

No. 48-2016
INCORPORATED
VILLAGE OF GARDEN CITY

November 25, 2016

FROM THE MAYOR'S OFFICE
Mayor@gardencityny.net

By: Nicholas P. Episcopia

PROPOSED BUILDING CODE CHANGES

It is anticipated that the Board of Trustees will hold public hearings on the three proposed laws regarding building code changes recommended by the Mayor's Committee on Thursday, December 15, 2016.

The Committee on Building Code Changes was formed in the Spring of 2015 because of growing concerns throughout the Village over the proliferation of larger houses being built as of right to replace existing homes. Since most residential properties in Garden City are 60 to 75 feet wide, many of the new and larger houses overshadow neighboring homes and have altered streetscapes.

I asked the Joint Conference of the four Property Owners' Associations to select residents from each of their sections to serve on the Committee. Members include Hugh Lacy, chairman of the Architectural Design Review Board, Bob Cunningham, chairman of the Board of Zoning Appeals (BZA), other members of the ADRB, BZA and residents at large. The Committee chose Jim Bauer as chairman. Together, they represent nearly 100 years of Village service. Diligently working on this project for more than year, they have proposed three separate building code changes.

Although some people question the necessity for the proposed code changes, it should be noted that in 2009, we amended our Building Code by prohibiting division of large lots for the sale and development of smaller homes. Just as this preserves the character of the Central section, the intent of the newly proposed code changes is to preserve the character of neighborhoods in other areas of Garden City.

Over the past year and a half, the Committee has adhered to its mission: *"...to enter into full review and discussion of the Zoning Code to include, but not be limited to, the charge to the Architectural Design Review Board contained therein, as well as the existing allowable height, width, overall bulk and set-backs of residential structures within the respective residential zones; and thereafter, to propose amendments that will preserve the unique character of the Village's neighborhoods without denying an owner the right to improve his or her property while ensuring the right of neighboring property owners to continue to enjoy the character and curb appeal of theirs."*

The first proposed code change is designed to preserve streetscapes by increasing the minimum required distance between the side of a new or expanded house and an adjacent home by approximately three feet. The initially proposed setbacks for second stories has been eliminated in an effort to avoid a "wedding cake" appearance and enable more effective architectural design of the second story. There is no change to existing height or bulk restrictions.

The second change centers on the demolition of homes. Presently there is no requirement for an owner after demolition to fill in the foundation, grade the property or plant grass. Failing to do this would adversely affect home values and the ability to market properties. The code change would require the owner to do all of the above. A bond or some other form of liquid security would also be required if the Village has to mitigate the problem of a vacant lot that has been indefinitely left as an eyesore.

The third change attempts to more clearly define the ADRB's authority regarding major alterations to the exterior of a house visible from the street by removing some subjectivity from the existing code. There would be more formal guidelines to obtain ADRB approval for an extension, structural changes or major alterations that could impact the streetscape. Roof repairs, new roofs, paint jobs, window replacements or other home improvements such as new driveway paving or sliding doors to an outside yard would not require ADRB approval.

Village Counsel has stated that it is almost impossible to completely eliminate a certain amount of subjectivity from building codes. However, because the details contained in this type of code change are somewhat difficult to define, there is extensive discussion between the Committee, ADRB as a whole and certain Trustees concerning the change as presently proposed. At the time of this writing, the debate is centered on whether or not ADRB approval of major façade alterations would be triggered by a specific amount of the home's square footage or by a more general description of what the homeowner proposes to do. A property owner can appeal any decision made by the ADRB or the BZA, and any proposed change to the Code found to impose an overwhelming burden on our Building Department, ADRB or BZA, or homeowners, could always be modified or repealed.

I have spoken with a number of other Mayors and Building Superintendents and found that some Villages have building codes that are far more restrictive than the changes under consideration here. For example, some will not issue a demolition permit unless the applicant has an approved set of plans for a replacement structure in place.

In consideration of comments from Trustees and other residents, the Committee has adjusted their initial proposals while making every effort to propose changes that protect and preserve the overall character of existing neighborhoods. They have been mindful of the right of owners to improve their property as well as the right of neighbors to continue to enjoy theirs. The people are true volunteer public servants and deserve our respect and gratefulness.

We hope to have the public hearing and approval of the proposed code changes on our agenda for our December 15 Board meeting.

TURKEY TROT: ONCE AGAIN A GLORIOUS SUCCESS

The 39th Garden City Turkey Trot held on Thanksgiving morning was a spectacular success. On behalf of the Board of Trustees and the residents I want to thank everyone who was involved in making this event the success that it was and keeping it a special tradition of Garden City. I am sure that this year's donations will exceed the money that was raised last year to the research and aid program for the benefit of the Leukemia & Lymphoma Society, Muscular Dystrophy Association and The INN.

I also want to thank the combined efforts of Police Commissioner Kenneth Jackson and his officers as well as the Special Police for keeping everyone safe during this event as well as Recreation Director Kevin Ocker and his staff for setting up and cleaning up in such an efficient manner.

WEST END CHRISTMAS TREE LIGHTING FRIDAY, DECEMBER 2

The West End Christmas tree lighting, sponsored by the Western Property Owners' Association, will be held on Friday, December 2, from 6:00 to 7:00 p.m. in front of the Village park on Plattsdale Avenue, located at the south end of the New Hyde Park Road business district. Holiday music will be provided by Sal Nastasi of "Ready in 10" and singing and dance entertainment will feature the talented performers from Broadway Bound. And as always, Santa will make an appearance! All are invited to kick-off the holiday season with neighbors and friends.

CHRISTMAS TREE LIGHTING SUNDAY, DECEMBER 4

On Sunday, December 4, the Garden City Chamber of Commerce will sponsor its Village Christmas Tree Lighting Ceremony beginning promptly at 3:30 p.m. on the Village Green (corner of Stewart and Hilton Avenues).

This year's program once again is sponsored by Astoria Bank and will feature the Garden City High School Vocal Jazz Ensemble performing a medley of holiday music. Also featured will be the Fivestone Contemporary Rock Band well known for their performances at past spring Belmont Festivals and the summer Friday Night Promenades. They will be performing special renditions of familiar holiday tunes. The Garden City Volunteer Fire Department will deliver Santa Claus and hot chocolate will be provided to everyone. Please bring your entire family to welcome Santa and the holiday season. I look forward to seeing you all there!

PRE-VILLAGE CHRISTMAS TREE LIGHTING EVENT DECEMBER 4

On Sunday, December 4, beginning at 1:30 p.m., the Garden City Foundation invites members of the Garden City community and beyond to share the good cheer of the season. Usher in the Christmas holidays at the Garden City Foundation's first annual Pre-Village Christmas Tree Lighting celebration to be held at the Cathedral of the Incarnation. Enjoy delicious refreshments, caroling by members of the Cathedral Choir, plus a chance to win a door prize. Adding to the spirit of the season, members of the choir will lead attendees in a procession heading over to the Christmas Tree Lighting Ceremony, which begins at 3:30 p.m. at the Village Gazebo on the corner of Hilton and Stewart Avenues. While there will not be a charge for the Pre-Tree Lighting event, reservations are required. Please contact Kris at 746-2955 or kris@incarnationgc.org.

LAST DAY FOR LAWN SPRINKLING NOVEMBER 30

As the temperature dips, it is difficult to focus on lawn sprinkling, however, I would like to remind residents that the last day for lawn sprinkling is November 30. The Board of Trustees join me in expressing appreciation for the cooperation exhibited by residents in water conservation this past year.

BOARD OF TRUSTEES' MEETING SCHEDULE

The next regularly scheduled Board of Trustees meetings will be held December 1 and December 15, 2016. I encourage all residents to attend Board of Trustees meetings so as to be thoroughly informed of Village issues from a first-hand perspective.