

INC. VILLAGE OF CENTRE ISLAND
303 CENTRE ISLAND ROAD
OYSTER BAY, NEW YORK 11771

BOARD OF ZONING APPEALS HEARING

HOLMES PROPERTY
145 Centre Island Road

CORRECTED LEGAL NOTICE

Please take notice that the Board of Zoning Appeals of the Inc. Village of Centre Island will conduct a public hearing on Saturday, January 27, 2018 at 9:00 A.M., 303 Centre Island Road, Centre Island, Nassau County, State of New York.

The hearing will be on the appeal of Reeta & Clive Holmes, owners of an 18.26-acre parcel of land located at 145 Centre Island Road in the Village, designated as Section 28, Block B, Lots 110, 210, 328, 2056 & 2060 on the Nassau County Land and Tax Map and located within the Village's A-1 zoning district.

The Appellants seek to construct a 1,920 square foot detached boat storage building which is in excess of the maximum permitted 500 square feet for any one accessory building, and which would increase the aggregate floor area of roofed accessory buildings to **8,055.12*** square feet rather than the maximum permitted 800 square feet.

A copy of said appeal is on file at the office of the Village Clerk and may be viewed during the hours of 10:00 AM TO 1:00 PM, Tuesday through Thursday. All interested parties will be given the opportunity to be heard at said time and place. If any individual required special assistance to attend, please notify the Village Clerk at least 48-hours in advance of the hearing.

Carter Bales
Chairman

Z-2017-11

***Due to an arithmetic error, the previous notice erroneously stated that the aggregate floor area of all roofed accessory buildings would be 9,975.12 square feet. The correct calculation is 8,055.12 square feet.**

**INCORPORATED VILLAGE OF CENTRE ISLAND
APPLICATION TO BOARD OF APPEALS FOR VARIANCE**

1. Applicant(s)/Owner(s) Name: Clive & Keeta Holmes
2. Address: 142 Centre Island Rd Phone #: 631-367-0050
3. If Applicant is Contract Vendee, list name and current address of property owner(s) and attach owner's consent to the application.
N/A

4. Attorney, Engineer, or other Representative Andrew V. Giambertone
Firm/Company Name Andrew V. Giambertone & Assoc, Architects
Address 62 Elm St. Huntington NY Zip Code 11743
Phone # 631-367-0050 Fax # 631-367-6636

5. Description of Subject Property:
Address: 145 Centre Island Rd Sec. 28 Blk. B Lot(s) 110, 210, 328,
Zoning District: A1 Lot area: 18.26 Acres, 2056 + 2060
795,780 SF

6. Appellants became the owner of said property on: 1/23/2015
by deed dated 1/23/2015 recorded in Liber D13176 at page 183.

7. Has the premises at the subject address ever been the subject of a prior variance application? unknown - not for this owner
If yes, state the date of hearing, relief requested and result _____

8. The variance involved relates to: **CHECK ALL THAT APPLY AND INCLUDE APPLICABLE SECTION OF THE ZONING CODE**

- Use (Section _____)
- Frontage (Section _____)
- Side Yard (Section _____)
- Width (Section _____)
- Height (Section _____)
- Area (Section 22-7)
- Front Yard (Section _____)
- Rear Yard (Section _____)
- Depth (Section _____)
- Gross Floor Area (Section _____)
- Principal Building Area (Section _____)
- Total Building Area (Section _____)
- Height/Setback Ratio (Section _____)
- Flood Zone Regulations (Article VI, Section _____)

Attach the Building Inspector's written denial of building permit/certificate of occupancy.
(IF MORE THAN ONE VARIANCE IS REQUESTED, PLEASE CHECK HERE [] AND LIST THE INFORMATION REQUIRED UNDER # 8 ON AN ADDITIONAL PAGE.)

9. State the zoning requirements, the proposed dimensions, and the differences for which the variance is requested. (Example: The proposed building/addition will be only 35 feet rather than the required 50 feet from side line)

The proposed accessory structure will exceed the maximum floor area of 500 SF

10. In making its determination, the Board of Zoning Appeals must take into consideration the benefit to the Applicant if the variance is granted weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following. Please provide a brief explanation of the 5 items following and be prepared to address each at the time of the hearing: (use an additional page if necessary)

a. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?

No

b. Can the benefit sought in this appeal be achieved by some method feasible other than the requested area variance? Please explain. No. Physical size of owner's

boat requires a structure this size

c. Is the requested area variance substantial? Relative to the zoning code - Yes
Relative to the existing accessory structures on the property - No.

d. Will the granting of the proposed variance have an adverse effect or impact on the physical or environmental condition of the neighborhood? Please explain. No
There are currently existing several substantial Accessory Structures on the property, which will be removed at a later date, this will yield a net reduction in accessory floor Area.

e. Was the alleged difficulty necessitating the requested variance self-created by the Appellant? Yes, however there are no structures on site to accommodate this need & they will reduce the size/number of existing accessory structures to yield a net deduction

The Board of Zoning Appeals may grant only the minimum variance, if any, that it shall deem necessary and adequate at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

11. The section, block, lot, name(s), and mailing addresses of all property owners within 100 feet of property of Appellants(s) are as follows: (Please use an additional page if necessary)

Sec., Blk., Lot	Name	Mailing Address (Street No.; Street; PO Box; Zip)
<u>28, B, 23</u>	<u>HUNTER SHKOLNIK</u>	<u>108 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 48</u>	<u>Scott Allen</u>	<u>109 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 335</u>	<u>Daniel Allen</u>	<u>141 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2035</u>	<u>N/A - VACANT</u>	<u>123 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2025</u>	<u>Roy Gherardi</u>	<u>125 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2040 + 2038</u>	<u>Clive + Reeta Holmes</u>	<u>142 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2039 + 34</u>	<u>Stanley Chase</u>	<u>143 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2058</u>	<u>Walter Stackler</u>	<u>107 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2063</u>	<u>N/A</u>	<u>N/A</u>
<u>28, B, 2064</u>	<u>Joseph Ludden</u>	<u>117 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2067</u>	<u>Amir Jarrah</u>	<u>110 Centre Island Rd, Oyster Bay NY 11771</u>
<u>28, B, 2068</u>	<u>N/A</u>	<u>N/A</u>

AFFIRMATION ON SEARCH OF NEIGHBORING PROPERTY OWNERS

Marianne Andresen deposes and says:

That he/she is over the age of eighteen and resides at 62 Elm St.

Huntington NY 11743

That on the 30 day of October, 2007, deponent searched the current Village or Town tax roll records and hereby certifies that such records show the above listed current title owners of the above listed properties within 100 feet of the subject premises.

I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

Date: 10/30/2017


Record Search Deponent's Signature

I/We, Clive R. Holmes the Applicants/Appellants herein, do hereby authorize the members of the Board of Zoning Appeals to inspect our property as it relates to the foregoing variance application during reasonable hours and upon said Board of Zoning Appeals members providing reasonable notice of said inspection. I/We consent to the Board of Zoning Appeals members or the Clerk of the Board of Zoning Appeals to contact me/us at the phone number provided herein to arrange said inspection.


Landowner(s) Signature(s)

Date 10/30/2017


Applicant(s)/Appellant(s) Signature(s)

WHEREFORE, in accordance with the foregoing alleged facts Applicant(s) request said Board of Appeals to vary the strict application of the aforesaid provision(s) of said Village's Building Zone Ordinance, to grant the relief requested and grant such other and further or lesser relief as to this Board seems just and proper.

I HAVE READ THE FOREGOING APPEAL /APPLICATION AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

10/30/2017
Date



Clive R. Halman

Applicant(s)/Appellant(s) Signature(s)

(Note: General Municipal Law of the State of New York, Section 809 enacted in 1969 requires the filing of the following completed Disclosure Statement)

DISCLOSURE STATEMENT

Clive Holmes deposes and says:

1. **FOR INDIVIDUAL**

a. I am over the age of 21 and reside at 142 Centre Island Rd.

b. I am the Owner of the property designated as Section 28 Block B Lot(s) 110, 210, 328
(owner/contract vendee - insert one) 2056 + 2060

on the Nassau County Land and Tax Map which forms the subject matter of this application and am fully familiar with all the facts and circumstances hereinafter set forth.

~~1. **FOR CORPORATION** (Strike out if not applicable)~~

~~a. I am the _____ of the _____ with offices
(Office Held) (Name of Corp.)
located at: _____
and am fully familiar with all the facts and circumstances hereinafter set forth.~~

~~b. The corporation was incorporated under the Laws of the State of _____ and
is the _____ of the property designated as Section _____ Block _____ Lot(s) _____
on the Nassau County Land and Tax Map.~~

~~c. The following are the names and residences of each officer, director and shareholder: (Set
forth names, residences and relationship to corp.) (Add additional sheet if necessary.)~~

d. That the corporate stock of said corporation has not been pledged to any person nor has any agreement been made to pledge the said stock: (except: If any, set forth details.)

~~1. **FOR PARTNERSHIP** (Strike out if not applicable.)~~

~~a. That I am a _____ of the _____
(Partner, Joint Venturer, etc.) (Name of Partnership)
and am fully familiar with all the facts and circumstances hereinafter set forth.~~

~~b. That the above partnership was established in _____
(Place)
on _____ and is the _____ of the property designated as
(Owner or Contract Vendee)
Section _____ Block _____ Lot(s) _____ on the Nassau County Land and Tax Map.~~

~~c. That the following are the names, addresses and interests, respectively, of all partners
(joint venturers, etc.): (Add additional sheet if necessary)~~

2. That there are no encumbrances or holders of any instruments creating an encumbrance upon the subject property (except: if any set forth details.)

3. That neither deponent nor any other person mentioned in this statement is a Village officer or employee, or is related to a Village officer or employee. (except: if any set forth details.)

4. That no State Officer or employee or local municipal officer or employee in the Nassau County or his spouse or a person by consanguinity related to either of them within the third degree is (are) the Applicant(s) or an officer, director or employee of the Applicant(s), or legally or beneficially owns or controls the corporate stock of the Applicant(s) or is a partner of the Applicant(s) or associated with the Applicant(s) in a joint venture or has an agreement with the Applicant(s), expressed or implied whereby his compensation for services is to be dependent or contingent upon the favorable exercise of discretion in the granting of the application herein. (except: if any set forth details.)

5. That in the event there is any change in the matters set forth herein prior to the public hearing relating to the property affected hereby, deponent(s) will file with the Village a supplemental statement indicating the details of such change within 48 hours of such change.

I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

10/30/2016

Date

☞

☞

Clive R. Habner

Applicant(s) Signature(s)

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Boat House			
Project Location (describe, and attach a location map): 145 Centre Island Rd, Centre Island NY			
Brief Description of Proposed Action: Custruction of new Boat House.			
Name of Applicant or Sponsor: Clive Holmes		Telephone: 631-367-0050	
		E-Mail: N/A	
Address: 142 Centre Island Rd.			
City/PO: Oyster Bay		State: NY	Zip Code: 11771
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>18.26</u> acres	
b. Total acreage to be physically disturbed?		<u>.1</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>18.26</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A Storage facility</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A Storage facility non-habitable</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Clive Holmes</u>		Date: <u>10/30/2017</u>
Signature: <u>Clive R. Holmes</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET