



**VILLAGE OF FREEPORT  
VILLAGE CLERK**

46 NORTH OCEAN AVENUE  
FREEPORT, NEW YORK 11520  
(516) 377-2300 FAX (516) 771-4127

ROBERT T. KENNEDY  
MAYOR

PAMELA WALSH BOENING  
VILLAGE CLERK

**ZONING BOARD OF APPEALS PUBLIC HEARING – May 23, 2019**

**NOTICE IS HEREBY** given that a **Public Hearing** will be held before the Zoning Board of Appeals on Thursday, May 23, 2019 at 6:00 P.M., in the Incorporated Village of Freeport, Main Conference Room, 46 N. Ocean Avenue, Freeport, New York, on the appeals and applications of cases as they appear on the calendar; residential applications that do not extend their prior non-conforming status may be called first; public comment invited. It is anticipated that the Board will adjourn the legislative session and enter into Executive Session until 6:30P.M.

**INTERESTED PROPERTY OWNERS** and other persons should appear at the above time and place to have questions answered and to voice opinions.

All applications are non-conforming with zoning regulations herein specified for the districts in which they are located.

**Application #2019-1 – 417 Atlantic Ave., Business A - Section 54/Block 312/Lot 76 – ACSD INC** – Extension of use to store/park commercial vehicles in Business A zoning district. *Village Ordinance §210-6A, §210-21A Permissible extension of use. A nonconforming building shall not be extended. A two family residence is a nonconforming use. A variance to extend the use to include storing/parking of commercial vehicles on site is required. §210-71A(1) Prohibited uses. Any use which may be obnoxious or offensive ... or because of noise ...or tends to create public disturbance or annoyance. The site abuts a Residential A zoning district directly to the south. §210-71B Prohibited uses. All other uses not herein specifically permitted are prohibited. The extension of use from a two family dwelling to a two family dwelling with mixed use for storing/parking commercial vehicles is not specifically permitted.*

**BY ORDER OF THE ZONING BOARD OF APPEALS**

**Pamela Walsh Boening, Village Clerk**

**Issue Date May 9, 2019**



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**RESERVED DECISION CALENDAR**

**Application #2019-4 – 176 Gordon Pl., Residence A - Section 62/Block 092/Lot 328 – Jacob Post Inc. –**  
Proposed third level deck expansion, 737 sq. ft. addition, 605 sq. ft. second floor deck, maintain 82.4 sq. ft. shed. *Village Ordinance §210-6A, §210-39A Building height. No dwelling shall exceed 35 feet. Application indicates 37.25 ft. §210-39B (1) & (2) Sky Exposure Plane. Plans submitted penetrate the front and side sky exposure plane. §210-43A(2) Required Yards. Minimum 20 ft. Application indicates 4.68 ft. **Reserved 3/28/19***

**Application #2018-34 – 104 Wallace St., Residence AA - Section 55/Block 269/Lot 2 – Jose Castro –** Code Compliance – Create a new buildable lot (65x150) totaling 9,750 sq. ft. *Village Ordinance §210-6A, §210-32 Street frontage. No building shall be erected on a lot which has a street frontage less than 75 ft. Application indicates 65 ft. **Reserved 3/28/19***

**Application #2018-31 – 40 N. Main St., Service Business - Section 55/Block 236-1/Lot 216 – Jacqueline Delmont c/o Delmont Realty Freeport LLC –** Proposed first floor alterations with second and third floor additions. *Village Ordinance §210-6A, §210-92A Building Height. All buildings shall be limited to a height of 35 ft. Application indicates 56.91 ft. §210-172(12) Required Parking Spaces. All nonresidential buildings at least one parking space for every 400 sq. ft. of floor area plus parking space for two cars for each individual store, shop or business in the building. Application indicates 2 parking spaces. 102.34 are required. **Reserved 4/4/19***

**Application #2019-5 – 239 Woodcleft Ave., Marine Commerce - Section 62/Block 117/Lot 74 – Jeremy and Jason Holin –** Construct deck over empty lot 20' x 40' (800 sq. ft). *Village Ordinance §210-6A, §210-172(4) Parking Required. Restaurants, discotheques, cabarets and bars; at least one parking space for each three authorized occupants. Application indicates 0 spaces. 6 spaces required. **Reserved 4/25/19***

**Application #2018-39 – 185 Hudson Ave., Marine Industrial - Section 62/Block 093/Lot 165 – Dennis Gunn –** Seeking a variance for use of lot for bulkheading and house elevation business. *Village Ordinance §210-6A, §210-117B Any use not specifically permitted shall be prohibited. A use variance is required for the property. **Reserved 4/25/19***

**Application #2019-2 – 6 St. Marys Pl., Industrial B - Section 62/Block 230/Lot 56 – Major Coinage Holdings –** Proposed 2<sup>nd</sup> floor above 1<sup>st</sup> floor, approximately 6' in front of house, extend rear of house 25' x 12', with 2<sup>nd</sup> floor dormer, and extend 1<sup>st</sup> floor 20' x 20' detached frame garage in rear of property. *Village Ordinance §210-6A, §210-19 Structural alteration. A non-conforming building may not be reconstructed or structurally altered during its life to an extent exceeding in aggregate cost 50% of the fair value of the building unless said building is changed to a conforming use. Application indicates proposed structural alteration by adding a 2<sup>nd</sup> floor extending the 1<sup>st</sup> floor and extending the rear of the house. §210-21 (A) Permissible extensions of use. A non-*

*conforming use and, ..., a nonconforming building shall not be extended. Application indicates a 2<sup>nd</sup> floor, front and rear additions. §210-23 A discontinuance of non-conforming uses. Whenever a nonconforming use has been discontinued, abandoned, or not used for a continuous period of one year or more, such use shall not thereafter be reestablished. The residential use has been abandoned for a period exceeding 1 year.*

**Reserved 4/25/19**

**BY ORDER OF THE ZONING BOARD OF APPEALS  
Pamela Walsh Boening, Village Clerk**