

MINUTES  
BOARD OF APPEALS  
VILLAGE OF THOMASTON

January 7, 2021

PRESENT: Nick Toumbekis, Chair  
Michael Nikrooz, John Pschenica, Lawrence Greengrass, and  
Lawrence Levy, 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 6:00pm.

The Board discussed the May 7, 2020 minutes. On motion duly made by the Chair, seconded by Mr. Pschenica, and adopted unanimously, the Board approved an amendment to the minutes, as follows: in paragraph (iv) of the 607 Northern Boulevard decision regarding the signs, the term "sign number 4" shall read "sign number 5".

The Board opened the public hearing on the of 805 N. Blvd. LLC, 608 Fifth Avenue, Suite 1001, New York, New York, 10020 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 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 closed the public hearing, and reserved decision.

The Board discussed the application, including imposing a condition to restrict any wall signs. During the discussion, the applicant informed that Board that he requests the Board reopen the hearing. After further discussion, on motion duly made by the Chair, seconded by Mr. Greengrass, and adopted unanimously, the Board determined to reopen the hearing to be held on a future date, 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 Edna Guilor, 17 Ravine Road, Great Neck, as agent for Stanley Kong, 234 Shoreward Avenue, Thomaston, New York, to construct an expansion of the second floor, which construction requires variances of the following Village Code provisions: (a) Village Code §203-17(A), in that the building is on a lot with a lots size of 6,641.2 square feet and street frontage of 54 feet, where a minimum of 9,000 square feet and 55 feet are required, respectively, 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 §203-19(C)(2), in that the aggregate side yard setback will be 28.5 feet, where a minimum of 30 feet is required, (c) Village Code §203-20, in that the height of the expanded portion of the house will be 32.5 feet, where a maximum of 30 feet is permitted, and (d) Village Code §203-125(A), in that the garage provides parking for one vehicle, where a single family dwelling is required to provide parking for 2 vehicles, housed in a garage. Premises are designated as Section 2, Block 251, Lot 2 on the Nassau County Land and Tax Map.

Mr. Levy recused himself from participation in the application.

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.

The Board closed the hearing, and reserved decision.

On motion by the Chair, seconded by Mr. Greengrass, and adopted four votes in favor and Mr. Levy not participating, the Board declared itself as lead agency under SEQRA and determined that the application was a Type II matter under SEQRA which requires no environmental review.

After further discussion, on motion by the Chair, seconded by Mr. Greengrass, and adopted four votes in favor and Mr. Levy not participating, the Board granted the variances, on the conditions that (i) no later than six (6) months after the filing of this decision with the Village Clerk the applicant shall obtain all required licenses and permits; (ii) no later than one (1) year from the date the applicant obtains such permit the applicant shall obtain all required certificates of occupancy and/or completion for the improvements proposed on the plans submitted to this Board, to the extent approved herein; (iii) if the applicant requires an extension of time to obtain all required certificates, the applicant may make a written request to the Board to consider an extension, which the Board may consider without a public hearing if the extension request is timely made prior to the expiration of the time period to obtain all certificates, and (iv) all approved and authorized work shall conform to the plans submitted with the application, as authorized by this approval.

There being no further business, the meeting was adjourned at 7:44 pm.

THE ABOVE MINUTES WERE FILED IN  
THE OFFICE OF THE VILLAGE CLERK  
OF THE INCORPORATED VILLAGE OF

THOMASTON AT  
TIME: 12:39 A.M./P.M. on

DATE: February 9, 2021  
(Month) (Day) (Year)

BY: LINDA EARLEY  
(Print full name of filer)