

February 5, 2019

A Public Hearing for the Board of Trustees was held on the above date at 8:40 pm.

Present were Mayor Dominick A. Longobardi, Trustees Kevin M. Fitzgerald, Lynn Pombonyo, Archie T. Cheng and Frank J. Chiara, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Superintendent of Public Works Stephen Siwinski, Deputy Superintendent of Public Works Kevin Ginnane, Police Commissioner Stephen McAllister, Police Lieutenant William Doherty, 4th Assistant Fire Chief Jep Dodson and Village Attorney John E. Ryan

The application of Robert Yeganeh, co-owner, 86 Iris Avenue, for a Special Use Permit under Chapter 99, Article VII, Section 99-46 to allow the enlargement of an existing non-conforming two-family residence in a R-2 district does not meet with the required lot width and lot area.

Trustee Fitzgerald offered Resolution No. 2019-26 to reserve decision and close the public hearing.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Aye
Mayor Longobardi	- Aye

The hearing was closed at 9:05 pm.

A copy of the transcript and a copy of the legal notice of public hearing is attached and made a part of these minutes.

Susan E. Walsh
Village Clerk

LEGAL NOTICE

**NOTICE OF PUBLIC HEARING
INC. VILLAGE OF FLORAL PARK, NY**

NOTICE IS HEREBY GIVEN, that the Board of Trustees of the Incorporated Village of Floral Park, NY will hold a Public Hearing at Village Hall, One Floral Boulevard, Floral Park, NY on Tuesday, February 5, 2019 at 8:00 pm in relation to the following application:

The application of Robert Yeganeh, co-owner, for a Special Use Permit under Chapter 99, Article VII, Section 99-46 to allow the enlargement of an existing non-conforming two-family residence in a R-2 district does not meet with the required lot width and lot area.

This application is made in accordance with Article VII, Section 99-46 of the Zoning Ordinance of the Incorporated Village of Floral Park, NY, which requires that any enlargement or extension of a non-conforming use may only be authorized as a special use after a public hearing.

The structure for which said Special Permit is applied is situated on the west side of Iris Avenue, 160.21 feet north of Carnation Avenue and is known as 86 Iris Avenue, Section 32, Block 120, Lot(s) 216 on the Nassau County Tax Map.

A copy of the application is on file in the Office of the Village Clerk, One Floral Boulevard, Floral Park, NY and may be examined by any persons interested therein during business hours Monday through Friday inclusive, except legal holidays, from 8:30 am to 4:30 pm.

NOW TAKE NOTICE that all parties in interest and citizens will be given the opportunity to be heard at the aforesaid time and place.

**BY ORDER OF THE BOARD OF TRUSTEES
INCORPORATED VILLAGE OF FLORAL PARK, NY**

Susan E. Walsh

Village Clerk

Dated: January 23, 2019

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M I N U T E S
OF THE MEETING
OF THE
PUBLIC HEARING
INCORPORATED VILLAGE OF FLORAL PARK
FEBRUARY 5, 2019
8:00 p.m.

P R E S E N T :

- DOMINICK LONGOBARDI, MAYOR
- KEVIN M. FITZGERALD, DEPUTY MAYOR/TRUSTEE
- ARCHIE T. CHENG, TRUSTEE
- DR. LYNN POMBONYO, TRUSTEE
- FRANK J. CHIARA, TRUSTEE

ALSO PRESENT:

- JOHN RYAN, ESQ. Village Attorney
- GERARD M. BAMBRICK, Village Administrator
- SUSAN E. WALSH, Village Clerk
- STEPHEN SIWINSKI, Supt. Public Works & Bldgs.
- STEPHEN MCALLISTER, Police Commissioner

Catherine P. Murphy
Court Reporter

- 2/5/19 - SPECIAL USE - 86 IRIS AVENUE/YEGANEH -

1 MAYOR LONGOBARDI: I thank all our
2 residents who were here and commented on the
3 laws. It is very important to be here.

4 We'll have our last public hearing for the
5 night. This one is in regards to an
6 application to maintain a two family dwelling
7 on Iris Avenue.

8 With that, I am going to, when she is
9 ready, ask Miss Walsh if you would, please open
10 the public hearing.

11 MS. WALSH: Thank you, Mayor Longobardi.
12 Legal Notice of Public Hearing of the
13 Incorporated Village of Floral Park, New York.
14 Notice is Hereby Given that the Board of
15 Trustees of the Incorporated Village of Floral
16 Park, New York will hold a Public Hearing at
17 the Village Hall, One Floral Boulevard, Floral
18 Park, New York on Tuesday, February 5, 2019 at
19 8:00 p.m. in relation to the following
20 application:

21 The Application of Robert Yehaneh,
22 co-owner for a Special Use Permit under Chapter
23 99, Article V, Section 99-46 to allow the
24 enlargement of an existing non-conforming
25 two-family residence in a R-2 district does not

1 meet with the required lot width and lot area.

2 This application is made in accordance
3 with Article VII, Section 99-46 of the Zoning
4 Ordinance of the Incorporated Village of Floral
5 Park, New York, which requires that any
6 enlargement or extension of a non-conforming
7 use may only be authorized as a special use
8 after a public hearing.

9 The structure for which said Special
10 Permit is applied is situated on the west side
11 of Iris Avenue, 160.21 feet north of Carnation
12 Avenue and is known as 86 Iris Avenue, Section
13 32, Block 120, Lot 216 on the Nassau County Tax
14 Map.

15 A copy of the application is on file in
16 the Office of the Village Clerk, One Floral
17 Boulevard, Floral Park, New York and may be
18 examined by any persons interested therein
19 during business hours Monday through Friday,
20 inclusive, except legal holidays, from 8:30
21 a.m. to 4:30 p.m.

22 Now Take Notice that all parties in
23 interest and citizens will be given the
24 opportunity to be heard at the aforesaid time
25 and place. By Order of the Board of Trustees

- 2/5/19 - SPECIAL USE - 86 IRIS AVENUE/YEGANEH -

1 Incorporated Village of Floral Park, New York.
2 Susan E. Walsh, Village Clerk, dated January
3 23, 2019.

4 And this legal notice been published in
5 the official paper of the Incorporated Village
6 of Floral park, New York and posted according
7 to law.

8 MAYOR LONGOBARDI: Thank you, Miss Walsh.
9 I would like to place on the record that the
10 applicant had previously filed an affidavit of
11 service indicating all neighbor within a 200
12 foot radius of the dwelling had been served
13 with notice.

14 With that, I will ask our applicant to
15 please to come up and please be sworn in and
16 give your presentation.

17 (Whereupon, Kenneth Garvin and Robert
18 Yeganeh were sworn in.)

19 MR. GARVIN: Good evening. My name is Ken
20 Garvin, Architect, 545 Eighth Avenue, New Hyde
21 Park.

22 MR. YEGANEH: My name is Robert Yeganeh,
23 47 Maple Run Drive, Jericho, New York. I
24 intend to become one of your residents.

25 MR. GARVIN: Good evening, Mr. Mayor,

1 Board of Trustees. Thank you for hearing us
2 today.

3 My client purchased the house. It had a
4 fire. He bought it last year in March and it's
5 been sitting there. We're looking to renovate
6 the home. The home was -- has major damage
7 done in the interior, had a fire in the
8 basement with four joists or basically needs to
9 be replaced major, in the middle part of the
10 house. Looking at project with my client, we
11 realize that there's going to be extensive
12 renovation for the home inside and out and what
13 we are trying to do is make the house better
14 than it is today or laid out. We're trying to
15 improve the layout. It is an existing two
16 family house. It will remain a two family
17 house. It is in the zone R-2 which allows two
18 family homes.

19 What we are proposing to do is do three
20 expansions on the property. The rear of the
21 house we're looking to do an addition -- two
22 sorry, additions that will go out five and a
23 half feet from the back of the house and extend
24 14 foot, 10 along the rear. It is -- it's not,
25 you know, a very large of an addition. If we

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1 have room, if you look at the code and
2 setbacks, we can probably make it larger if we
3 wanted to, but we want to make it enough that
4 the rooms inside of the house are more livable.

5 The other addition we're doing is on the
6 side of the house where currently is, I will
7 point to a picture, is this bay structure that
8 pops out and that again was damaged by the
9 fire. The floor joists extend over the
10 foundation wall and displayed the overhang.
11 We're planning to remove it and put something
12 similar and it is squared off. It is on the
13 drawings you have.

14 And in the front of the house, we're
15 looking to include expansion of a living room
16 into the front porch area. This area, this
17 expansion will do two things, it will allow for
18 the footprint of the inside of the residence to
19 be more open and allow for a separate entrance
20 to go into the first floor rather than sharing
21 an entry with the residents from the second
22 floor. If you look at the floor plans --

23 MAYOR LONGOBARDI: Could I ask a favor?
24 Is there anyway you can turn that so the
25 residents can see that a little bit?

1 MR. GARVIN: Sure.

2 MAYOR LONGOBARDI: I appreciate that. We
3 have copies of the plan.

4 MR. GARVIN: Okay.

5 MAYOR LONGOBARDI: Thank you.

6 MR. GARVIN: Currently, the existing floor
7 plan in the back of the house, there's a
8 bedroom and the size of the room is six foot
9 six by 12 feet long. It is a very odd shape
10 for a bedroom. It has a closet and everything.
11 So, the main reason we want to do the rear
12 addition is to make that bedroom livable, make
13 it so you can put a queens size bed in there.
14 We're looking to expand out the back five and a
15 half feet to increase that area for that
16 bedroom.

17 Also on the second floor, the kitchen
18 that's currently there is also six foot six in
19 depth and I don't have a picture of the way it
20 is laid out now because there was fire damage.
21 I don't know how they cooked a meal in that
22 kitchen. It was like a closet. So, the
23 addition going out the back will improve the
24 kitchen for the second floor. The drawing, A2,
25 you can see what the expanded room will look

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1 like, the kitchen and the bedroom on the first
2 floor. The other room on the first floor, the
3 bathroom was -- it was so small. It's not like
4 a normal bathroom. It looked like it was a
5 last minute idea of, let's put a bathroom here.
6 We tried to design it so it is more functional
7 and a nicer layout for a resident of the
8 Village of Floral Park.

9 The area in the front of the house would
10 go in -- into the front porch, existing front
11 porch. Basically it still has a porch area.
12 It is going to take you -- right now, there's a
13 two column area. It will fill in that column
14 area and leave an area where you come up. At
15 that point, we will have one door that goes to
16 the first floor residence and another door that
17 goes up to the second floor residence.

18 MAYOR LONGOBARDI: Can you show it to the
19 residents?

20 MR. GARVIN: This is rendering of how it
21 will look. This is how it looks today. This
22 will be all the windows and there will be a
23 door over here. Also, this is a rendering of
24 the side view of the home that we're designing
25 it like this. We still need to go in front of

1 Mr. Gunther and the Architectural Review Board
2 to get this approved and we'll work with the
3 Board to make sure that esthetics is something
4 that the Village would like.

5 My client again owns the house almost a
6 year and it is sitting there. It is just
7 vacant. It doesn't look that great and they
8 are motivated to do work on this house. They
9 want to get it going. They want to fix it.
10 They want to make it livable again and make it
11 something that everyone in the neighborhood
12 will like to look at. They are, you know,
13 proposing to do the work to improve the
14 existing structure. It's not, in my opinion,
15 it is not going to create any kind of detriment
16 to the community for esthetics for with
17 impacting the environment. It is in keeping
18 with the architectural characteristics with the
19 home in the Village.

20 The majority of this addition is in the
21 back of the house, not the front. I feel that
22 it might be a nice way to modify this home to
23 make it a better quality of life for the
24 residents who live in it. Thank you.

25 MAYOR LONGOBARDI: Thank you very much. I

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1 have a quick question. Is the attic going to
2 be used for living space?

3 MR. GARVIN: No. I believe it's to put
4 mechanical equipment up there for heating and
5 air-conditioning.

6 MAYOR LONGOBARDI: Do you plan on renting
7 it totally or is it any --

8 MR. YEGANEH: The plan now is for us to
9 move in there. I'm married with one child and
10 my brother-in-law just got engaged and they
11 will live upstairs. They would pay the portion
12 of the rent or portion of the mortgage. That's
13 the plan.

14 MAYOR LONGOBARDI: So, you will be --

15 MR. YEGANEH: It will be a family member
16 there.

17 MAYOR LONGOBARDI: I will now open up to
18 the Board if they have any questions.

19 TRUSTEE FITZGERALD: Yes, I have one for
20 the Village Attorney, John Ryan. Are there any
21 zoning variances for this?

22 MR. SIWINSKI: No.

23 MR. RYAN: No.

24 MR. SIWINSKI: No, it will be a special
25 use permit.

1 MR. RYAN: I think they have to go to the
2 ARB.

3 MR. GARVIN: We need to go to ARB. All
4 the modifications we're making are in the
5 setback. You're allowed 30 percent lot
6 coverage of a development and in that zone,
7 we're looking at 23 percent as the max.

8 MAYOR LONGOBARDI: Okay. Anyone have
9 questions?

10 TRUSTEE POMBONYO: Just one. You're not
11 expecting to move closer to the neighbor's home
12 on the side then?

13 MR. GARVIN: No. The side addition is
14 going to replace what is already there. The
15 only thing is it will go left and right a
16 little more. Right now, it is on an angle,
17 like a bay window. It is a bay extension and
18 we're going to square it off so it doesn't have
19 an angle anymore.

20 MAYOR LONGOBARDI: Okay. Anybody else?
21 If not, I will ask you two gentlemen to sit
22 down if you would like and open up to the floor
23 to any residents or neighbors who have
24 questions or comment. Would anyone like to
25 make any? Sir, I can see you. Thank you for.

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1 raising your hand. I ask you to come up, be
2 sworn in and give your name and address.

3 (Whereupon, Mr. DiGiuseppe, was sworn in.)

4 MR. DIGIUSEPPE: Frank DiGiuseppe,
5 D-I-G-I-U-S-E-P-P-E, 90 Iris. As you can
6 guess, I live right next door to the house in
7 question. It has been a long process, as I'm
8 sure they're aware. It is two years since the
9 house burned down. It look pretty bad. So,
10 I'm definitely looking forward to things being
11 fixed. I think a Trustee asked my question. I
12 am concerned. I live on the side where you are
13 planning to kind of square it off. How much do
14 you know, more or less, how much closer do you
15 plan to come to my property?

16 MR. GARVIN: This is the existing site
17 wall extending out from the five and a half
18 feet. This is a site plan right here. This is
19 that bay window thing. We're going to square
20 that off and come out five feet and that way.

21 MR. DIGIUSEPPE: You're not coming any
22 closer to that?

23 MR. GARVIN: No. You know, this is
24 basically -- will look like this, the floor
25 plan. Straighten it out. It might even shift

1 this way, you know, but it's not going to
2 come --

3 MAYOR LONGOBARDI: Show the rendering.

4 TRUSTEE CHENG: Show the rendering.

5 MR. GARVIN: This is the side view. This
6 will all be new, this right here. This exists.

7 MR. DIGIUSEPPE: And this is?

8 MR. GARVIN: That's similar to this.

9 MR. DIGIUSEPPE: But this is going to be.

10 MR. GARVIN: We're going to square it off,
11 but the roof will come out the same amount.

12 MR. DIGIUSEPPE: This is not coming out
13 more?

14 MR. GARVIN: It is not coming out more.
15 It will be the same.

16 MR. DIGIUSEPPE: That's my biggest
17 concern. It is a regular lot and it's pretty
18 close to my property line already. I would be
19 a little concerned if it was coming any closer
20 then it currently is. That was my concern.

21 TRUSTEE FITZGERALD: So the record is
22 clear, did he answer all your questions? I'm
23 not sure that we got everything for the record.
24 He answered the question?

25 MR. DIGIUSEPPE: Yes.

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1 MR. GARVIN: For the record, he likes the
2 rendering.

3 MR. DIGIUSEPPE: If you don't come much
4 closer, I'm okay.

5 MAYOR LONGOBARDI: Yes. I see a hand.
6 Thank you.

7 (Whereupon, Ms. Pauley was sworn in.)

8 MS. PAULEY: Mary Pauley, 84 Iris Avenue.
9 I live on the other side of the house. I have
10 a few concerns. Iris Avenue is very narrow
11 street. There's only parking on one side of
12 that street. This house is a two family, as
13 you know already. I'm concerned about the
14 driveway. The driveway being packed with cars
15 and then when you go to shuffle cars, there's
16 one side of the street to park, as it is very
17 difficult for us, you know, in one family for
18 the parking situation.

19 I'm also concerned coming out and coming
20 back. It feels like Queens not to be able to
21 look in the backyard. When I sit in my yard,
22 I'm looking at houses, house in the front,
23 house in the back, houses everywhere. So
24 that's my concern. It is, of course, I'm happy
25 they bought it and going to try and improve it

1 after the fire. But I am not really happy
 2 about expansion, you know, bigger two family
 3 means more people will live there. How many
 4 cars are they going to have. So, that's my
 5 concern.

6 MAYOR LONGOBARDI: Okay. Thank you very
 7 much. Anybody else? Yes.

8 (Whereupon, Mr. Hedler was sworn in.)

9 MR. HEDLER: Gregory Hedler, 78 Iris
 10 Avenue. I'm one more house from Mary. Every
 11 thing she said. The idea of Queens is a big
 12 problem for us. I have a three year old. Cars
 13 kind of race down that block. It is a major
 14 hub for everybody that does their shopping on,
 15 you know, Tulip Avenue. We have to deal with
 16 that regardless. But it is a very tight block,
 17 the parking situation. But I do -- it is a
 18 cute block. Houses are nicely lined up. I go
 19 out in the yard. We're on top of each other as
 20 enough as it is already. So, to look to my
 21 left in the backyard and see another house
 22 particularly sticking out, I want to see trees.
 23 Floral Park, that's its beauty. I don't want
 24 to take anything away from that. I wanted to
 25 say my piece.

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1 MAYOR LONGOBARDI: Thank you very much for
2 your comments. Anybody else? Sir?

3 (Whereupon, Mr. Canazarro was sworn in.)

4 MR. CANAZARRO: Carlton Canazarro, 87
5 Iris, across the street from the house in
6 question. I have a couple of questions. Are
7 there occupancy limits on two family houses as
8 it is? Does expansion increase affect
9 occupancy limit? Is it a matter of ten people
10 living there, 100 people living there? Are
11 there any limits in the town?

12 MAYOR LONGOBARDI: I'm going to go to
13 Counsel for that. Occupancy limits?

14 MR. RYAN: There is none. It has to be
15 family on each floor. That's by definition.
16 If you look at the code, it has to be family
17 related.

18 MR. CANAZARRO: Okay, another question. I
19 see the owners listed as LLC. Is there any
20 significance about LLC owning profit property?
21 Does that mean anything who can live there and
22 how the property can be used?

23 MR. RYAN: No.

24 MR. CANAZARRO: There's no --

25 MR. RYAN: Can only be used as a

1 residential property.

2 MR. CANAZARRO: This is more of a maybe
3 not correct forum, but the only chance I had to
4 address the buyer. The house is emptied for
5 two years now. You own it for a year. In that
6 year, the lawn hadn't been maintained. There's
7 broken bottles and garbage along the front of
8 it. Snow hasn't been shoveled. I'm wondering
9 if the stuff is being taken care of. I have
10 concerns about the place going to -- you do own
11 it. Is there something that's being done to
12 make sure the place is maintained as much as
13 possible before it is built?

14 MAYOR LONGOBARDI: We ask the owner to do
15 that, but we have our own property maintenance
16 laws and code we can enforce.

17 MR. CANAZARRO: Okay. That's all I have.

18 MR. YEGANEH: Thank you.

19 MAYOR LONGOBARDI: Anybody else would like
20 to be heard? Anybody?

21 (Whereupon, Mr. O'Connor was sworn in.)

22 MR. O'CONNOR: Francis O'Connor, 71 Iris
23 Avenue. I live a couple of houses up the
24 block. As far as I am concerned, you've gotten
25 off on the wrong foot with the rest of the

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1 neighbors. By the virtue of the fact that you
2 didn't mow the lawn, you didn't maintain that,
3 there's leaves all over your property and there
4 is some litter there also. That's no way to
5 start a relationship with your new neighbors.
6 I hope that in the future you're going to have
7 more respect for your neighbors. I am suspect
8 now. I'm not sure what you're going to do
9 there. I hope it's the right thing. That's
10 all I have to say.

11 MAYOR LONGOBARDI: Thank you,
12 Mr. O'Connor. Anybody else would like to
13 comment? If not, if the applicant's would like
14 to address on the issues that have been raised.

15 MR. GARVIN: Sure. Yes. Thank you for
16 the residents for coming out tonight and making
17 their comments about the property. I agree
18 with all the comments. I mean I feel that the
19 parking and the driveway issue can happen
20 whoever lives there, if it is one family or
21 two. I have three boys. They drive. I have
22 five cars and I juggle all the time and I have
23 a cape. I understand that you guys have boys.
24 You can't park in the street and they have laws
25 for whoever lives there. If you live there,

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you have to live by the law.

The maintenance, of course, my client will make sure that property is taken care of. He'll have people go there and clean it up. The other items about time, they are -- been calling me, what is going on in Floral Park. It takes time. If the Mayor and Board of Trustees agrees on the expansion that we're seeking, is there anyway we could try to have the Mayor and the Board have the Building Department do an expedited review to get into construction? That's something we're looking for. It we have to go to ARB, if you approve us and then for building permit, and we just need some kind of mechanism to have be able to go quicker with the construction process.

MAYOR LONGOBARDI: I can tell you, we will review this as we do with everything. I don't want to keep us to a timeframe, but again, we will review it and in due course as quickly as possible. We're very pro-business, pro-making sure what we do is right. I am not going to tell you if this will be granted tonight or not. We take very serious the residents consideration and concerns. So, they will be

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1 reviewed to the fullest.

2 MR. GARVIN: Thank you, Mr. Mayor and
3 Board of Trustees for your consideration of
4 this application.

5 MAYOR LONGOBARDI: Thank you very much.
6 Does the Board have any other questions? With
7 that, I will ask for a motion to close the
8 public hearing and reserve decision.

9 TRUSTEE FITZGERALD: So moved.

10 TRUSTEE POMBONYO: Second.

11 MAYOR LONGOBARDI: Will you please?

12 MS. WALSH: Trustee Fitzgerald?

13 TRUSTEE FITZGERALD: Aye.

14 MS. WALSH: Trustee Pombonyo?

15 TRUSTEE POMBONYO: Aye.

16 MS. WALSH: Trustee Cheng?

17 TRUSTEE CHENG: Aye.

18 MS. WALSH: Trustee Chiara?

19 TRUSTEE CHIARA: Aye.

20 MS. WALSH: And Mayor Longobardi?

21 MAYOR LONGOBARDI: Aye. Thank you again
22 gentlemen very much and residents that came out
23 and all of your concerns will be taken into
24 consideration. Thank you.

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Certified to be a true and
accurate transcript of the proceedings.

CATHERINE P. MURPHY
Court Reporter