

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
REGULAR MEETING
MONDAY, MAY 14, 2018

Regular Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, March 14, 2018 at 7:30 p.m. at the Village Hall, 2 Prospect Street, East Williston, New York.

There were present: Mayor David E. Tanner, Deputy Mayor, Trustee Bonnie L.S. Parente, Trustees Christopher A. Siciliano, James Iannone, Anthony Casella, Village Attorney Jeffrey L. Blinkoff, Village Clerk Marie L. Hausner..

Also present: James J. Daw, Jr., Emily Willis, Michael Guglielmo, Freeman Su, and members of Tzu Chi Foundation.

The meeting commenced with a public hearing to consider a local law amending fees required to be submitted in conjunction with various applications, and a public hearing to consider a local law imposing a temporary moratorium on the consideration or approval of certain applications made under the Zoning Code of the Village of East Williston.

A verbatim transcript of said hearing is on file in the office of the Village Clerk.

RESOLUTION #23- 2018 A RESOLUTION APPROVING LOCAL LAW #1 – 2018 TO ESTABLISH A TEMPORARY MORATORIUM ON CONSIDERATION OR APPROVAL OF APPLICATIONS FOR CONDITIONAL USE PERMIT OR THE AMENDMENT OF EXISTING CONDITIONAL USE PERMITS AS THAT TERM IS USED BY SECTION 160-40 OF THE CODE OF THE VILLAGE OF EAST WILLISTON WITH AN OPPORTUNITY TO REVIEW ITS ZONING CODE AND TO CONSIDER CHANGES TO ITS ZONING CODE, PARTICULARLY IN SECTION 160-40.

On the motion of Trustee Parente, seconded by Trustee Siciliano and with Mayor Tanner and Trustees Parente, Siciliano, Iannone and Casella all voting "aye", the Board enacted the following local law:

Village of East Williston Local Law 1 of 2018

A local law to establish a temporary moratorium on consideration or approval of applications for conditional use permit or the amendment of existing conditional use permits as that term is used by section 160-40 of the Code of the Village of East Williston (the "Code") to provide the Village of East Williston with an opportunity to review its Zoning Code and to consider changes to its Zoning Code, particularly in section 160-40.

Be it enacted by the Board of Trustees of the Village of East Williston as follows:

ARTICLE I

The Board of Trustees hereby finds as follows:

A. Open space is vital to the unique bucolic character of the Village of East Williston (the "Village") and to the health, happiness and welfare of its residents. Maintenance of this open space is therefore essential.

B. When the section of the Code pertaining to conditional uses was initially enacted in conjunction with the Village codification published in 1988, certain conditional uses were listed as being approved in the various residential districts.

C. One of the purposes of the amendment to said section in 2007 was to clarify that the conditional use designations could continue in each district so long as the characteristics of the buildings and structures upon the properties which had already received such designations remained in existence.

D. As such, section 160-40 currently requires that the Board of Trustees ("Board") consider a series of criteria when assessing whether to grant a conditional use. These considerations include:

- 1) The location of the property granted a conditional use designation, the nature and intensity of the operations and traffic involved in or conducted in connection with the conditional use designation, the size of the site, and the location of the site with respect to the type, arrangement and capacity of streets giving access to it, are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- 2) The location, nature and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the conditional use designation will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- 3) Operations in connection with any conditional use designation will not be more objectionable to nearby properties by reason of noise, fumes, vibrations, lighting or flashing lights, than would be the operations of any permitted use not requiring a conditional use permit.
- 4) Parking areas will be of adequate size for the particular use, properly located and suitably screened from any adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.
- 5) Each conditional use designation and the structures and buildings permitted shall

be of such character, intensity, size and location that in general it will be in harmony with the orderly development of the district in which the property is situated and will not be detrimental to the orderly development of the surrounding area.

- 6) Operations in connection with any conditional use designation will not be more objectionable to nearby properties by reason of noise, fumes, vibrations, lighting or flashing lights, than would be the operations of any permitted use not requiring a conditional use permit.
- 7) Parking areas will be of adequate size for the particular use, properly located and suitably screened from any adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.
- 8) Each conditional use designation and the structures and buildings permitted shall be of such character, intensity, size and location that in general it will be in harmony with the orderly development of the district in which the property is situated and will not be detrimental to the orderly development of the surrounding area.
- 9) Each conditional use sought in a residential district shall be so located on the lot involved that it shall not impair the use, enjoyment and value of adjacent residential properties.
- 10) The nature and intensity of a conditional use sought in a residential district and the traffic generated by it shall not be hazardous, incongruous or detrimental to the prevailing residential character of the neighborhood.

E. In order to maintain the goals of the Zoning Code and section 160-40, the Board deems it necessary to review these sections and make such amendments as believed necessary to maintain the atmosphere of the Village and the health, safety and welfare of its residents.

F. The foregoing circumstances warrant a review of the Zoning Code and particularly section 160-40 to determine whether they continue to meet the needs of Village residents and provide for the future, orderly growth and development of the Village; and

K. The best interests of Village residents would be furthered by a temporary moratorium on consideration and approval of applications for either conditional uses or the amendment of existing conditional uses while the Village Board of Trustees reviews the Zoning Code to determine whether it continues to meet the needs of Village residents; to prevent unnecessary irreparable destruction or damage to the character and natural resources of the Village, to preserve the existing quality of life and property values in the Village; and to secure the health, safety and general welfare of the community.

ARTICLE II

Section 1. There is hereby established a temporary moratorium on consideration or approval of applications for conditional uses or the amendment of existing conditional use grants pursuant to section 160-40 of the Code and upon construction on such properties in order to provide the Village with an opportunity to review its Zoning Code, and particularly section 160- 40 of that Code and to consider changes to its Zoning Code.

Section 2. The aforesaid temporary moratorium on consideration or approval of such applications shall commence immediately upon the effective date of this local law and, unless extended by resolution of the Board of Trustees, shall expire at the end of business on the 180th day following the effective date of this local law.

Section 3. During the aforesaid temporary moratorium and any extensions thereof, the authority granted under the Code including, but not limited to Chapter 160 with respect to the issuance of conditional uses shall be suspended and no such application shall be reviewed or granted preliminary or final approval by or on behalf of the Village Board of Trustees or by any Village department, agency or Board.

Section 4. The Board of Trustees may, by resolution, terminate the moratorium established herein prior to its expiration or, alternatively, may extend the moratorium up to three (3) periods of ninety (90) days each, as the Board of Trustees may deem necessary to complete the consideration of changes to its Zoning Code.

Section 5. Owners of real property within the Village may apply in writing to the Board of Trustees requesting exemptions from the moratorium established by this local law. After due notice and a public hearing on such an application, the Board of Trustees may grant an exemption from the moratorium established by this local law upon a determination, in its sole discretion, that the temporary moratorium herein established would cause severe and substantial hardship to the applicant, and may impose such conditions as it shall deem necessary in the circumstances.

Section 6. Pursuant to New York Municipal Home Rule Law Section 10, to the extent the within Local Law differs from any provisions of the Village Law of New York, such provisions or provisions is and are hereby temporarily amended and superseded in their application to the Village so as to toll and suspend all time periods or limits imposed therein for the duration of the moratorium established by this local law and any extensions thereof.

ARTICLE III

Section 1. If any section, provision or part of this local law shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the local law as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.

On the motion of Trustee Casella, seconded by Trustee Siciliano, and with Mayor Tanner and Trustees Parente, Siciliano, Iannone and Casella all voting "aye", the Board approved the minutes of the Annual Organizational meeting of April 2, 2018.

On the motion of Trustee Siciliano, seconded by Trustee Casella, and with Mayor Tanner and Trustees Parente, Siciliano, Iannone and Casella all voting "aye", the Board approved the minutes of the agenda meeting of April 30, 2018 with a correction.

On the motion of Trustee Siciliano, seconded by Trustee Parente, and with Mayor Tanner and Trustees Parente, Siciliano, Iannone and Casella all voting "aye", the Board approved the abstract of claims February 2018 as follows: 20170598 -20170633 .

In the absence of the East Williston Fire Department chiefs, the Trustee James Iannone reported that the department responded to a total of 11 calls during the month of April 2018: five EMS calls, six general alarms. There was also a mutual aid to a neighboring fire department.

Trustee Iannone noted that members of the department will be attending "fire school" at the Fire Service Academy in Old Bethpage during the month of May.

The Department members will be participating in the Memorial Day Ceremony on May 28th.

TRUSTEE REPORTS

DEPUTY MAYOR/TRUSTEE BONNIE PARENTE

The East Williston Senior's Group will meet on May 17, 2018 at 1pm for an afternoon of "Paint and Snack". The Little Art Shop of East Williston will provide instructions and materials to create individual works of art. Looking ahead to June, the group will hold an ice cream social to welcome summer.

On May 20th from 1-3pm, the Recreation Committee will hold a canvas painting event for seniors at the Little Art Studio at 470 Sagamore Avenue at a cost of \$20 per person.

TRUSTEE CHRISTOPHER A. SICILIANO

Trustee Siciliano stated that the Department of Public Works will conduct bi-annual fire hydrant flushing from May 14 thru May 18th.

Public Works will also be planting trees along East Williston Avenue where the newly installed sidewalks were placed last fall.

TRUSTEE JAMES IANNONE

Trustee Iannone stated he had no further report, from the fire department reported stated earlier.

TRUSTEE ANTHONY CASELLA

Trustee Casella presented the Justice Court report for March 2018. There were five parking violations, no moving violations and six Village ordinance violations totaling \$1,100.00 in total fines collected, and \$93.00 in New York State surcharges.

The Recreation Committee report advises that yoga classes continue on Monday and Wednesday mornings from 9:30 to 11am and gentle yoga classes take place on Wednesdays from 5:45 – 7:15pm. Come Play with Me classes commenced in February and take place on Wednesdays from 10:15 to 11am.

Summer tennis with Jayne Alterman commences June 25th.

Movie night will take place on Friday, May 18th from 7-8:45 with the showing of the movie "Coco".

The annual Memorial Day 5K Race will take place on Monday, May 28th at 8am.

Paint & Sip BYOB Wine Glass Painting event will take place on Friday, June 2st from 7-9pm.

Kids "Party on the Green" will take place on Friday, June 8th from 4:30 to 5:30pm.

East Williston "Night Club" tent party will take place on the Village Green on Saturday, June 9th from 7-11pm.

MAYOR DAVID E. TANNER

Mayor Tanner stated that the Village will hold its annual Memorial Day Parade and Ceremony on Monday, May 28, 2018 at 11am.

This year, Kerry Collins will receive the Mayor's Award recognizing his work helping the Village after the untimely death of Building Inspector Robert Campagna.

Emily Willis presented the Library Report. Spring entertaining with Chef Barbara Sheridan will take place on May 15th at 6:30pm. The summer reading program will kick off on June 16th with the theme "Libraries Rock". Registration will take place from 10am to 1pm.

The Library is looking for teen volunteers who need community service to work on the summer reading program.

VILLAGE CLERK MARIE HAUSNER

The following building permits were issued in April 2018: 382 Titus Way, installation of a hot tub. 105 Robbins Drive, construction of second story addition, interior alterations, partial demolition of house, raised patio, central air conditioning unit, and driveway. 46 Orchard Drive, construction of a portico. 2 Robbins Drive, partial demolition of house, major renovation, new central air conditioning unit, finishing of basement. 58 Donald Street, installation of central air conditioning unit. 23 Ogden, partial demolition of house.

The Nassau County Police Department report for March 2018: No auto accidents. Total aided cases, other than auto accidents: five. Six moving violations, no parking violations. No reports of burglary, larceny or criminal mischief.

The Nassau County Police Report for April 2018: three auto accidents, no auto injuries. One aided case, other than auto. No reports of burglary or robbery. One report of larceny other than auto, one moving violation and no parking violations.

The Village office will be closed on Monday May 28, 2018 in observance of Memorial Day.

The Mayor opened the meeting to residents.

Michael Guglielmo asked if water rates will be increasing.

Mayor Tanner stated that he has not received any information from Williston Park, but when information is received, residents will be advised.

He noted that the cost of water to resident is a "pass through" cost, as East Williston will only charge the increase to the water rate that Williston Park is increasing.

Mr. Guglielmo asked about the construction of the new water tower in Williston Park.

Mayor Tanner stated that he encourages residents to attend the Williston Park Board meetings on the issue.

James Daw stated that it was his understanding that Williston Park will be taking down the water tower and building a new one.

Mayor Tanner stated that they will be building the new tower parallel to the old one, and then take down the old tower when the new one is complete. Once they have final plans in place, Williston Park will advise East Williston when a meeting on the subject will occur.

Mr. Daw felt that East Williston should nail down information from Williston Park's engineers to ensure that they will be able to provide water to East Williston and verify the information with them. He wanted to be sure that Williston Park can provide water, not just contractually.

Mayor Tanner stated that Williston Park is contractually obligated and responsible to supply water to East Williston.

There being no further business, on the motion of Trustee Parente, seconded by Trustee Siciliano, the meeting was adjourned at 8:44 pm.