

**Minutes of the
General Meeting of the Board of Trustees
Village of West Hampton Dunes
West Hampton Dunes, NY
April 11, 2008**

Attendance: Mayor Veliante, Trustees, Robert Strecker, Charles Brown, George Asem, Village Clerk, Laura J. Dalessandro, Joseph Prokop, Village Attorney, Aram Terchunian, Commissioner of Wildlife Protection Chief, Don Zlatniski, about 15 residents. Absent: Trustee, Gary Trimarchi,

Open Meeting 7:15 p.m. Pledge of Allegiance – Waived, no Flag

Mayors Report

The Mayor requests a moment of silence for Suffolk County Assemblyman, and personal friend of the Mayor, Martin Haley who lost his son at 27 years old.

- Discussion of Southampton Town changing of deeds and tax notices with regards to waterfront & non-waterfront property. Some deeds are now reflecting waterfront property as non-waterfront property, however, still being assessed and taxed as waterfront property.
- Plover discussion – Resident, Lanny Lambert has had discussions with Steve Papa from the FWLS. As of April 15, 2008, FWLS is to come and trap the cats.
- Money Reimbursement to Village – The Village is finally in receipt of the \$548,609.30 that was owed to the Village for 14 years for moving the houses for the purpose of the re-nourishment project to begin.
- Mayor reminds everyone to Register to Voter; Village Election in June 17, 2008.

RESOLUTIONS:

Resolution to set the polling place and hours for Village Election;

WHEREAS the Incorporated Village of West Hampton Dunes is conducting a Village General Election on June 17, 2008, and;
RESOLVED that pursuant to Section 15-104 (3)(b)(2) of the Election Law, the polling place for the 2008 Village General Election shall be at 906 Dune Road, West Hampton Dunes, NY and the hours of voting shall be from 12:00 p.m. to 9:00 p.m.

Motion by	Trustee Strecker
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

Resolution providing there be no 2008 registration day for the Village election;

Motion by	Trustee Strecker
Seconded	Trustee Asem
All in favor	Unanimous
All opposed	None

Resolution to appoint Election Inspectors for the Village Election on June 17, 2008;

WHEREAS the Board of Trustees of the Village of West Hampton Dunes is required to adopt a resolution appointing election inspectors and alternates for the Village General Election, it is therefore hereby;

RESOLVED by the Board of Trustees of the Village of West Hampton Dunes that:

- Bonnet B. Brophy of Westhampton NY, shall serve as the Chairman inspector for the Village Election on June 17, 2008; and
- Irene Barrow of Westhampton, NY shall serve as an inspector for the Village Election on June 17, 2008; and
- Shauna Segelke, of Manorville, NY shall serve as an alternate inspector at the Village General Election; and
- Sara Segelke of Manorville, shall serve as an alternate inspector at the Village General Election.

Motion by	Trustee Brown
Seconded	Trustee Asem
All in favor	Unanimous
All opposed	None

Resolution to approve the use of a portion of the \$548,609.30 to make up a short fall in the annual budget do to the cost of litigation;

Motion by	Trustee Strecker
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

Resolution to approve the minutes from last meeting;

Motion by	Trustee Strecker
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

Resolution to approve the payment of standard and ordinary monthly bills;

Motion by	Trustee Brown
Seconded	Trustee Asem
All in favor	Unanimous
All opposed	None

- **Old Business** - none
- **New Business**

- Bob Strecker, Trustee and current Road Commissioner for the village, is resigning and village resident, Joseph Benedetto, has agreed to take over the position.

- Mayor Vegliante reads the Letter of appreciation from the Judge, Edward Joachim, who has been the Village Justice for the past 14 years. His term is up in June, 2008 and he is not running for re-election. He expresses his support for the Honorable, Richard Agins and expresses his deep appreciation to the Village and the Constables for an excellent job.

**Minutes of the
Meeting of the Coastal Erosion Hazard
Board of Review
Village of West Hampton Dunes**

- The NYSDEC has been monitoring these CEHA violations since they have been noticed. The Coastal Erosion Hazard Area is the area beginning 80 feet south of Dune Road. The Village recently received a disturbing letter from the NYSDEC with regards to remedying these violations. The Mayor reads the letter out loud.

- The applications listed have previously been presented to, and heard by, the Coastal Erosion Hazard Board of Review and the Board has now rendered its decisions. Attorney Joe Prokop reads the decisions:

- Motion to adopt resolutions for the decisions on the following CEHA Variance Applications presented to the Coastal Erosion Hazard Board of Review on February 20, 2007 and March 19, 2007.

Motion to deny the following CEHA Variance applications with regard to decks within the Coastal Erosion Hazard Area (the “CEHA”).

- **861 Dune Road, Scionti, Cantilevered Deck in CEHA**
- **695 Dune Road, Trimarchi, Cantilevered Deck in CEHA**

The New York State Department of Environmental Conservation notified the Village of West Hampton Dunes that the deck constituted a violation of the Village Coastal Erosion Hazard Law.

The applicant applied to the Board of Trustees of the Village of West Hampton Dunes as the variance board with respect to matters regarding the Coastal Erosion Hazard Law for a variance of that Law, which is Local Law 5 of 1995 in the Village of West Hampton Dunes to permit the deck in the CEHA.

The Board of Trustees conducted a hearing of the application for a variance of Local Law 5 of 1995 and accepted certain materials including but not limited to the application on behalf of the applicant.

Findings

The subject property is located in the Village of West Hampton Dunes.

A portion of the subject property is located in the Coastal Erosion Hazard Area as determined by the New York State Department of Environmental Conservation.

The applicant installed a deck in the Coastal Erosion Hazard Area without a permit.

The Board of Trustees of the Village of West Hampton Dunes is the proper involved agency for purposes of SEQRA and that application is a Type II action for purposes of SEQRA.

Determinations

The applicant failed to provide information to the Board of Trustees that would justify the relief that is demanded.

The installation of the deck in the CEHA without a permit was a violation of Local Law 5 of 1995 and there is no basis either on the information provided by the applicant or otherwise on which the Board of Trustees may grant a variance.

The installation of the deck in the CEHA creates a hazard and a threat to erosion and in contrary to the goals and intentions of Local Law 5 of 1995 in that the deck could be located in another location, is not reasonably safe from flooding and erosion, and no practical difficulties exist.

In the event that the Village granted the variance that action would have significant negative consequences for the neighbors of for the Village and its property owners, and it is therefore:

RESOLVED that the Board of Trustees of the Village of West Hampton Dunes hereby adopts lead agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the application is a Type II action for purposes of SEQRA and that no further SEQRA review is required and it is further;

RESOLVED that the Board of Trustees hereby denies the application for a variance of Local Law 5 of 1995 the Coastal Erosion Hazard Law.

Motion to deny the following CEHA Variance applications with regard to hot tubs within the Coastal Erosion Hazard Area (the "CEHA").

- **807 Dune Road, Tien, Hot Tub in CEHA**
- **815 Dune Road, Colucci, Hot Tub in CEHA**
- **817 Dune Road, Iglesias, Hot Tub in CEHA**

The applicant installed a hot tub without a permit on his/her property within the Coastal Erosion Hazard Area (the "CEHA").

The New York State Department of Environmental Conservation notified the Village of West Hampton Dunes that the hot tub constituted a violation of the Village Coastal Erosion Hazard Law.

The applicant applied to the Board of Trustees of the Village of West Hampton Dunes as the variance board with respect to matters regarding the Coastal Erosion Hazard Law for a variance of that Law, which is Local Law 5 of 1995 in the Village of West Hampton Dunes to permit the hot tub in the CEHA.

The Board of Trustees conducted a hearing of the application for a variance of Local Law 5 of 1995, and accepted certain materials including but not limited to the application on behalf of the applicant.

Findings

The subject property is located in the Village of West Hampton Dunes.

A portion of the subject property is located in the Coastal Erosion Hazard Area as determined by the New York State Department of Environmental Conservation.

The applicant installed a hot tub in the Coastal Erosion Hazard Area.

The Board of Trustees of the Village of West Hampton Dunes is the proper involved agency for purposes of SEQRA and that application is a Type II action for purposes of SEQRA.

Determinations

The applicant failed to provide information to the Board of Trustees that would justify the relief that is demanded.

The installation of the hot tub in the CEHA without a permit was a violation of Local Law 5 of 1995 and there is no basis either on the information provided by the applicant or otherwise on which the Board of Trustees may grant a variance.

The installation of the hot tub in the CEHA creates a hazard and a threat to erosion and in contrary to the goals and intentions of Local Law 5 of 1995.

In the event that the Village granted the variance that action would have significant negative consequences for the neighbors of for the Village and its property owners, and it is therefore:

RESOLVED that the Board of Trustees of the Village of West Hampton Dunes hereby adopts lead agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the application is a Type II action for purposes of SEQRA and that no further SEQRA review is required and it is further;

RESOLVED that the Board of Trustees hereby denies the application for a variance of Local Law 5 of 1995 the Coastal Erosion Hazard Law.

Motion to deny the following CEHA Variance application with regard to pools within the Coastal Erosion Hazard Area (the "CEHA").

- **719 Dune Road, Swimming Pool in CEHA**

The applicant installed swimming pool on her property without a permit within the Coastal Erosion Hazard Area (the "CEHA").

The New York State Department of Environmental Conservation notified the Village of West Hampton Dunes that the swimming pool constituted a violation of the Village Coastal Erosion Hazard Law.

The applicant applied to the Board of Trustees of the Village of West Hampton Dunes as the variance board with respect to matters regarding the Coastal Erosion Hazard Law for a variance of that Law, which is Local Law 5 of 1995 in the Village of West Hampton Dunes, to permit the swimming pool in the CEHA.

The Board of Trustees conducted a hearing of the application for a variance of Local Law 5 of 1995 and accepted certain materials including but not limited to the application on behalf of the applicant.

Findings

The subject property is located in the Village of West Hampton Dunes.

A portion of the subject property is located in the Coastal Erosion Hazard Area as determined by the New York State Department of Environmental Conservation.

The applicant installed a swimming pool in the Coastal Erosion Hazard Area.

The Board of Trustees of the Village of West Hampton Dunes is the proper involved agency for purposes of SEQRA and that application is a Type II action for purposes of SEQRA.

Determinations

The applicant failed to provide information to the Board of Trustees that would justify the relief that is demanded.

The installation of the swimming pool in the CEHA without a permit was a violation of Local Law 5 of 1995 and there is no basis either on the information provided by the applicant or otherwise on which the Board of Trustees may grant a variance.

The installation of the swimming pool in the CEHA creates a hazard and a threat to erosion and in contrary to the goals and intentions of Local Law 5 of 1995 in that the swimming pool could be located in another location, is not reasonably safe from flooding and erosion, and no practical difficulties exist.

In the event that the Village granted the variance that action would have significant negative consequences for the neighbors of for the Village and its property owners, and it is therefore:

RESOLVED that the Board of Trustees of the Village of West Hampton Dunes hereby adopts lead agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the application is a Type II action for purposes of SEQRA and that no further SEQRA review is required and it is further;

RESOLVED that the Board of Trustees hereby denies the application for a variance of Local Law 5 of 1995 the Coastal Erosion Hazard Law.

Motion by	Trustee Strecker
Seconded	Trustee Asem
All in favor	Unanimous
All opposed	None

Motion to table the following CEHA Variance Applications for further consideration pending receipt of additional materials from the NYSDEC regarding the application of Local Law No. 5 of 1995 to play gyms;

- 703 Dune Road, Unrath, Play Gym in CEHA
- 901 Dune Road, Woolfson, Play Gym in CEHA

Motion by	Trustee Asem
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

- **Executive Session**

The Mayor entertains a motion to enter into Executive Session for the purpose of discussing personnel and pending litigation;

Motion by	Trustee Strecker
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

Close of Meeting 9:35 p.m.