Clark Dr. & Summer Ave., Great Neck, Sec. 2, Blk. 113, Lot 31, R-B District.

WHEREAS, an application (15-101009) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; therefore, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED IN PART, with respect to the decorative fence in the northeast corner of the property, and **DENIED IN PART** with respect to the six foot high fence located in the Summer Avenue front yard.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy
Absent: Member Francis, Chairman Mammìna



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19949 - Marzena Potrapeluk, variances 70-102.C(5)(a), 70-102.C(2), 70-100.2.A.2, 70-102.L(1) to maintain light piers exceeding the number permitted within a required front yard setback and fencing beyond the front building line and the installation of a pool within required side and rear yard setbacks, pool fencing beyond the rear building line, and fencing beyond the front building line; E/side 58 Barnyard Ln., 140.87' N/of Arbor Ln., Roslyn Heights, Sec. 9, Blk. 542, Lot 1, R-AA District.

WHEREAS, an application (15-101083) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

Subsequent to the public hearing, the appeal was **WITHDRAWN** with respect to the variances sought from §§ 70-102.C(5)(a), 70-102.C(2), and 70-100.2A(2). The appeal is **GRANTED**, with respect of the variance sought from § 70-102.L(1), of the dimension and in the location shown on a drawing prepared by Stephen E. Meehan, R.L.A., dated October 10, 2014 and revised through May 13, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy
Absent: Member Francis, Chairman Mammina



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A.,
A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19960 - Shirley Johnson, variances 70-195.15.B and 70-195.15.D to maintain a finished cellar with a bathroom and an exterior entrance; NW/cor. 173 Bond St. & Division Ave., New Cassel, Sec. 11, Blk. 123, Lot 27, R-C/ New Cassel Urban Renewal Overlay District.

WHEREAS, an application (15-101128) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

IT IS HEREBY DETERMINED that the exterior cellar entrance is a nonconforming structure which predated the creation of the New Cassel Urban Renewal Overlay District as well as the regulations promulgated thereunder, and therefore no variance from §§70-195.15.B or 70-195.15.D is required to maintain the building as depicted on drawings prepared by Reza Khamcy, P.E., dated July 20, 2014 and a survey prepared by Peter J. Brabazon, P.L.S., dated September 30, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Vice Chairman McCarthy
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

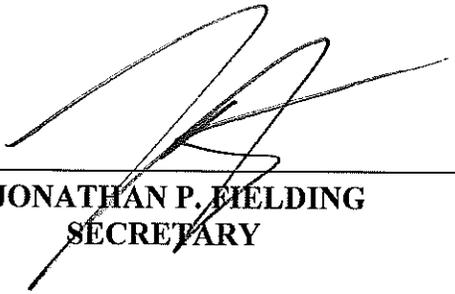
APPEAL #19968 - Andrew Maiman, variances 70-29.B to permit the construction of a second story addition exceeding permitted floor area; W/side #46 Capri Dr., 1034.67' S/of Reed Dr., Roslyn, Sec. 9, Blk. 629, Lot 7, R-A District.

WHEREAS, an application (15-101606) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

DENIED.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammìna, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19988 – James Gilligan, variances 70-208.F, 70-50.B & 70-49.C to maintain a rear portico and enclosed cellar entrance in a required secondary front yard and exceeding permitted gross floor area; NW/cor./of #16 Irma Ave. & Virginia Avenue, Port Washington, Sec. 5, Blk. D, Lots 512, R-C District.

WHEREAS, an application (15-102538) were filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Frank J. Tipaldo, R.A., dated December 10, 2014 and revised through January 19, 2015 and a survey prepared by Jack Allison Hall, L.L.S., dated April 25, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe Seconded by: Member Levine
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammìna
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19995 – Joanne Choi, conditional use 70-126.A & variance 70-103.A to convert a retail space to a fast food restaurant, a conditional use, with insufficient parking; S/side #1504 Northern Blvd., 620.59' E/of Shelter Rock Rd., Manhasset, Sec. 3, Blk. 145, Lot 205, B-A District.

WHEREAS, an application (15-102879) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Harriet Calos Nikakis, R.A., dated September 12, 2014, **SUBJECT TO THE CONDITIONS IN THE ATTACHED RIDER:**

SEE ATTACHED RIDER

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Levine
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Rider to Appeal # 19995

Joanne Choi

S/side 1504 Northern Blvd., 620.59' E/of Shelter Rock Rd., Manhasset

Section: 3 Block: 145 Lot: 205

1. That the applicant shall install and maintain a suitable refrigerated garbage locker within the building. There shall be no outdoor storage of putrescible waste generated by the proposed restaurant at any time. The applicant shall arrange for indoor carry-out pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to approval and/or issuance of a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, and at every subsequent inspection following the issuance of said Place of Assembly or Place of Public Assembly License.
2. That all exterior doors shall be of solid construction in any material permitted under the New York State Fire Prevention and Building Code, shall be equipped with self-closing hardware, and shall remain closed at all times except for ingress and egress.
3. At no time may there be more than **58** seats on the premises. For purposes of this condition, a seat is defined as any place on the premises where a patron may sit and be served, whether or not a person is seated there. A table set up with four chairs counts as four seats. The conditional use permit and/or variance set forth herein shall continue only for so long as there is compliance with this condition. If at any time the applicant is not in compliance with this condition, then the conditional use permit shall terminate, and the applicant must make a new application to the Board in order to continue the restaurant use.
4. That the applicant shall obtain a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, from the Building Department prior to the issuance of a Certificate of Occupancy or Completion.
5. That the applicant shall comply with all laws, ordinances, rules and regulations of all public authorities having jurisdiction over the premises and that no Certificate of Occupancy or Completion shall be issued until absolute compliance has been proven to the Commissioner of the Buildings.
6. That the applicant and or its successor shall comply with Code § 70-225(7)(A). Prior to making any changes to the kitchen, either by the addition of equipment not on the approved plan, or through an increase in the size of existing equipment, or in the size of the square footage of the kitchen, the applicant or its successor shall make a new application to this Board for a conditional use permit to use the space as a restaurant.
7. That the conditional use permit set forth herein shall continue only for so long as there is compliance with these conditions. If at any time the applicant is not in compliance with these conditions, then the conditional use permit shall terminate, and applicant must make a new application to this Board in order to continue the premises as a restaurant/food use.

Town of North Hempstead



Chairman
David L. Mammìna, R.A.,
A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19795.A – DKA Properties, variances 70-125, 70-103.A, 70-103.B, 70-103.F, 70-103.O, 70-229.A, 70-135, and 70-231 to maintain an addition to an auto body shop (not a permitted use) with insufficient off-street parking, parking stall dimensions, number of loading zones, access to a street, and access aisle width, fencing exceeding the permitted height, and non-compliance with previous decision #12879; W/side 363 Great Neck Rd., 478.99' S/of Water Mill Ln., Great Neck, Sec. 2, Blk. 42, Lot 319, B-A District.

WHEREAS, an application (14-104673) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by David A. Crowe, R.A., dated February 24, 2015, and a survey prepared by Alexander Tsukerman, L.L.S., dated May 13, 2013.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Levine
Aye: Member Levine, Vice Chairman McCarthy, Chairman Mammìna
Nay: Member Aloe
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammìna, R.A.,
A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19906 - John & Jennifer Tramutola, variances 70-102.C.2, 100.2.A.4.b and 70-102.C.4 to maintain pool barrier forward of rear building line, retaining wall and fencing exceeding permitted height, and pool equipment in a side yard; E/side #53 Turf Ln. 232.42' N/of I.U. Willets Rd., Roslyn heights, Sec. 7, Blk. 168, Lot 58, R-AA District.

WHEREAS, an application (14-110025) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

DENIED IN PART, with respect to the variances sought from sections 70-102.C(2) and 70-100.2.A4(b), and **GRANTED IN PART**, with respect to the variance sought from section 70-102.C(4), of the dimension and in the location shown on drawings prepared by Rosebery Architectural Studio, dated February 27, 2015, and a survey prepared by Charles Panetta, L.L.S. & P.E., dated October 17, 2008, **SUBJECT TO THE CONDITION THAT** the the property owner install and/or maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the pool equipment from Turf Lane and the neighboring properties.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Vice Chairman McCarthy
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammìna
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammia, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19942 – Alison Warnell, variances 70-41.A, 70-102.C.5.a & 70-100.1.A to maintain a one-story rear addition, deck, and pool with insufficient side yard setbacks, and accessory structures in a front yard; E/side #341 Nassau Blvd., 40' S/of Madison Ave., Garden City Park, Sec. 33, Blk. 516, Lot 7-8, R-B District.

WHEREAS, an application (15-100182) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Michael Angelone, P.E., dated July 1, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Levine
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy
Absent: Member Francis, Chairman Mammia



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammìna, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19945 - Jacqueline Fowler, variance 70-100.2.A(2) to maintain fencing beyond the front building line; SW/cor. 30 Clark Dr. & Summer Ave., Great Neck, Sec. 2, Blk. 113, Lot 31, R-B District.

WHEREAS, an application (15-101009) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; therefore, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED IN PART, with respect to the decorative fence in the northeast corner of the property, and **DENIED IN PART** with respect to the six foot high fence located in the Summer Avenue front yard.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy
Absent: Member Francis, Chairman Mammìna



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19949 - Marzena Potrapeluk, variances 70-102.C(5)(a), 70-102.C(2), 70-100.2.A.2, 70-102.L(1) to maintain light piers exceeding the number permitted within a required front yard setback and fencing beyond the front building line and the installation of a pool within required side and rear yard setbacks, pool fencing beyond the rear building line, and fencing beyond the front building line; E/side 58 Barnyard Ln., 140.87' N/of Arbor Ln., Roslyn Heights, Sec. 9, Blk. 542, Lot 1, R-AA District.

WHEREAS, an application (15-101083) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

Subsequent to the public hearing, the appeal was **WITHDRAWN** with respect to the variances sought from §§ 70-102.C(5)(a), 70-102.C(2), and 70-100.2A(2). The appeal is **GRANTED**, with respect of the variance sought from § 70-102.L(1), of the dimension and in the location shown on a drawing prepared by Stephen E. Meehan, R.L.A., dated October 10, 2014 and revised through May 13, 2015.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy
Absent: Member Francis, Chairman Mammina



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A.,
A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

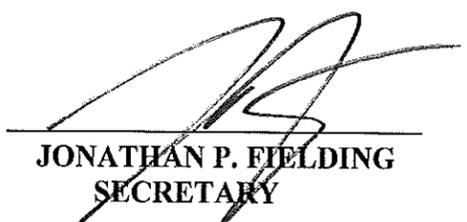
APPEAL #19960 - Shirley Johnson, variances 70-195.15.B and 70-195.15.D to maintain a finished cellar with a bathroom and an exterior entrance; NW/cor. 173 Bond St. & Division Ave., New Cassel, Sec. 11, Blk. 123, Lot 27, R-C/ New Cassel Urban Renewal Overlay District.

WHEREAS, an application (15-101128) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

IT IS HEREBY DETERMINED that the exterior cellar entrance is a nonconforming structure which predated the creation of the New Cassel Urban Renewal Overlay District as well as the regulations promulgated thereunder, and therefore no variance from §§70-195.15.B or 70-195.15.D is required to maintain the building as depicted on drawings prepared by Reza Khamcy, P.E., dated July 20, 2014 and a survey prepared by Peter J. Brabazon, P.L.S., dated September 30, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Vice Chairman McCarthy
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19968 - Andrew Maiman, variances 70-29.B to permit the construction of a second story addition exceeding permitted floor area; W/side #46 Capri Dr., 1034.67' S/of Reed Dr., Roslyn, Sec. 9, Blk. 629, Lot 7, R-A District.

WHEREAS, an application (15-101606) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

DENIED.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Levine Seconded by: Member Aloe
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammia, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19988 – James Gilligan, variances 70-208.F, 70-50.B & 70-49.C to maintain a rear portico and enclosed cellar entrance in a required secondary front yard and exceeding permitted gross floor area; NW/cor./of #16 Irma Ave. & Virginia Avenue, Port Washington, Sec. 5, Blk. D, Lots 512, R-C District.

WHEREAS, an application (15-102538) were filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Frank J. Tipaldo, R.A., dated December 10, 2014 and revised through January 19, 2015 and a survey prepared by Jack Allison Hall, L.L.S., dated April 25, 2014.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Aloe Seconded by: Member Levine
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammia
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Town of North Hempstead



Chairman
David L. Mammina, R.A., A.I.A.

Members
Donal McCarthy, Esq.
Paul Aloe, Esq.
Leslie Francis, Esq.
David I. Levine, Esq.

Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #19995 – Joanne Choi, conditional use 70-126.A & variance 70-103.A to convert a retail space to a fast food restaurant, a conditional use, with insufficient parking; S/side #1504 Northern Blvd., 620.59' E/of Shelter Rock Rd., Manhasset, Sec. 3, Blk. 145, Lot 205, B-A District.

WHEREAS, an application (15-102879) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **JUNE 3, 2015**, the appeal in the above entitled matter was decided as follows:

GRANTED, of the dimension and in the location shown on drawings prepared by Harriet Calos Nikakis, R.A., dated September 12, 2014, **SUBJECT TO THE CONDITIONS IN THE ATTACHED RIDER:**

SEE ATTACHED RIDER

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman McCarthy Seconded by: Member Levine
Aye: Member Levine, Member Aloe, Vice Chairman McCarthy, Chairman Mammina
Absent: Member Francis



JONATHAN P. FIELDING
SECRETARY

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Rider to Appeal # 19995

Joanne Choi

S/side 1504 Northern Blvd., 620.59' E/of Shelter Rock Rd., Manhasset

Section: 3 Block: 145 Lot: 205

1. That the applicant shall install and maintain a suitable refrigerated garbage locker within the building. There shall be no outdoor storage of putrescible waste generated by the proposed restaurant at any time. The applicant shall arrange for indoor carry-out pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to approval and/or issuance of a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, and at every subsequent inspection following the issuance of said Place of Assembly or Place of Public Assembly License.
2. That all exterior doors shall be of solid construction in any material permitted under the New York State Fire Prevention and Building Code, shall be equipped with self-closing hardware, and shall remain closed at all times except for ingress and egress.
3. At no time may there be more than 58 seats on the premises. For purposes of this condition, a seat is defined as any place on the premises where a patron may sit and be served, whether or not a person is seated there. A table set up with four chairs counts as four seats. The conditional use permit and/or variance set forth herein shall continue only for so long as there is compliance with this condition. If at any time the applicant is not in compliance with this condition, then the conditional use permit shall terminate, and the applicant must make a new application to the Board in order to continue the restaurant use.
4. That the applicant shall obtain a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, from the Building Department prior to the issuance of a Certificate of Occupancy or Completion.
5. That the applicant shall comply with all laws, ordinances, rules and regulations of all public authorities having jurisdiction over the premises and that no Certificate of Occupancy or Completion shall be issued until absolute compliance has been proven to the Commissioner of the Buildings.
6. That the applicant and or its successor shall comply with Code § 70-225(7)(A). Prior to making any changes to the kitchen, either by the addition of equipment not on the approved plan, or through an increase in the size of existing equipment, or in the size of the square footage of the kitchen, the applicant or its successor shall make a new application to this Board for a conditional use permit to use the space as a restaurant.
7. That the conditional use permit set forth herein shall continue only for so long as there is compliance with these conditions. If at any time the applicant is not in compliance with these conditions, then the conditional use permit shall terminate, and applicant must make a new application to this Board in order to continue the premises as a restaurant/food use.