

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **May 10, 2022** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Matthew Kepke
		-	Michael Malatino
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Devlin

Excused: Trustee Scheff

1. Public Hearing – Site Plan Modification Application of 101Channel Drive LLC

Mayor Weitzner opened the public hearing, duly advertised in the April 29,2022, *Port Washington Times*, to consider the application of Nicole LaMontagne as applicant as Parvis Farahzad as owner of 101 Channel Drive, Port Washington, New 11050, and more particularly designated as Section 4, Block 123, Lots 18, 20, 23, 24 & 43 on the Land and Tax Map of Nassau County, seeking an amendment to revise a site plan for a movie studio approved by the Board of Trustees on July 13, 2021 in the following manner: revise and modify the drainage system previously approved; eliminate the pond; revise the landscape plan; and add a guard booth to the property. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those present wishing to speak, on motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the public hearing be closed. Whereupon the Mayor closed the public hearing. On motion of Trustee Malatino, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS, a public hearing was held on May 10, 2022, at 7:30 p.m. before the Board of Trustees of the Incorporated Village of Port Washington North located at 3 Pleasant Avenue, Port Washington, New York. The public had full access to the public hearing and at said public hearing anybody who wished to comment did so.

WHEREAS, Nicole LaMontagne (R & W Engineers P.C.) as applicant and Parviz Farahzad (101 Channel Drive, LLC.), as owner of 101 Channel Drive, (f/k/a/101 Winners Circle, 382 Channel Drive), Port Washington, New York 11050, and more particularly designated as Section 4, Block 123, Lot(s) 18, 20, 23, 24 & 43 on the Land and Tax Map of Nassau County submitted a proposed amendment to the site plan previously approved by the Port Washington North Village Trustees on July 13, 2021. The property is located in the Economic Development B Zone.

WHEREAS, pursuant to Chapter 137 of the Port Washington North Village Code, the applicant and owner seek to amend and revise the previous approved site plan. The proposed amendment and revisions of said site plan include revising the storm water drainage system,

revising the sanitary collection system, eliminating the existing pond, revise the landscape plan including adding supplemental landscaping on Radcliff Avenue and adding a guard booth to the property. The amended site plan drawings are on file at the Office of the Village Clerk located at 3 Pleasant Avenue, Port Washington, New York.

WHEREAS, Village Board of Trustees of the Village of Port Washington North had previously declared itself lead agency and retained Nelson & Pope & Voorhis, LLC to prepare a Long Environmental Assessment Form Parts 1, 2 and 3 and a Supplemental Report to assess the potential significant environmental impacts associated with the proposed action. A public hearing was held on said reports.

WHEREAS, the Village Board of Trustees as lead agency for the action contemplated herein, after review of the proposed action 6 NYCRR Section 617, the EAF, other relevant documents and testimony received, previously determined that the above described legislation and movie/sound studio is an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and adopts the SEQRA negative declaration and the determination that the proposed action will not result in any significant adverse impacts to the environment. The applicant and owner submitted a Short Environmental Assessment Form for the proposed revisions dated March 9, 2022.

WHEREAS, the Village Board of Trustees for the Village of Port Washington North conducted a public hearing on the proposed amended site plan pursuant to Port Washington North Village Code Chapter 137 and has reviewed all material submitted, by testimony received from, persons in support of and in opposition to the site plan application.

NOW, THEREFORE, BE IT RESOLVED that the Port Washington North Board of Trustees hereby approves the amended site plan duly filed by the applicant and owner on April 26, 2022, for the premises known as 101 Channel Drive, Port Washington, New York, Section 4, Block 123, Lot(s) 18, 20, 23, 24 & 43 and hereby grants final site plan approval as amended to the applicant and owner based upon the plans submitted and leaves any de minimis changes to said site plan to the discretion of the Superintendent of Buildings with consultation with the Village of Port Washington North Engineer and Village Board.

3. Clerk

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meetings of March 8 and 29, 2022 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

4. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the General Fund Abstract of Vouchers #245, totalling \$92,942.40, and the Trust & Agency Abstract of Vouchers #182, totalling

\$3,508.35, be waived and that it be and hereby are approved as prepared by Treasurer Bella.

B. Budget Report

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Budget Report as of April 30, 2022, showing the General Fund Balance to be \$2,919,004.60 and the Trust & Agency Fund Balance to be \$19,139.30, be and hereby are accepted as prepared by Treasurer Bella.

5. Reports

A. Public Works

The Mayor delivered the Public Works Department report for the month of April 2022.

B. Building Department

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Building Department report for the month of April 2022 be and hereby is accepted as submitted by Superintendent Barbach.

C. Emergency Management & Traffic Safety

1. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Emergency Management and Traffic Safety reports for the month of April 2022 are accepted as presented by Commissioner Kaplan.

2. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that All Traffic Solutions Inc. is hereby approved to make repairs to the speed monitoring device on the east side of northbound Shore Road at a cost not to exceed \$3,000.00; and be it further RESOLVED that a one-year maintenance subscription contract with All Traffic Solutions Inc. for the same unit is hereby approved at a cost not to exceed \$1,500.00.

D. Beautification Commission

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Beautification Commission report for the month of April 2022 is accepted as presented by Howard Roth.

E. Justice Court

The Board accepted the Justice Court report for the month of March 2022.

6. Public Comment

Upon complaint by Saneh Kapoor of 171 Soundview Drive of puddling on the sidewalk and sewer back-ups due to roots, the Board directed Superintendent of Public Works Ronald Novinski to inspect the curb tree to the left of the Kapoor driveway for removal by the Village.

7. Business

A. Nassau County's Cow Neck Road Drainage Plan – Engineer's Review

James Antonelli of West Side Engineering PC presented the Board his review of Nassau County's drainage plan for Cow Neck Road, which is designed to improve drainage in front of odd-numbered houses from 117 to 131.

B. Stormwater Drainage

1. ARPA

Mayor Weitzner spoke to the potential use of ARPA monies to fund improvements to the Village's stormwater drainage system. James Antonelli addressed the Board with respect to his Village Stormwater Study with the recommendation to clean the existing drainage system, increase inlet capacity, and attempt to address road pitch.

2. NYS MS-4 Stormwater Report

Mayor Weitzner announced that the 2021-2022 draft MS4 Annual Report for the Village of Port Washington North, prepared by H2M Architects + Engineers will be available for public review. The report will be posted on the Village's website on the Stormwater Compliance page and will be available for review at the Village Hall. The report is being made available to solicit comments from the general public on the Village's stormwater management program. The comment period for the report will be through May 26, 2022, and comments can be submitted in writing or emailed to the Village.

C. Bombay Kitchen, 35 Channel Drive: Conditional Use Permit Extension

The Board considered the application of Bombay Kitchen and Sanjiv Mody, as owner of Sara Mody Holdings, for an extension of the Conditional Use Permit granted by the Board of Trustees on September 5, 2019 for the premises at 85 Channel Drive, Port Washington, New York (designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 29 & 30). The Board determined to continue its review of the application at its meeting on June 14, 2022, after the applicant's appearance in the Village Court on May 17, 2022.

D. Stop Sign on Sandy Court at the corner of Angler Lane

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that a "Stop" sign be installed on Sandy Court at the southeast corner of its intersection with Angler Lane.

E. Emergency Alert System Notice to Residents

The Board approved the Mayor's post card notice to be mailed to Village residents to sign up for the emergency alert system.

F. Acquisition of 4 Channel Drive, Port Washington, New York

On motion of Trustee Kepke, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS the Village of Port Washington North is currently holding in escrow the sum of \$500K for the sale of the premises designated on the Nassau County Land and Tax Map as Section 4, Block 123, Lot 50 (4 Channel Drive, Port Washington, New York); and

WHEREAS, on May 5, 2022 the Village of Port Washington North purchased parcel Section 4, Block 123, Lot 50 and easement (part of Section 4, Block 28, Lot 82), and New Oasis Development LLC paid First American Title Insurance Company for the title premium, recording charges and other fees necessary for the closing; and

WHEREAS New Oasis Development LLC shall be reimbursed from a portion of the \$500K currently being held in escrow and shall receive a credit for same when the closing occurs between the VPWN and New Oasis Development LLC; now, therefore, be it

RESOLVED that the Board of Trustees of the Village of Port Washington North hereby authorizes Milber Makris Plousadis & Seiden LLP to release to New Oasis Development LLC or its representative the sum of \$13,966.63 from its escrow account.

G. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously

RESOLVED that the proposed rates of Jennifer Devlin for court reporting of \$125.00 per appearance and \$5.85 per page be and hereby are accepted.

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:00 p.m.

Palma Torrisi, Village Clerk