

**VILLAGE OF FLOWER HILL
MINUTES OF
REGULAR MEETING
OF THE BOARD OF TRUSTEES
May 5, 2014**

A regular monthly meeting of the Board of Trustees was held on May 5, 2014. The meeting was called to order at 8:05 PM by Mayor Elaine Phillips with the following in attendance:

Elaine Phillips	Mayor
Tab Hauser	Deputy Mayor
Karen Reichenbach	Trustee
Randall Rosenbaum	Trustee
Robert McNamara	Trustee
Gary Lewandowski	Trustee
Eileen Mills	Trustee
Jeffrey Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
Kathy Wade	Village Treasurer
James Gilhooly	Building Superintendent

Mayor Phillips asked Manhasset-Lakeville Water District Commissioner Donald O'Brien to lead the assembly in the Pledge of Allegiance. There were twelve members of the public present.

Approval of Minutes

On motion of Trustee Reichenbach seconded by Trustee Mills the minutes of the April 7, 2014 Meeting were unanimously approved by those Board members who attended.

Treasurer's Report

On motion of Trustee McNamara, seconded by Trustee Rosenbaum, the claims were unanimously approved.

Architectural Review Committee Report

Trustee McNamara reported on the Committee's April 28, 2014 meeting. The following permit applications were approved as submitted: SCW West, 1053 Northern Blvd. for a front patio and awning and Weisbrot, 28 Greenbriar Lane for 1 & 2 story additions, remove pool. The following permit applications were recommended to be approved with modification: Colletti, 14 Birchdale Lane for interior & exterior alterations; Goldsmith, 35 Cardinal Road for a new driveway, entry piers, front walk, rear terrace, front estate fencing & gate; Dimpoulos; 85 Woodhill Lane for a 1 story addition, new porticos; Rogowsky, 16 Bonnie Heights Rd., for a new 1 family dwelling, swimming pool and Zarabi, 5 Sycamore Road for a new one family dwelling. The following permit applications were asked to be resubmitted at the next meeting: Falco, 63 Dartmouth Road for a 1 story rear addition, widen driveway, patio, retaining wall, change of grade and Stern, 15 Cardinal Road for a 2 story addition, new façade.

On motion of Trustee McNamara, seconded by Trustee Lewandowski, all recommendations of the committee to issue permits were approved by the Board.

Several residents asked to address the Board regarding 63 Dartmouth Road. The main concerns were about saving the trees on the property, drainage issues relating to raising the grade, and retaining wall height.

Building Dept. Report

Mr. Gilhooly informed the Board that St. Francis Hospital is moving some of their offices to another location and will reconstruct the empty offices resulting in payment of unanticipated fees in the amount of \$60 - \$70K. He also announced that May is National Building Safety month and the Building Inspectors of Nassau County (BIANCO) will hold an event on May 12.

Manhasset-Lakeville Water Dept.

Commissioner Donald O'Brien informed the Board that a plume of solvents from the old Sperry Plant in Lake Success has contaminated the Cumberland well (off Community Drive). The well has been closed for three years. All treatment for the contamination will be the responsibility of Lockheed Martin, the successor company of Sperry. They are working with the DEC and the New York State Dept. of Health on the remediation project.

Mr. O'Brien gave an update on the new water tower installation.

Administrator's Report

Ms. Shatzkamer reported that all Village street lights have been replaced with LED bulbs.

Attorney's Report

Mr. Blinkoff reported on the April 16, 2014 Zoning Board meeting.

Application of Mr. and Mrs. Rogowsky, regarding the property located at 16 Bonnie Heights Rd. in Manhasset. The property is also known as section 3, block 64, Lots 274 and 276 on the Nassau County land and tax map. The specific application requested variance from section 240 – 7 (C) of the code of the Village of Flower Hill. Particularly, the applicant seeks to construct a single-family dwelling and accessory structure in an R1 zone with lot area coverage greater than 15%, where 7939.65 sq. ft. is permitted, and 11,683 sq. ft. is proposed.

The applicant argues that there is appropriate screening on the property. Particularly, the applicant argues that the property is a relatively large property. The proposed dwelling will conform with all front yard setbacks. Additionally, the proposed pool and adjacent patio will conform to the surrounding area. After consideration, the request was verbally approved, subject to: 1) the submission and review by the Architectural Review Board; 2) a restriction that the garage or any other extra accessory structure will not be used for any dwelling purposes; 3) that any tennis court and any proposal with respect to lighting is subject to architectural review as well as review of the building inspector, and 4) that any referral to the Architectural Review Board is to take place with notice to the surrounding neighbors by the homeowner. A written decision is to be prepared for the Board's review.

Application of, Mr. and Mrs. Michael Nemeroff of 40 Knollwood Rd. in Roslyn New York. The property is also known as section 6, Block B4, Lot 25 on the Nassau County land and tax map. The applicants seek a variance of section 240-13(I)(1) of the Village code. The applicants seek to construct a set of fieldstone piers 2 feet by 3 feet in dimension connected to a 2 foot tall fieldstone wall along the perimeter of the front yard, where accessory structures are not otherwise permitted.

After discussion, the Board adjourned this case in order to allow for each member to view the property and consider the proposed structures in relation to the property itself. The applicant was asked to mark the property in such a way that the Board can make this assessment. It was noted that the application before the Board is a fairly unique application and that as such viewing the property by Board members will prove helpful.

Application of Mr. and Mrs. Adam Mesh, 24 Maple Drive, Roslyn, NY 11576, also known as

Section 6, Block 88, Lot 6 on the Nassau County Land and Tax Map for a variance of 240-(10)(l) (1) of the Village Code in order to construct a storage shed in the front yard of a corner property in an R-4 Zoning district where accessory structures must be in the rear yard and for a separate variance to allow the structure to be within 10 feet of the principal structure.

The Board previously heard from the applicant who explained that the shed would be placed in a nook behind the garage, and thus be minimally intrusive. He also explained that the backyard of the property is too small to permit the shed being placed in that yard. Finally, he represented that screening would be included.

During discussion, it appeared that if the applicant planned to include the shed as proposed a second variance would be needed to allow the shed to be less than 10 feet from the main building. Additionally, there may be the need for fireproof materials in accord with the Building Code of New York, unless a variance is obtained from that Code.

During the interim, the Village building Inspector considered the issue and has determined that there is not a requirement for the use of fireproof materials. After discussion a motion was then made and the Board approved the application for both variances. A decision will be drafted for the consideration of the Board.

Application of Mr. and Mrs. Alfred DePhillips, 78 Mason Drive, Manhasset, NY 11030, also known as Section 3, Block 18, Lot 109 on the Nassau County Land and Tax Map for a variance of section 119-1(A) of the Village Code to maintain a 4 foot fence with arbor in a front yard in an R-6 zone where such a structure is not permitted.

Because the measurements of the fence showed that at least portions of it exceed four feet, this matter was adjourned for new notices. On this hearing date there was no appearance by the applicant. Given the possibility of a miscommunication the matter was again adjourned.

Application of SCW West LLC, 1053 Northern Blvd. in Roslyn New York. The property is also known as section 6, block 85, Lot 116 and Lot 170 on the Nassau County land and tax map. The applicant seeks several variances. These are variances from sections 240 – 15 (D) (1), 240 – 15 (D) (2) (A) and 240 – 15 (D) (2) (B). In this regard the applicant is seeking to construct an enclosed egress stairway at the North side of the building, which is the rear side of the building, with height in excess of the maximum allowed. In this case, 30 feet is permitted and the applicant is proposing 39 feet, 11 ½ inches. The egress stair has insufficient side yard setback, where the minimum allowed is 20 feet, and the applicant proposes 10.09 feet from the west side. There is also a proposed front canopy and patio with insufficient front yard setback, which in this case means that the minimum allowed is 20 feet, and the applicant is proposing 14.31 feet, the property being in a C-1 zoning district.

The Board noted that the proposed changes would provide clear improvements to the property which is currently a motel that is no longer in use within the Village. The Board also noted that there is a safety aspect to the proposal made with regard to the use of the egress stair. Further the Board took into account that any application regarding signage would need to be made at a later date. After having considered the application of the Board granted the same and a written decision is to follow.

Application of Michael Cohen, 15 – 25 Port Washington Blvd., Roslyn, NY. The property is also known as Section 6, Block B5, Lots 456 and 457. The applicant is seeking several variances from sections: 240 – 15 (E)(1), section 240 – 15 (E) (1) (D) (2) (c), 240 – 15 (D) (1) (D) 240 – 15 – (c)(1), 181 – 8(C)(1) and 181 – 8(c)(6). In this regard the applicant is seeking to alter an existing commercial structure for use as a retail store. The retail store will also require a change of use with respect to the number of parking spaces. 68 spaces are proposed and 38 spaces are provided. The parking spaces are in the rear yard, with less than the required 35 foot rear setback. That includes a 5 foot buffer strip. The proposed parking spaces in the paved area are within the required 20 foot side yard setback. There is a proposed masonry pylon that is greater than 30 feet in height which is contrary to code. The applicant also proposes an outdoor display area and sales area which is otherwise prohibited without a special exception permit. Further,

there are two illuminated signs that are proposed on the west and south side of the building, where only one sign is permitted. The top of the signs exceeds 18 feet above grade and this is prohibited by the code. One non-illuminated sign is proposed on the south side of the building where signs must otherwise be facing a public street.

After discussion, the matter was continued to the May meeting of the Board. A number of concerns require further input. These include a response from the Nassau County Planning Commission. Further, the Board expressed concern about the proposed loading zone at the property and how the loading zone would operate as well as issues regarding parking and traffic. The Board also expressed concern about the lighting for the site, as well as: the dimensions of the pylons, and clarification of what will not be illuminated as well as the hours of illumination and the materials involved in the construction.

Trustee Report

Trustee Reichenbach reported that the Village will hold an Arbor Day celebration to cut the ribbon on the new traffic island at Bridge Rd. and thank the Flower Hill Women's Club for their donation. Trustee Hauser reported on the PWOEM meeting.

Mayor's Report

Mayor Phillips reported that she has reached out to PSEG to move forward with the Port Washington Blvd. traffic island beautification project. She noted that the Manhasset-Lakeville Water District will be supplying fire hydrant identification poles for the village but we will not install them until the fall. The bids for the basketball court in the park came in way over budget. Village Engineer Charles Vachris will work with the lowest bidder to get the price down.

Old Business

RESOLUTION NO. 19 – May 5, 2014 RESOLUTION PROVIDING FOR PUBLIC NOTICE AND HEARING FOR PROPOSED LOCAL LAW A - 2014

The following resolution was offered by Trustee Rosenbaum, seconded by Trustee Mills:

BE IT RESOLVED, that the Board of Trustees will hold a public hearing to enact Local Law A – 2014 providing for an amendment to Chapter 172 “Property Maintenance, Section 172-3(K) entitled “Responsibilities of property owners”, to replace the section with a regulation requiring property owners to keep fire hydrants clear of snow and ice and allow access to firefighters, Law at the Village Hall in the Incorporated Village of Flower Hill at the address of One Bonnie Heights Road, Manhasset, New York at 8:00 p.m. on Monday, June 2, 2014, and

BE IT FURTHER RESOLVED, that the Village Administrator publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least three days prior thereto.

The Board was polled as follows:

Trustee Rosenbaum	Aye
Trustee McNamara	Aye
Trustee Mills	Aye
Trustee Reichenbach	Aye
Trustee Lewandowski	Aye
Deputy Mayor Hauser	Aye
Mayor Phillips	Aye

RESOLUTION NO. 20 – May 5, 2014

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW B - 2014
PROVIDING FOR PUBLIC NOTICE AND HEARING**

The following resolution was offered by Mayor Phillips, seconded by Trustee McNamara:
BE IT RESOLVED, that Local Law "B" of the Year 2014 providing for amendment of Chapter 181 "Signs", allowing contractor advertising shall be introduced before the Board of Trustees of the Village of Flower Hill, and

BE IT FURTHER RESOLVED, that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Hall in the Incorporated Village of Flower Hill at the address of One Bonnie Heights Road, Manhasset, New York at 8:00 p.m. on Monday, June 2, 2014, and
BE IT FURTHER RESOLVED, that the Village Administrator publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least three days prior thereto.

The Board was polled as follows:

Trustee Rosenbaum	Aye
Trustee McNamara	Aye
Trustee Mills	Aye
Trustee Reichenbach	Aye
Trustee Lewandowski	Aye
Deputy Mayor Hauser	Aye
Mayor Phillips	Aye

On motion of Trustee Mills, seconded by Trustee Reichenbach, the Board approved the Katie Oppo charity race to be held on June 15, 2014 at Flower Hill Park.

On motion of Mayor Phillips, seconded by Deputy Mayor Hauser the Board went into executive session to discuss an ongoing litigation matter.

On motion of Mayor Phillips, seconded by Trustee Rosenbaum the Board adjourned the executive session and the regular meeting at 10:25 pm.

Respectfully submitted

Ronnie Shatzkamer
Village Administrator