



**INCORPORATED VILLAGE OF FREEPORT  
MUNICIPAL BUILDING  
46 NORTH OCEAN AVENUE  
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**ROBERT T. KENNEDY  
MAYOR**

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VILLAGE CLERK**

**ZONING BOARD OF APPEALS DECISION CALENDAR – December 15, 2015**

**Application #14-2015 – 85 South Main Street – Jose Garcia                      **APPROVED****

Interior alterations for bakery use and increase occupant load to 44 persons.

*Village Ordinance §210-6A, §210-172(c)(4) Applicant required to provide 10 parking spaces, application indicates 0.* Non-conforming with zoning regulations herein specified for the district in which it is located. Section 55/Block 205/Lot 133. Business B.

**Application #15-2015 – 365 South Bayview Avenue – G. Arion Balalaos                      **AJOURNED BY ZBA****

Reestablish use for Business/Cabaret/Food & Drink and Public Assembly Licenses.

*Village Ordinance §210-6A, §210-23(A) Discontinuance of nonconforming uses. Generally, 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, and future use shall not thereafter be reestablished, and future use shall be in conformity with the provisions of this chapter. §210-23(C) Commercial Buildings. When a frame building or structure located in a business or lesser restricted area and heretofore used for a commercial use has not been occupied for a period of at least 12 consecutive months, such building or structure shall not again be occupied or used for a commercial use unless it shall be made to comply with the provisions of the Building Code and fire prevention regulations of the Village as applied to commercial buildings. §210-71A Bars and grills, discotheques, nightclubs, cabarets or any other commercial establishment which supplies entertainment and/or dancing to live or recorded music prohibited. §210-172A Required parking. Drawings submitted indicate an occupant load of 188 people. The off-street onsite required parking for said building is 65 parking spaces; drawing submitted indicates 0 parking spaces.* Non-conforming with zoning regulations herein specified for the district in which it is located. Section 62/Block 140/Lot 11. Business A.

**Application #16-2015 – 77 Suffolk Street – Brian T. Moraghan                      **APPROVED****

Elevate House and reconstruct and widen existing garage for new stair system as per New York Rising requirements. *Village Ordinance §210-6A, §210-43A(1) Front yard depth; minimum 20 feet or the average depth of all residential front yards on the same side of the street within 200 feet in either direction, whichever is greater, but in no case more than 40 feet. Plan submitted with application indicates a front yard on the Nassau Avenue side of only 14.38 feet.* Non-conforming with zoning regulations herein specified for the district in which it is located.

Section 62/Block 183/Lot 363. Residence A.