

**INCORPORATED VILLAGE OF SANDS POINT
BOARD OF TRUSTEES**

LOCAL LAW NO. 10 OF 2024

**AMENDING CHAPTER 176, "ZONING" OF THE CODE OF
THE VILLAGE OF SANDS POINT**

WHEREAS, the Board of Trustees (the "Village Board") of the Incorporated Village of Sands Point (the "Village") has recommended the enactment of a Local Law to amend Chapter 176, "Zoning" of the Village Code; and

WHEREAS, the Village Board finds that it is necessary and appropriate to regulate the screening of pool and mechanical equipment in the Village; and

WHEREAS, the Village Board finds that regulating the screening of pool and mechanical equipment in the Village will protect and enhance the visual environment of the Village; and

WHEREAS, the Village Board finds that regulating the screening of pool and mechanical equipment is in the best interest of the health, safety, and welfare of the Village and its residents; and

WHEREAS, this Local Law was introduced by the Village Board on June 18, 2024; and

WHEREAS, it is hereby determined that pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R.; and

WHEREAS, this Local Law was referred to the Nassau County Planning Commission, which by its letter dated, July 12, 2024, deferred to the Village to take action as deemed appropriate; and

WHEREAS, this Local Law was the subject of a duly noticed public hearing in accordance with New York State Village Law and the Village Code before the Village Board on July 23, 2024, at which all interested persons were heard.

NOW THEREFORE, BE IT ENACTED by the Board of Trustees of the Incorporated Village of Sands Point:

Section 1. Village Code § 176-17 be and is hereby amended to read in its entirety as follows:

§ 176-17 Outdoor pools; Mechanical Equipment.

No outdoor pools shall be constructed except in compliance with the regulations of the Nassau

County Health Department which may be now or hereafter in effect. All pool and mechanical equipment shall be screened from the street and from any adjoining property by a living screen of evergreen trees and/or shrubs. All screening shall be the greater of 30” or the height of the equipment being screened. All screening shall consist of vegetation having sufficient density to mitigate any potential visual impact that the pool and mechanical equipment could have on the street and/or on any adjoining property. All screening shall be approved by the Building Commissioner or the Commissioner’s designee.

Section 2. Village Code § 176-31 be and is hereby amended to read in its entirety as follows:

§ 176-31 Outdoor pools; Mechanical Equipment.

No outdoor pools shall be constructed except in compliance with the regulations of the Nassau County Health Department which may be now or hereafter in effect. All pool and mechanical equipment shall be screened from the street and from any adjoining property by a living screen of evergreen trees and/or shrubs. All screening shall be the greater of 30” or the height of the equipment being screened. All screening shall consist of vegetation having sufficient density to mitigate any potential visual impact that the pool and mechanical equipment could have on the street and/or on any adjoining property. All screening shall be approved by the Building Commissioner or the Commissioner’s designee.

Section 3. Village Code § 176-33.13 be and is hereby amended to read in its entirety as follows:

§ 176-33.13 Outdoor pools; Mechanical Equipment.

No outdoor pools shall be constructed except in compliance with the regulations of the State of New York, the Nassau County Health Department, the Village of Sands Point and any other government agency having jurisdiction which may now or hereafter be in effect. All pool and mechanical equipment shall be screened from the street and from any adjoining property by a living screen of evergreen trees and/or shrubs. All screening shall be the greater of 30” or the height of the equipment being screened. All screening shall consist of vegetation having sufficient density to mitigate any potential visual impact that the pool and mechanical equipment could have on the street and/or on any adjoining property. All screening shall be approved by the Building Commissioner or the Commissioner’s designee.

Section 4. Chapter 176, “Zoning”, of the Village Code of the Incorporated Village of Sands Point shall otherwise remain in full force and effect.

Section 5. Severability. If a court of competent jurisdiction determines that any clause, sentence, paragraph subdivision, or part of this local law or the application thereof to any person, firm or corporation or circumstance is invalid or unconstitutional, the Court’s order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

On motion made by Trustee Karabatos, seconded by Trustee Ackerman, the foregoing Local Law was enacted upon the following vote:

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	absent
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	aye
Trustee Danny Khazai voting	-	aye

Dated: Sands Point, New York
July 23, 2024

Filed: Sands Point, New York
July 24, 2024

