

February 11, 2019

A Regular Meeting of the Board of Zoning Appeals of the Village of Old Westbury was held at the Village Hall on the above date at 7:00 p.m.

Present:	Pamela Barnett	-	Chairperson
	Jeffery Brown	-	Member
	Neal Kaplan	-	Member
	Pasquale Zito	-	Member
	Michael Sahn	-	Village Attorney
	Brian S. Ridgway	-	Village Administrator
	Michael Malatino	-	Superintendent of Building Dept.

Also Present: Joshua D. Brookstein - Attorney, Sahn Ward Coschignano, PPLC

Chairperson Pamela Barnett, opened the meeting with a welcome to the Boards newest member Pasquale Zito and wished him well.

On motion by Member Kaplan, seconded by Member Brown and carried unanimously, the Board approved the minutes of the January 7, 2019 meeting.

The following matter came before the Board:

APPLICATION:

1. Application of the Kirschenbaum Residence ó LeShelle A. Mcniak, R.A. H2M Architects & Engineers and Kenneth Kirschenbaum presented the application in the request for permission to construct additions and alterations to the residence at 61 Morgan Drive.
 - **216-15B Building Area – Lot Coverage**
 - Maximum Allowable: 25%
 - Proposed: 28.7%
 - Variance Requested: 3.7%
 - **216-17A (2) Front Yard Setbacks (Main Dwelling)**
 - Minimum Requirement: 75ø
 - Existing: 64.85ø
 - Variance Requested: 10.15ø
 - **216-20B Accessory Structure (Tennis Court)**
 - Required Minimum Side & Rear: 25ø
 - Existing Rea: 22.72ø
 - Variance Requested: 2.28ø
 - Existing Side: 16.10ø
 - Variance Requested: 8.90ø
 - **216-14A (2) Volume**
 - Allowable Volume: 78,227 cubic feet
 - Proposed: 82,749 cubic feet
 - Variance Requested: 4,522 cubic feet

On motion by Member Brown, seconded by Member Kaplan and carried unanimously, the Board closed the public hearing and directed Counsel to draft the approval Resolution that shall include wording that if any other use of the garage area be used other than to store automobiles or for general storage that the Village be informed.

RESOLUTIONS:

1. Application of the Hirsch Residence ó permission to construct additions and alteration to the residence at 314 Wheatley Road from variances from Village Code Section 216-26 B (2) Volume and Section 216-29 A (2) Side Yard Setback:
 - a. **Volume:** Allowable 60,263 cubic feet / Existing 71,138 cubic feet, Proposed Addition of 658 cubic feet ó Proposed Total of 71,796 cubic feet. Variance required 11,533 cubic feet as per Zoning Appeals Resolution dated June 11, 2013.
 - b. **Side Yard Setback:** Required 50 feet / Existing 33.4 feet, Proposed 33.1 feet. Variance requested of 16.11 feet.

On motion by Member Brown, seconded by Member Kaplan and carried unanimously, the Board adopted the Decision and Order.

2. Application of the Beague Residence ó permission to construct additions and alterations to the residence at 34 The Pine from variances from the Village Code Section 216-26 A Lot Area Volume and Section 216-32 B and C Location of Accessory Structures:
 - a. **Lot Area Volume:** Maximum Allowable 52,272 cubic feet / Existing to maintain 71,170 cubic feet. Variance required 18,898 cubic feet.
 - b. **Location of Accessory Structures:** (B) ó No accessory structure closer to the street than the main dwelling. Required minimum 40 feet / Existing to maintain 35.7 feet. (C) ó Rear Yard: Required minimum 15 feet / Existing to maintain 3.7 feet. Variance required 11.4 feet.

On motion by Member Kaplan, seconded by Member Brown and carried unanimously, the Board adopted the Decision and Order.

On motion by Member Zito, seconded by Member Kaplan and carried unanimously, the Board was closed at 7:20 p.m.

For a complete record of the Regular Meeting, see the minutes of the stenographer.

Brian S. Ridgway
Village Administrator