

CALENDAR

for

REGULAR MEETING OF THE COUNCIL

of the

CITY OF LONG BEACH

held

FEBRUARY 16, 2016

PUBLIC HEARING: Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 162 West Park Avenue, (second floor), Long Beach, New York.

Re: Massage Therapy

PUBLIC HEARING: Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.

1. Resolution Granting Waiver of Off-Street Parking Requirements Re: Premises 162 West Park Avenue, (second floor), Long Beach, New York.
Re: Massage Therapy
2. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Appendix A – Zoning.

Legislative Memo: This amendment is twofold. It changes the definition ascribed to a “Building”, which will close a loophole existing in the Code, to ensure “a single standalone foundation” for all new structures. It will also allow homeowners impacted by Superstorm Sandy that are elevating their pre-existing one or two family homes, to do so without having to apply to the City’s Zoning Board of Appeals. This will save those homeowners the time and expense associated with applying to the ZBA and retaining either an attorney or architect. These structures must comply with all FEMA requirements, New York State Building Code requirements and City Code requirements.

3. Resolution Authorizing the City Manager to Enter into a Contract for Emergency Sanitary Sewer Replacement at the Intersection of East Park Avenue and Pacific Boulevard and the Intersection of East Park Avenue and Roosevelt Boulevard with the Lowest Responsible Bidder and to Transfer Funds.

Legislative Memo: This resolution is required for the replacement of two, 130 linear foot sections of failing sanitary sewer main. We are replacing these mains from manhole to manhole, rather than repairing only the areas where the collapses occurred, as these lines are approximately 60 years old. This will ensure sanitary flow for the canals area for the next 40 to 80 years, under the theory of “Do it once, do it right”.

4. Resolution Authorizing Transfer of Funds for the 2015-2016 Fiscal Year.

Legislative Memo: These funds will be used to purchase two new stretchers for our ambulances. These are used to transport the patients into the ambulance, then secured inside the ambulance and then used to transport the patient into the emergency department. These will replace two stretchers beyond their useful life.

February 16, 2016

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Granting Waiver of Off-Street Parking Requirements Re:
Premises 162 West Park Avenue, (second floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 162 West Park Avenue (second floor), Long Beach, New York (Section 59, Block 71, Lot 9), between National and Magnolia Boulevards, having frontage of less than 20 feet, on behalf of the owner Vincent Consentino, 4403 Oak Beach Association, Oak Beach, New York 11702 to be used for Massage Therapy;

WHEREAS, a Public Hearing was held on this date;

NOW, THEREFORE, after due deliberation, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the application of the owner Vincent Consentino, 4403 Oak Beach Association, Oak Beach, New York 11702 for exemption with respect to the requirements for off-street parking at premises 162 West Park Avenue (second floor), having frontage of less than 20 feet, be and the same hereby is granted, only and during the time that such premises shall be used for Massage Therapy.

The following Ordinance was moved by
and seconded by :

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE
CITY OF LONG BEACH RE: APPENDIX A- ZONING.

WHEREAS, Superstorm Sandy has uniquely affected the ability of homeowners in the Residence DD and Residence E districts to elevate their pre-existing one or two family homes while complying with FEMA floodplain regulations and the City's Zoning Code of Ordinances; and

WHEREAS, certain homeowners must incur additional expense and spend additional time to make an application to the City's Zoning Board of Appeals for relief from zoning regulations, which pre-date Superstorm Sandy; and

WHEREAS, the record reflects that the City's Zoning Board of Appeals has dealt with the aforementioned types of applications in a consistent manner, reflected by the proposed changes herewith; and

WHEREAS, in order to ease this additional burden upon the homeowners impacted by Superstorm Sandy, the City and the Chairman of the Zoning Board of Appeals, recommend the following proposed changes;

BE IT ENACTED, by the City Council of the City of Long Beach, New York, as follows:

Sec. 1. Section 9-104 of Appendix A of the Code of Ordinances of the City of Long Beach, New York, as heretofore amended, shall be and the same is hereby amended, to read as follows:

“Sec. 9-104. Definitions.

(a) In addition to the definitions set forth in the state building construction code, the following terms shall, for the purposes of this appendix, have the meanings ascribed to them as follows:

***Building:* A structure wholly or partially enclosed within exterior or party walls, containing a roof and a single standalone foundation, affording shelter to persons, animals or property.”**

...

Sec.2. Section 9-105.4 of Appendix A of the Code of Ordinances of the City of Long Beach, New York, as heretofore amended, shall be and the same is hereby amended and Section 9-105.4(m) is hereby added to Appendix A, with the rest of the Section remaining in full force and effect, to read as follows:

“Sec. 9-105.4. Residence DD District. (*Residential area between New York Avenue and Lindell Boulevard from Park Avenue to Beech Street – the “The Walks”*)

....

(m) Due to the impact of Superstorm Sandy, all structural elevations of pre-existing one or two family buildings and/or one or two family dwellings, that existed or exist in substantially the same dimensions, size, shape, form and use during or immediately prior to October 29, 2012, shall comply with all applicable zoning requirements of the City of Long Beach Zoning Code of Ordinances except as specifically modified herein:

(1) *Front yard.* There shall be a front yard, the depth of which shall be at least ten (10) feet back of the street line. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. This, however, shall not prohibit the erection and maintenance of an open porch in such front yard, provided that the same be erected not closer to the front line than one (1) foot.

(i) In the event that the front yard should contain an open porch, support beams for said open porch must not be closer to the front line than three (3) feet.

(2) *Side yard.* There shall be a side yard along each side lot line and it shall be at least four (4) feet in width on each side of the building, and extend unobstructed from the front yard to the rear yard, except where a pre-existing entrance to a one or two family dwelling existing prior to October 29, 2012, the installation of a wooden staircase and landing, in compliance with the minimum dimensions permitted by the New York State Residential Code, may be permitted to be erected on a single side yard only.”

...

Sec.3. Sections 9-105.5 of Appendix A of the Code of Ordinances of the City of Long Beach, New York, as heretofore amended, shall be and the same is hereby amended and Section 9-105.5(o) is hereby added to Appendix A, with the rest of the Section remaining in full force and effect, to read as follows:

“Sec. 9-105.5. Residence E District. (*Residential area between New York Avenue and Nevada Avenue from Park Street to Oceanview – the “West End”*)

....

(o) Due to the impact of Superstorm Sandy, all structural elevations of pre-existing one or two family buildings and/or one or two family dwellings, that existed or exist in substantially the same dimensions, size, shape, form and use during or immediately prior to October 29, 2012, shall comply with all applicable zoning requirements of the City of Long Beach Zoning Code of Ordinances except as specifically modified herein:

- (1) ***Front yard.*** There shall be a front yard, the depth of which shall be at least ten (10) feet back of the street line. In case of a corner lot, the front yard shall be required on each street on which the lot abuts. This, however, shall not prohibit the erection and maintenance of an open porch in such front yard, provided that the same be erected not closer to the front line than one (1) foot.

(i) In the event that the front yard should contain an open porch, support beams for said open porch must not be closer to the front line than three (3) feet.

- (2) ***Side yard.*** There shall be a side yard along each side lot line and it shall be at least four (4) feet in width on each side of the building, and extend unobstructed from the front yard to the rear yard, except where a pre-existing entrance to a one or two family dwelling existing prior to October 29, 2012, the installation of a wooden staircase and landing, in compliance with the minimum dimensions permitted by the New York State Residential Code, may be permitted to be erected on a single side yard only.”

...

Sec. 4. Any printing of “Hurricane Sandy” within the City’s Code of Ordinances shall be amended to read “Superstorm Sandy”.

Sec. 5. This Ordinance shall take effect immediately.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a Contract for Emergency Sanitary Sewer Replacement at the Intersection of East Park Avenue and Pacific Boulevard and the Intersection of East Park Avenue and Roosevelt Boulevard with the Lowest Responsible Bidder and to Transfer Funds.

WHEREAS, emergency repairs and replacement are required at the intersection of East Park Avenue and Pacific Boulevard and the intersection of East Park Avenue and Roosevelt Boulevard, due to two sanitary sewer main collapses; and

WHEREAS, three bids were received in the Office of the Commissioner of Public Works on Wednesday, February 10, 2016 for the replacement of approximately 260 linear feet of sanitary sewer main and the installation of sanitary sewer house connections and manholes, where necessary; and

WHEREAS, T. Novelli Contracting, Inc., 41 Sarah Drive, Farmingdale, New York 11735 was the lowest responsible bidder at a cost of \$695,600;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into a contract with T. Novelli Contracting, Inc., 41 Sarah Drive, Farmingdale, New York 11735 for emergency sanitary sewer main repairs and replacement on East Park Avenue, at a cost of \$695,600. Funds will be available in Account No. H3015.52278 (Sewer Upgrades) through a subsequent bond authorization and after the following amendment to the 2015-2016 Capital Plan and transfer of funds. This will have a net zero effect on the City’s annual Capital Plan and thus, it will also have a zero impact on our debt service.

<u>Budget Code</u>	<u>Description</u>	Transfer <u>From:</u>	Transfer <u>To:</u>
H3016.52280	Replace/Repair Sand Filter	\$500,000.00	
H3016.52278	Sewer Upgrades, Citywide		\$500,000.00

February 16, 2016

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Transfer of Funds for the
2015-2016 Fiscal Year.

BE IT RESOLVED, by the City Council of the City of Long Beach, New York
that the following transfer of Capital Funds be and are hereby authorized:

CAPITAL FUND

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
H1016.52312	Lifeguards, Mach & Equip	\$9,056.00	
H1016.52035	Fire/EMS, Mach & Equip		\$9,056.00