

MINUTES OF THE VILLAGE OF ATLANTIC BEACH
BOARD OF ZONING APPEALS MEETING
65 THE PLAZA, ATLANTIC BEACH, NY 11509

OCTOBER 20, 2016

CALL TO ORDER

At 8:02 PM Chairman Anthony Siniscalchi called the meeting to order.

ROLL CALL

Present were:

Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner Steven Watkins
Commissioner George Cornish
Alternate Commissioner Jesse Lunin-Pack
Attorney Raymond D. Radow
Building Inspector Steve Cherson
Village Clerk Emily Siniscalchi
Court Reporter Linda Caffera

Recused: Commissioner Allan Jacobs

Absent: Village Attorney Charles S. Kovit

REQUEST FOR ADJOURNMENT

Case # 16299 - Gila Hirth, 71 Bermuda Street

Raise a rear yard grade level deck to 30" above grade,
construct front and rear additions.

Request received from Elaine Bréa, Charles R. Schwartzapfel RA PC stating they cannot make the appointment due to a personal conflict and would like to be put on the November meeting schedule.

Commissioner Baessler moved the adoption of the following:

RESOLVED, to grant the request to hear Case # 16299 at the
November 17, 2016 meeting.

The foregoing was seconded by Commissioner Cornish and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Steven Watkins
Commissioner Jesse Lunin-Pack

Noes: None

Attorney Radow called the decision calendar to order.

DECISION CALENDAR

Case # 16284 Kenneth Cohen, 39 Genesee Boulevard
Maintain a 12'x30' in-ground swimming pool
Case # 16290 Maintain a 5' & 6' high masonry wall swimming pool enclosure

In the audience was Christopher Kirby, Esq. - Minerva & D'Agostino, PC - but did not speak.

DECISION CALENDAR (Continued)

Attorney Radow said the Board of Zoning Commissioners have received and reviewed the following:

- February 12, 2016 A. D'Agostino, Esq - Minerva & D'Agostino PC
Argument and Opposition - Case # 16284 - letter dated February 16, 2016
- May 11, 2016 A. D'Agostino, Esq - Minerva & D'Agostino PC
Reply to E. Christopher Murray, Esq. letter dated March 14, 2016
- September 9, 2016 E. Christopher Murray, Esq. Ruskin Moscou Faltischek, PC
Proposed Findings of Facts and Conclusion - Case # 16284 & 16290
- September 15, 2016 Albert A. D'Agostino, Esq - Minerva & D'Agostino PC
Argument and Opposition - Case # 16284 and 16290

Attorney Radow said the record is closed.

Commissioner Baessler said he has reviewed the D'Agostino statement and other papers made the following resolution.

Commissioner Baessler moved the adoption of the following:

RESOLVED, to approve variance applications for Case # 16284 - maintain a 12'x30' in-ground swimming pool and Case # 16290 -maintain a 5' & 6' high masonry wall swimming pool enclosure

The foregoing was seconded by Commissioner Watkins and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner George Cornish
Commissioner Steven Watkins
Commissioner Jesse Lunin-Pack

Noes: None

APPROVAL OF FINDINGS OF FACTS - None

APPROVAL OF MINUTES

Each member of the Board was given a copy of the Minutes and given an opportunity to review and correct.

Commissioner Watkins made a motion to accept the minutes of September 22, 2016 as written by the Village Clerk – seconded by Chairman Siniscalchi and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner Steven Watkins
Commissioner George Cornish

Abstain: Commissioner Jesse Lunin-Pack

ADJOURNMENT

At 8:30 PM Chairman Siniscalchi made a motion to adjourn.

The foregoing was seconded by Commissioner Baessler and passed by the following vote:

Ayes: Chairman Anthony Siniscalchi
Commissioner Carl Baessler
Commissioner Steven Watkins
Commissioner George Cornish
Commissioner Jesse Lunin-Pack

Noes: None

Emily Siniscalchi

Emily Siniscalchi, Village Clerk