

Zoning board turns down townhouses

The City of Long Beach Zoning Board in May unanimously shot down a proposed townhouse development that would be taller than any other West End building.

"I can say that it was thought to be out of character with the neighborhood," Corey Klein, corporation counsel for the city, said about the board's decision. "The zoning board believed that the detriment to the community outweighed any benefit to the applicant."

Developers Charles and Emanuel Rafimayeri wanted to demolish a building shared by Vito's Fish & Chips and 13 apartments,

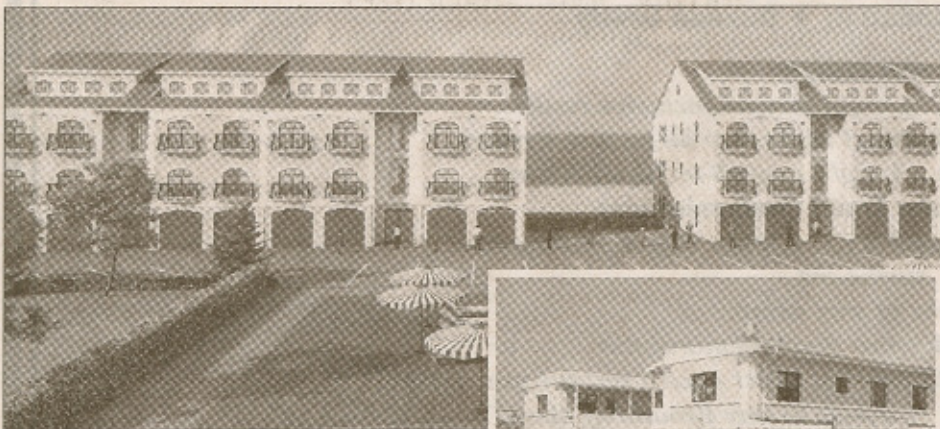
between New York, Pennsylvania and Ocean View avenues, and build two Moorish-style duplexes. Both buildings would have contained eight townhouses, separated by a 40-foot corridor, on the site and an adjoining vacant lot. The plan also includes an open area with a swimming pool and cabana.

In the densely populated, parking-deficient West End, traffic issues took center stage at the April 24 zoning board hearing on the townhouses. The Rafimayeris' architect, Angelo Corva, and real estate appraiser, Robert Marks, described their proposal as

having much more open space, fewer dwellings — 16 instead of a total of 19 — and 44 parking spaces, 12 more than the minimum required by code. Marks estimated that construction costs would total \$15 million, and that the units would likely sell for \$1.1 million to \$1.3 million.

Former zoning board and City Council member Denis Kelly, speaking on behalf of two Pennsylvania Avenue couples, said that a development with 44 parking spaces was "too dense." Both Kelly and Joe Cavanaugh, a California Avenue resident and a member of an organization called Pennsylvania Ocean View of New York, or PONY, said they believe the townhouses would actually rise to 40 feet,

making them the tallest buildings west of New York Avenue. "These are going to be massive buildings," Kelly said, "and although they're going to have a nice corridor between them, that's not going to benefit anyone, given their size and density." Others who live near Vito's or the neighboring lot said they favored the development over the restaurant, claiming that the business's garbage attracts rodents and roaches, and its bar brings drunks and drug deals to their streets. "This seems like the best proposal," said a California Avenue resident, who identified himself as Peter. "Anything that gets rid of Vito's is worth it to me. Anything that levels that building is progress."



A PROPOSAL FOR NEW TOWNHOUSES at the Vito's restaurant site at the west end of the boardwalk was shot down in May.



FEMA redraws flood maps, Long Beach among hardest hit

In July, thousands of South Shore residents discovered that they are now residents of a flood zone, which will force them to obtain flood insurance this year or next.

The Federal Emergency Management Agency in July released redrawn Nassau County flood plain maps, which show that nearly 30,000 more homeowners — including 3,000 or more in each of three communities, Long Beach, Oceanside and Valley Stream — may have to pay thousands of dollars in flood insurance.

In Long Beach, West Olive, West Penn and West Beech streets, between Laurelton

and Magnolia boulevards, are among the streets listed on the temporary maps. The expanded zones are deemed at risk of flooding by coastal waters or during heavy rainstorms, and the updated maps are based on more precise geographic and elevation measurements, according to FEMA.

"For some people, it's going to hit them hard if they still have a mortgage," said Denis Miller, a flood and home specialist in Long Beach.

While other homeowners indicated they plan to appeal FEMA's map plan, which the agency expects to finalize by July 2009, some are looking to sue the agency over its plan.

Illegal West End renters targeted

To alleviate the parking crunch on neighborhood streets, city officials in November warned that they would soon begin a strong push to penalize Long Beach landlords who are renting illegal apartments in the West End.

City Manager Charles Theofan and City Council members Mona Goodman and Lenny Remo attended a Nov. 24 meeting of the West End Neighbors Association, where they announced that their get-tough stance with landlords was drawing near.

Officials said they would send out notices to all West End property owners instructing them to "correct" their illegal rentals, giving illegal renters three months to rid their buildings of illegal apartments or face severe penalties. They said they would go after landlords who have illegally converted garages or basements in order to rent them out, which they said has made a tough parking situation even more unbearable, and those caught breaking the law will be hit with fines equal to two years' rent on those apartments.

As part of its plan to improve parking

conditions in the West End, the City of Long Beach proposed establishing a residential parking zone and issuing a maximum of two parking stickers per legal household, which would allow residents to park on any residential street. But the plan drew criticism from several homeowners whose families own more than two cars. Some West End shopkeepers also expressed dismay, fearing that they would lose business under the parking permit plan.

Rick Hoffman, president of the West End Neighbors Association, some of whose members said he seemed to be pushing the parking sticker plan and not representing their wishes, said that the key to freeing up parking spaces is pursuing illegal renters. "The city going after illegal renters will help improve a number of ongoing problems," Hoffman said.

City officials have said they have no idea how many illegal apartments there are in the West End, but Theofan said he hopes "it makes such a difference in the parking situation [and] that we can then stop there."



Claudio Papapietro/Herald

A WOMAN WALKS ON A CAR-LINED STREET in the West End, where city officials vow to crack down on illegal apartments as a way to relieve traffic woes.

City hires parking consultant

The city hired an outside consultant, the Old Bethpage-based Parking Consulting Services, at \$25,000, to study parking issues in Long Beach during a 12-to-15-month span. The study started in the West End, when the parking consultant gave a power-point presentation at the West End Civic Association's Aug. 27 meeting, and is later expected to include others areas, including Park Avenue and Broadway.

City Manager Charles Theofan said the private consultant -- who has experience studying beach communities in New Jersey with similar parking problems as Long Beach -- can provide advice, as well as the technology, that is otherwise not readily available to the city.

Resident Mark Jackson questioned why Nassau County couldn't conduct such a study and thus save the city money. "Let's take advantage of what they are offering, so that we can get value for our [tax dollars]," Jackson said.

Theofan countered that to rely on the county to answer the city's traffic and parking problems will result in "nothing." He explained that the city shells out more than \$5 million in taxes to the county, which pays for its police services, and that traffic is regulated by the county. "We cannot expect that they're going to come in here and do the work for us," Theofan said. "It's not going to happen."

Rick Hoffman, president of the West End Neighbors

Association, defended the city's position. "It's a small price to pay to find a solution to this neighborhood problem," Hoffman said.

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CITY MAY SEIZE PROPERTY

Hildegard Miller, 93, who, along with her husband for decades, ran an automobile service station at 1055 West Beach St. The city revived its effort to use eminent domain law to seize the commercial property and convert it into a municipal parking lot. The case is ongoing, as Miller continues to battle the city.

Arthur Findlay/Herald

City moves forward with rental penalties

By JEFF LIPTON and JOSEPH KELLARD

City officials are eager to crack down on landlords who are renting illegal apartments — but questions are being raised about a proposal to impose additional penalties for offenders.

The City Council on Tuesday voted unanimously to approve its resolution that proposes to increase penalties for offenders, after it tabled the item at its Jan. 6 meeting because they thought it required more discussion. The resolution states that a landlord who rents an illegal apartment could be subject to a maximum fine equivalent to two years' rent collected on the apartment and/or up to 15 days in jail. Already on the books is a punishment of up to a \$1,000 fine per day per violation and a maximum 15 days in jail, or both.

"This would provide an additional tool toward enforcement," said Corey Klein, the city's corporation counsel. "It doesn't delete anything, but it adds another option for the judge to impose."

On Jan. 6, the council voted to table the measure by a 3-2 vote, with Thomas Sofield, Lenny Remo and Denise Tangney voting in favor of tabling it.

City Manager Charles Theofan is expected to send out letters warning landlords to "correct" their illegal apartments or face city enforcement efforts. The city may begin to enforce the crackdown by April 15.

"Illegals are a theft of service to our municipal services as well as to our school district," said Councilwoman Tangney. "Very often illegals compromise the safety and quality of life of our community. I am not opposed to creating a tool which will help law enforcement address these important issues. I am concerned with the parameters of exemptions and the timing of implementation." In light of the faltering economy, Tangney wondered if the new law would lead to more housing foreclosures, which would then affect the area's property values and commerce.

"If people are forced to exit, how will it affect my school taxes?" she said. "Right now hardworking taxpayers are assuming the burden of scoffers. That is wrong. The question is: How does government balance that burden with the very real possibility that life as we know it in Long Beach may change dramatically?"

Remo added that those who use city services should be paying for them. "We're not looking to put people out on the street, we're looking for people to pay for what they are using," he said.

"This is just another tool for the judiciary to apply," Remo said of the proposed increased penalties.

The current law meting out a \$1,000 a day fine per violation is much harder to enforce since it involves constant visits by inspectors who may on occasion be denied access to



Claudio Papapietro/Herald

WHILE THE CITY COUNCIL PLANS to penalize illegal renters in homes throughout Long Beach, their initial focus is on the West End, with the hope of improving parking conditions in that neighborhood.

"It requires a lot more work on a daily basis," he added. Remo said the city should consider allowing some residents to apply for a special use permit, to be renewed every two years.

Remo said that landlords who turn their homes into illegal boarding houses should be the first targets of the city's crackdown, but he expressed concern for their financially-strapped tenants.

At Tuesday's meeting, Sofield said that the new law will allow room for hardship uses, such as senior waivers, as well as for mother-daughter dwellings, and that the law would be phased in gradually, with a focus on absentee landlords.

City officials said illegal rentals are not a problem only in the West End but throughout Long Beach and Theofan's letter will go out to all property owners in the city. Sofield and Tangney agreed that the tone of Theofan's letter to the community needs to be one of "persuasion and not intimidation," and "be more explanatory than anything else."

Officials said the letter will explain, in part, that they will go after landlords who have illegally converted a garage or basement in order to rent it out. This, they said, has made a tough parking situation even more unbearable.

The crackdown on illegals is being viewed by some as a first step toward improving the West End's parking problems. The city has also proposed establishing residential parking zones, issuing a maximum of two parking stickers per legal household, which would give residents the ability

But the plan has drawn criticism from several homeowners whose family members own more than two cars. Some West End shopkeepers also expressed dismay, fearing that they would lose business under the parking permit plan.

If the crackdown on illegals is successful, the sticker plan may not be needed, officials said.

The city will rely heavily on landlords taking the responsibility of correcting their own illegal apartments and their neighbors turning them in. The city said it will establish an e-mail address so residents can anonymously report illegal apartments. City inspectors will also go out to enforce the law.

Rick Hoffman, president of the West End Neighbors Association, said that he hopes the city develops a program that goes hard and fast after illegal renters, and stressed that concrete rules and regulations are required. But resident Al Symons said he did not feel that the city needed any additional penalties for offenders.

"We already have a law on the books, so I don't know why we need this," he said. "I don't want to see cops coming down here knocking down doors, do you?"

At Tuesday's meeting, Symons asked Sofield for assurance that the new law will be applied evenly throughout the city. "Don't play favorites," Symons told him.

Sofield gave his word that the law would be enforced fairly and amicably.

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