

MINUTES
BOARD OF APPEALS
VILLAGE OF THOMASTON

September 3, 2020

PRESENT: Nick Toumbekis, Chair
Michael Nikrooz, John Pschenica, and Lawrence Greengrass,
Members
Denise Knowland, Village Clerk
Linda Earley, Deputy Village Clerk
Brian S. Stolar, Village Attorney

Due to public health and safety concerns related to COVID-19, and pursuant to the Governor's Executive Orders, the meeting and public hearings were held by videoconferencing, through Zoom. The meeting was recorded and a transcription will be provided at a later date.

The hearing notices for the applications provided the method for public participation, including the opportunity to submit comments through electronic mail before and during the hearings, or through Zoom videoconferencing during the hearing. The Zoom sign in information was provided in the hearing notices. The applicants presented their applications through Zoom videoconference. Upon the completion of the presentations for the respective applications, the Board asked whether any person sought to make a public comment on the respective application. As provided in the hearing notices, public comment could be made either by participating in the Zoom meeting or by submitting comments by email before or during the meeting.

The application materials were made available for viewing and downloading, on the Village website, before and during the application.

The Board called the meeting to order at 7:09pm.

The Board opened the public hearing on the application of 805 N. Blvd. LLC, 469 7th Avenue, Suite 1211, New York, New York, to install a ground sign, which requires variances of Village Code §203-85.7(B), in that the proposed sign is (i) 60 square feet, where a maximum of 30 square feet is permitted, and (ii) 13.25 feet in height, where a maximum of 9 feet is permitted. Premises are designated as Section 2, Block 262, Lots 10-13 on the Nassau County Land and Tax Map.

The application was presented, via Zoom, by Robert Sadian and Edna Guilor. The hearing was recorded, and a transcription will be provided at a later date. Upon the completion of the testimony of the applicant's representatives, the Chair inquired whether any member of the public sought to comment and whether the Village had received any email comments. No member of the public sought to speak and the Deputy Village Clerk advised that no comments were received by email.

The Board informed the applicant that that submission was confusing, and that the applicant did not provide a traffic engineer or consultant to testify regarding the visibility of the sign.

On motion duly made by the Chair, seconded by Mr. Greengrass, and adopted unanimously, the Board closed the public hearing, and reserved decision.

The Board discussed the application. After such discussion, the Board determined to request the additional details noted during the public hearing. On motion by the Chair, seconded by Mr. Greengrass, the Board determined to reopen the public hearing to be held on a future date determined after the applicant submits the details sought by the applicant, to require that notice be provided for the reopened hearing in the same manner as an original application, and that any additional costs related to the

reopened hearing that may be incurred by the Village shall be reimbursed to the Village by the applicant.

The Board opened the public hearing on the application of Aaron Halpern, 10 Brompton Road, Thomaston, New York, to construct an attached garage addition, including a second story, which construction requires variances of the following Village Code provisions: (a) Village Code §203-125(A), in that the proposed garage provides parking for one vehicle, where a single family dwelling is required to provide parking for 2 vehicles, housed in a garage, (b) Village Code §203-10(C)(1), in that the proposed addition will be set back 9 feet from the side property line, where a minimum of 10 feet is required, (c) Village Code §203-10(C)(2), in that the aggregate side yard setback will be 20.9 feet, where a minimum of 30 feet is required, and (d) Village Code §203-9(B), in that the floor area ratio will be 0.47, where a maximum of 0.4 is permitted. Premises are designated as Section 2, Block 251, Lot 2 on the Nassau County Land and Tax Map.

The application was presented by the applicant via Zoom. The hearing was recorded, and a transcription will be provided at a later date. Upon the completion of the testimony of the applicant's representatives, the Chair inquired whether any member of the public sought to comment and whether the Village had received any email comments. No member of the public sought to speak and the Deputy Village Clerk advised that no comments were received by email.

During the hearing, the Board inquired as to changes that could be made to minimize the proposed variance.

On motion duly made by the Chair, seconded by Mr. Pschenica, and adopted unanimously, the Board continued the public hearing to October 1, 2020, at 6:00pm, via Zoom, and that notice of such meeting will be provided on the Village website.

The Board discussed the proposed 2021 calendar, as previously circulated to the Board members. On motion duly made by the Chair, seconded by Mr. Greengrass, the Board unanimously approved the proposed calendar.

There being no further business, the meeting was adjourned at 9:44 pm.

THE ABOVE MINUTES WERE FILED IN
THE OFFICE OF THE VILLAGE CLERK
OF THE INCORPORATED VILLAGE OF
THOMASTON AT
TIME: 9:56 A.M./P.M. on

DATE: September, 28, 2020
(Month) (Day) (Year)

BY: LINDA EARLEY
(Print full name of filer)