



**MAYOR**  
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**DEPUTY MAYOR**  
MICHAEL N. HAWXHURST

**TRUSTEES**  
HILARY H. BECKER  
ROBERT BOCCIO  
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**VILLAGE JUSTICE**  
WILLIAM J. McLAUGHLIN

**ASSOCIATE JUSTICE**  
BRENDAN HUGHES

**COURT CLERK**  
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## INCORPORATED VILLAGE OF LYNBROOK

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JOHN GIORDANO

**VILLAGE ASSESSOR**  
LISA KENNY

**VILLAGE ATTORNEY**  
THOMAS D. ATKINSON, ESQ.

**BUILDING SUPERINTENDENT**  
BRIAN STANTON

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PHILIP HEALEY

**RECREATION SUPERVISOR**  
ANDREA GENNA

September 19, 2019

Terwilliger & Bartone Properties  
141 Merritts Road  
Farmingdale, New York 11735

**Re: Denial Letter**

**5 Freer Street, Lynbrook, New York 11563**  
**Section: 28, Block: 04, Plot: 01**

Dear Sir/Madam:

Based upon your application number 7548 to construct a new eighty (80) dwelling, Multiple Dwelling located in a commercially zoned district has hereby been denied due to the following Zoning Codes of the Village of Lynbrook:

**§ 252-29 Permitted uses.**

Multiple dwellings, subject to approval of the Board of Trustees, after public hearing and notices based on the submittal of a Special Use application.

Furthermore this application does not meet the requirements for a Multiple Dwelling based on our current zoning codes. Below are the variances needed to approve this application.

**§ 252-90 Height restrictions.**

[Amended 8-12-1991 by L.L. No. 5-1991]

No multiple dwelling shall be raised, altered or erected greater in height than 2 1/2 stories, which height shall not exceed an aggregate of 30 feet. Such structure may have false peaks or gables not exceeding an additional five feet in height.

|                          |                  |
|--------------------------|------------------|
| Permitted Stories:       | 2 ½              |
| Proposed Stories:        | 4                |
| Permitted Height:        | 30 feet          |
| Proposed Height:         | 43 feet 5 inches |
| Permitted Gable Heights: | 35 feet          |
| Proposed Gable Heights:  | 49 feet 5 inches |



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Page 2

### § 252-99 Off-street parking requirements.

[Amended 10-10-1974 by L.L. No. 2-1974; 10-26-1992 by L.L. No. 11-1992]

Provision shall be made on the same plot upon which a multiple dwelling is erected for off-street parking spaces for private passenger automobiles only, in a number equal to 250% of the number of apartment suites and for all other multiple dwellings providing accommodations for transients.

Required Off Street Parking Spaces: 200 spaces  
 Proposed Off Street Parking Spaces: 88 spaces

### § 252-88 Density and lot area requirements.

No structure shall be raised and no building or part thereof shall be erected, altered to be used and occupied as a residence by more than 45 families per acre or more than a proportional number of families on any fractional part of any acre of land, and the lot for each such structure shall have a street frontage of not less than 75 feet and a plot area of 7,500 square feet shall be the minimum requirement.

Permitted Dwelling Units: 45  
 Proposed Dwelling Units: 80

### § 252-89 Maximum coverage.

The building area used for the erection of multiple dwellings, including all accessory buildings, shall not exceed 40% of the lot area.

Maximum Lot Coverage: 40%  
 Proposed Lot Coverage: 59.46%

### § 252-91 Required setbacks.

The main front foundation wall of a multiple dwelling shall, in all cases, set back not less than 25 feet from the front lot line. No part of any projection thereof, except an open porch, shall extend more than five feet beyond the main foundation wall, and no part of any projection, including an open porch, shall extend nearer than 20 feet to the front street line.

Required Setback on Freer Street: 25 feet  
 Proposed Setback on Freer Street: 5 feet



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Page 3

**§ 252-98 Location requirement on corner lots.**

The main foundation wall of a multiple dwelling on a corner lot shall not extend nearer than 25 feet to any street line or municipal parking field upon which the plot adjoins and shall not extend nearer than 20 feet to any other property line.

|   |         |
|---|---------|
| Required Foundation Setback From Street Line: | 25 feet |
| Proposed Foundation Setback From Street Line: | 15 feet |

Therefore, if you wish to appeal this denial, applications must be filed with both the Mayor and Board of Trustees and the Zoning Board of Appeals.

Very truly yours,

Brian Stanton  
Superintendent, Department of Buildings

BS/kh