

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Neck held on Monday, November 7, 2018 at 8:00 p.m. at Village Hall, 30 Piermont Avenue, Hewlett, New York.

1. Calling the meeting to order:

Mayor Epstein called the meeting to order at 8:00 p.m.

2. Roll call:

Present	Mayor	Ross Epstein-
	Deputy Mayor	Steve Hochberg
	Trustee	Trustee Aron Schnell
	Trustee	Brett Cooper
	Trustee	Michael Levine
	Village Attorney	Brian Stolar, Esq.
	Village Clerk	Michelle Blandino
	Treasurer	Schlomo Cohen

3. Notice of Meeting–Nassau Herald:

Clerk Blandino reported that notice of this evening's public hearing and meeting was mailed to the Nassau Herald and was posted on the bulletin board outside Village Hall and in the lobby of Village Hall.

4. Minutes –October 22, 2018 meeting minutes

On motion by Mayor Epstein seconded by Deputy Mayor Hochberg, the Board voted unanimously to dispense with the reading of the minutes of the October 22, 2018 Board as the Clerk has previously mailed such minutes to the Board and they are hereby approved.

Trustee Levine arrived.

5. Discussion of Application of Crown Castle NG East LLC, 16-16 Whitestone Expressway, Whitestone, NY for a special use permit pursuant to Village Code Chapter 192, to install a telecommunication facility in the right-of-way on an existing utility pole on the east side of Woodmere Blvd South approximately 160 feet north of Hickory Road.

The Board deferred discussion of this application until later in the meeting.

6. Continuation of Public Hearing Application of Crown Castle NG East LLC, 16-16 Whitestone Expressway, Whitestone, NY for a special use permit pursuant to Village Code Chapter 192, to install a telecommunication facility in the right-of-way proximate to the southeast corner of Smith Lane and Hewlett neck Road, at 153 Hewlett Neck Road, or in the alternative in the right-of-way on the west side of Browers Point

Branch, in front of 985 Browsers Point Branch and proximate to the northwest intersection of Browsers Point Branch and Woodmere Boulevard South.

Trustee Cooper recused himself from participating in the hearing or the application, and Trustee Cooper left the meeting room.

The applicant indicated that it has located a new site that would meet the applicant's needs and seeks to pursue an approval for that site – located in front of 134 Hewlett Neck Road – as an alternate to 153 Hewlett Neck Road or Browsers Point Branch.

On motion by Mayor Epstein seconded by Deputy Mayor Hochberg, the Board voted unanimously to continue the hearing until November 29, 2018 at 8 PM.

Trustee Cooper returned to the meeting.

The Board discussed the Crown Castle application to install a facility on an existing pole on the east side of Woodmere Boulevard South, approximately 160 feet north of Hickory Road. The Board noted that the application was referred to the Nassau County Planning Commission, and the Commission issued a local determination letter. On motion duly made by the Mayor, seconded by the Deputy Mayor, and adopted unanimously, the Board adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes that \

(a) the application for a special permit to install a telecommunications facility on an existing pole on the east side of Woodmere Boulevard South, approximately 160 feet north of Hickory Road is an Unlisted Action under the State Environmental Quality Review Act and its regulations;

(b) the Board is the lead agency with respect to environmental review of this proposed action;

(c) the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:

(i) whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

(ii) whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

(iii) whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;

(iv) whether the proposed action would conflict with the community's current plans or goals as official approved or adopted;

(v) whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

(vi) whether the proposed action would result in a major change in the use of either the quantity or type of energy;

(vii) whether the proposed action would create a hazard to human health;

(viii) whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(x) whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(xii) whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

(d) the proposed action, would not have a significant adverse environmental impact, as that impact is considered under SEQRA; and

(e) no further environmental review is required with respect to the proposed action, and it is further

RESOLVED, that the Board grants the special permit to authorize Crown Castle NG East LLC to construct a distributed antenna system facility at the premises, in the location depicted in the plans and as described in the application, on the condition that: (a) the authorization herein shall expire if Crown Castle does not obtain a building permit, or other required Building Department approval, and install the facility within one (1) year of the date of this approval, unless such time is extended by the Board; (b) Crown Castle enters into a right-of-way license agreement with the Village, in a form approved by the Village Attorney, providing for a license fee in a sum not more than authorized by law or applicable governmental rulings; and (c) the authorization herein may be revoked or modified, in accordance with the terms of the right-of-way license agreement.

7. Correspondence:

A. Email received on 8/20/18 from Tamara Edelstein who resides at 104 Harold Road, requesting to leave her car in street and to be exempt from receiving summonses due to medical conditions

The Board discussed the request, and took no action pending further review.

Tabled pending further review by the Board.

8. Proposed Local Law HN 1809- A local law to amend the Code of the Village of Hewlett Neck in relation to delineating yards on a corner lot

The Village Attorney provided a revised version of the proposed local law. The Board will review before taking further action.

9. Proposed removal of Village Code 195-20 – Lot Coverage and Volume Requirements

The Board directed the Village Attorney to draft a Local Law.

The Board discussed two proposed local laws, as follows: (a) regulating outdoor lighting and (b) modifying the Tree Preservation Law to provide for a Tree Commissioner in lieu of a Tree Commission.

On motion by Mayor Epstein, seconded by Trustee Schnell and unanimously approved, the Board voted to schedule a Public Hearing on November 29th, 2018 at 8:00 pm, for the following two proposed local laws: HN10-2018 (in relation to the regulation of outdoor lighting on private property in the Village of Hewlett Neck) and HN11-2018 (providing for a Tree Commissioner).

10. Reports:

A. Public Safety – October 2018

1. Police Activity Report

October	Arrests	0
	Crime Reports	0

B. Treasurer's Report – October 2018

Treasurer Schlomo Cohen summarized the Treasurer's Report

Cash status	October, 2018	
Bank balances	Reg., Pay., M.M.	
As of 210/1/18		\$616,665.80

Plus Receipts

Real Property Taxes	534.37
Non Property Taxes	1.04
Departmental Income	725.00
Licenses and Permits	18,025.00
State Aide	1,673.02

20,958.43

\$637,624.23

Less Disbursements

General Government Support	20,664.97
Public Safety	5,090.00
Judicial	748.20
Transportation	18,641.48
Home and Community Services	1,641.30

Employee Benefit	<u>377.23</u>	<u>43,880.58</u>
		593,743.65

Proof Bank Balances:

Capital One – Regular	9,144.65
Capital One – Payroll	3,178.76
Capital One – Money Market	<u>581,420.24</u>
	593,743.65

1. Audit of Claims

On motion by Mayor Epstein, seconded by Trustee Schnell and unanimously approved, the Village Clerk was directed to pay the general fund claims in the amount of \$55,410.63 as set forth in abstract #648.

A. Roads – Road Commissioner Ziarno– No report

11. New Business:

A. Mr. Borukhova who resides at 970 Smith Lane, Hewlett Neck appeared before the Board. He requested that the Board grant him a waiver of a requirement to obtain a variance in relation to the location of his swimming pool equipment, or in the alternative, a waiver of the Zoning Board of Appeals filing fee in connection with a forthcoming application to permit the equipment in a location not permitted by Village Code.

The Board informed Mr. Borukhova that it does not have authority to waive a requirement to obtain a variance. On motion by Mayor Epstein, seconded by Trustee Schnell and unanimously approved, the Board granted the waiver of the \$500 filing fee for a BZA hearing. Mr Borukhova will be required to do a radius mailing and file all other necessary documents along with a required \$2000 deposit for expenses incurred by the Village

12. Next Meeting: November 29, 2018 at 8:00pm

13. Adjournment:

As there was no further business the meeting was adjourned at 9:20 p.m.

Village Clerk
Michelle Blandino