

VILLAGE OF WEST HAMPTON DUNES

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CONDEMNATION HEARING

DAVID GLANZ PROPERTY

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267 Carleton Avenue  
Central Islip, New York

February 23, 2018  
7:49 p.m.

P R E S E N T :

MAYOR GARY VEGLIANTE

TRUSTEE JOHN J. EFF, JR.

TRUSTEE MICHAEL CRAIG

TRUSTEE BARRY GOLDFEDER

CLAIRE VEGLIANTE - TREASURER

ANGELA CHINNICI - VILLAGE CLERK

JOSEPH PROKOP - ATTORNEY

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2 MAYOR VEGLIANTE: We'll skip the  
3 Pledge of Allegiance; we don't have a  
4 flag. Everybody think nice thoughts.

5 Okay. We're gonna open with the  
6 Condemnation Hearing on Dave Glanz's  
7 property.

8 I make a motion to adjourn that by  
9 a request of Mr. Glanz.

10 David, did you want to say  
11 anything?

12 MR. GLANZ: Well, short and sweet,  
13 I would like it to be adjourned and we  
14 can all reconvene and get some  
15 information.

16 First of all, thank you. And in  
17 addition to requesting an adjournment  
18 because this just started for us, I  
19 would ask the Board to consent that  
20 Gary and Angela send me lots of  
21 information about the existing project  
22 and what's intended and what mine looks  
23 like. I'll send you an ideal list of  
24 what I'd like to see. If the Board  
25 needs to authorize that, please do so,

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2 and then we'll see what's what.

3 At this point I don't have enough  
4 information to respond in any kind of  
5 useful way.

6 MAYOR VEGLIANTE: All right.

7 Joe, do you have anything?

8 MR. PROKOP: No.

9 MAYOR VEGLIANTE: So I ask a  
10 motion be made to adjourn the meeting  
11 until next month.

12 MR. GLANZ: I'll be away March  
13 10th through 18th.

14 MAYOR VEGLIANTE: Okay, when is  
15 the meeting scheduled?

16 CLERK CHINNICI: The 19th.

17 MR. GLANZ: The 19th is a Monday,  
18 isn't it?

19 CLERK CHINNICI: Yeah, they're  
20 usually on Mondays in the winter.

21 TRUSTEE GOLDFEDER: VID phase 2.

22 MR. GLANZ: And what's the meeting  
23 after that? Just out of curiosity.

24 CLERK CHINNICI: April 24th, I  
25 think. April 20th.

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2 MR. GLANZ: It's a little tight  
3 for me. What is your pleasure? I  
4 mean, I could use the extra time under  
5 the circumstances, but it's up to you.

6 MAYOR VEGLIANTE: One thing, we  
7 want to be able to get the project  
8 started, even the permit application,  
9 which until it is decided, we can't --  
10 where are we at? Do we have the  
11 permits on this project; do we know?

12 TRUSTEE CRAIG: The permits are  
13 ready to be filed.

14 MAYOR VEGLIANTE: Ready to be  
15 filed, but cannot be filed until the  
16 ownership or the cooperation of that  
17 property is determined.

18 TRUSTEE CRAIG: Yeah, if the  
19 property is condemned, then we file the  
20 permit the next day.

21 MR. PROKOP: One of the things I  
22 would point out, the visual project can  
23 be seen because it's gonna be the same  
24 project as the other six.

25 MAYOR VEGLIANTE: Yeah.

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2 MR. PROKOP: I think even the  
3 adjoining property.

4 MAYOR VEGLIANTE: So with half the  
5 project finished, if you want to see  
6 what it looks like, you can go down to  
7 the beach and see what it looks like on  
8 a property, that would just be  
9 visually.

10 I think that if we were to --

11 MR. GLANZ: You will have my list  
12 of requested information within a day  
13 or so, I'll put it together this  
14 weekend. It's just that it's tight  
15 timing for me.

16 MAYOR VEGLIANTE: Right.

17 What I would like to see is, if we  
18 could get you to agree to sign the  
19 permit application, that wouldn't delay  
20 anything if we go forward, you know,  
21 that would allow us to deal with the  
22 permit application and discuss the  
23 condemnation.

24 MR. GLANZ: I'm not really in a  
25 position today to say yes to anything.

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2 TRUSTEE CRAIG: Is the project new  
3 to you?

4 MR. GLANZ: The concept isn't new  
5 to me, but what you want to do on my  
6 property, I don't have any sense of  
7 dimensions, elevation, if it gets  
8 impact on the value and marketability  
9 of my property. I have one piece of  
10 paper, a survey indicating you're going  
11 to take the northerly 50 feet, that's a  
12 lot of land.

13 MAYOR VEGLIANTE: No, that's --

14 MR. PROKOP: Yeah, but a lot of  
15 it's under water; it's property that's  
16 gonna disappear in two years if we  
17 don't do the project.

18 MAYOR VEGLIANTE: It's  
19 disappearing now.

20 MR. GLANZ: Keep in mind, I did  
21 not know that you were planning  
22 anything until I got the notice nine  
23 days ago, so --

24 TRUSTEE GOLDFEDER: So you didn't  
25 know about the VID project until nine

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2 days ago.

3 MR. GLANZ: I didn't know it was  
4 gonna come onto my property until nine  
5 days ago.

6 TRUSTEE GOLDFEDER: But in  
7 concept.

8 MR. GLANZ: We were out in June  
9 and we saw the berm on Stacy's land  
10 which is adjoining us to the east,  
11 and -- but I did not know that you were  
12 going to contemplate a condemnation  
13 against us at all until nine days ago,  
14 so I hadn't heard one word about it.

15 TRUSTEE CRAIG: I would say just  
16 going back on my notes, we have been  
17 talking about this VID since 2014.

18 MR. GLANZ: But not with me,  
19 that's the problem.

20 MR. PROKOP: Actually, you and I  
21 had a pretty lengthy discussion about  
22 this project specifically, and your  
23 objection was the cost, you didn't want  
24 to get involved concerning the cost.

25 MAYOR VEGLIANTE: Why don't we

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2 focus on when we're gonna postpone this  
3 to. Why don't we --

4 TRUSTEE CRAIG: I think we would  
5 like to cooperate, and I think we would  
6 all benefit by having the cooperation,  
7 but I'm having a hard time believing  
8 that this just happened for you nine  
9 days ago. We have been hosting public  
10 meetings for four years about this  
11 project and we have been talking about  
12 easements, condemning easements for at  
13 least three years; and it's hard for me  
14 to believe that this is just coming  
15 down to a critical time for you, and I  
16 understand you're going on vacation,  
17 but for us to put this off for another  
18 month, there are five other owners here  
19 that are being impacted by your lack of  
20 either interest or effort.

21 TRUSTEE GOLDFEDER: I'm a little  
22 late, but have you been the homeowner  
23 for the last five years of this  
24 property?

25 MR. GLANZ: We have been out there



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2 since 1957, but we don't have a house  
3 so I rarely come out, and I'm just not  
4 part of the conversation on Dune Road  
5 and I don't recall seeing anything  
6 about what you're saying, literally  
7 zero.

8 When I got the letters nine days  
9 ago, I was taken aback, frankly. Taken  
10 aback primarily because nobody had  
11 picked up the phone and said to me,  
12 David, we're planning all this stuff.

13 TRUSTEE CRAIG: You haven't had a  
14 conversation with anyone in the Village  
15 that we've been contemplating a  
16 condemnation across your property?

17 MR. GLANZ: Correct.

18 And since we're talking, in fact,  
19 I've been in touch with Gary on three  
20 completely other things over the past  
21 year, we were at the cocktail party in  
22 June, politics in October, real estate  
23 taxes in December; nobody's mentioned  
24 this to me, so, you know, I'm reacting  
25 right now as fast as I can.

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2 MAYOR VEGLIANTE: Why don't we  
3 talk about what Dave's asking for,  
4 let's say --

5 TRUSTEE GOLDFEDER: Can you  
6 articulate what you're asking for?

7 MR. GLANZ: I don't know because I  
8 don't really know what the project is.

9 You must understand, I know  
10 there's a berm to my east, where it's  
11 gonna be on my property is not clear.  
12 I may have to run out there again and  
13 take another look. I understand that  
14 the bay beach is receding, I have a lot  
15 of questions that all of you already  
16 have answers to, but I don't. I don't  
17 even know what my questions are yet.

18 MAYOR VEGLIANTE: Why don't we  
19 postpone it till March, and we'll have  
20 the meeting in March. If you feel the  
21 need for another postponement, you can  
22 readdress it.

23 MR. GLANZ: I'll do my best to  
24 catch up, I certainly shall.

25 Do the best you can to provide me

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2 paperwork.

3 MAYOR VEGLIANTE: We'll give you  
4 everything you need.

5 I think when you see the project,  
6 you'll have a whole different  
7 perspective.

8 MR. GLANZ: There are two of us,  
9 it's my brother and me now, and as you  
10 can imagine, we never agree on  
11 anything.

12 MR. PROKOP: David and I,  
13 obviously we've known each other for a  
14 long time, we're friends, and I also  
15 work with him on other things, that's  
16 why we had to get another attorney for  
17 tonight, and I'll work as fast as I can  
18 to get information.

19 MAYOR VEGLIANTE: We'll get you  
20 all the information.

21 MR. GLANZ: I have an open mind in  
22 all sorts of directions.

23 MAYOR VEGLIANTE: Ultimately, I  
24 think it will add to the value of your  
25 property, I truly believe that.

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2 Otherwise --

3 TRUSTEE CRAIG: Can I ask just one  
4 more question?

5 MAYOR VEGLIANTE: Yes.

6 TRUSTEE CRAIG: So the original  
7 VID project was the sand placement of  
8 bags.

9 MR. GLANZ: Yes.

10 TRUSTEE CRAIG: Were you aware of  
11 that project?

12 MR. GLANZ: Yes, I was.

13 TRUSTEE CRAIG: And you have been  
14 paying your portion of the taxes that  
15 are associated with that project?

16 MR. GLANZ: No. Frankly, no.

17 TRUSTEE CRAIG: He's been  
18 billed -- all the residents have been  
19 billed for their portion of the  
20 original sand project.

21 MR. GLANZ: Michael, I never  
22 joined the district.

23 MAYOR VEGLIANTE: You had to,  
24 David, because the sandbags are there.

25 MR. GLANZ: No.

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2 TRUSTEE CRAIG: I think there's  
3 got to be a matter of record of a  
4 permit that was filed for that part of  
5 the project.

6 MS. VEGLIANTE: I don't think he  
7 filed.

8 TRUSTEE CRAIG: We had to file DEC  
9 permits for that project.

10 MAYOR VEGLIANTE: Not for phase 2.

11 TRUSTEE CRAIG: No. No. Phase 1,  
12 phase 1 sandbags.

13 CLERK CHINNICI: All twelve houses  
14 got the sandbags?

15 MAYOR VEGLIANTE: Yes, all twelve  
16 houses got the sandbags.

17 TRUSTEE CRAIG: Can you work to  
18 get those permits?

19 TRUSTEE GOLDFEDER: I'm confused.  
20 So there was funding and expenditures  
21 for phase 2?

22 MAYOR VEGLIANTE: Phase 1.

23 TRUSTEE CRAIG: Phase 1.

24 TRUSTEE GOLDFEDER: So there is no  
25 phase 2?

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2 TRUSTEE CRAIG: Not on his  
3 property. There is phase 1 on his  
4 property.

5 I recall there being permits filed  
6 and signed and paid for by all  
7 residents. Actually, I remember you  
8 attending a meeting.

9 MR. GLANZ: Sure. It was here,  
10 wasn't it?

11 You know what, how long was that;  
12 was it started five, six years ago?

13 TRUSTEE CRAIG: 2013.

14 MR. GLANZ: I went to a meeting, I  
15 guess that's what you're talking about  
16 as phase 1. And I like to be a nice  
17 neighbor, I wasn't opposed to it, I was  
18 a little bit dubious that it would  
19 work. I guess it hasn't worked.

20 MAYOR VEGLIANTE: We knew --

21 MR. GLANZ: I was hoping, you  
22 know, one always hopes.

23 MAYOR VEGLIANTE: We expected that  
24 it could work, but kind of realized  
25 that in order to get phase 2 in, you

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2 must have phase 1 fail.

3 MR. GLANZ: I see.

4 MAYOR VEGLIANTE: We put it in  
5 according to a spec --

6 MR. GLANZ: Just out of curiosity,  
7 phase 2 includes removing phase 1?

8 MAYOR VEGLIANTE: Well, we're  
9 putting it in place, we'll be  
10 installing stone.

11 MR. GLANZ: I don't want to take  
12 up a lot of your time. In fact, I  
13 never joined the district because my  
14 situation with an undeveloped lot is  
15 different from everybody else, it's a  
16 question of cost and benefit and I  
17 didn't want to really be tagged with  
18 what I saw would be a dramatic increase  
19 in cost. In fact, that's exactly what  
20 happened. So nevertheless, it's not  
21 necessary, what we're talking about  
22 tonight.

23 MAYOR VEGLIANTE: I think when all  
24 the facts are laid out for you, David,  
25 I think you'll be quite a bit different

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in your opinion of it.

Why don't we focus on looking at March and if Dave wants another postponement, we'll address it then.

MR. GLANZ: That's fine with me.

MAYOR VEGLIANTE: Motion to put it off until March and open to conversation by Dave or anybody else.

Do I have a motion?

TRUSTEE GOLDFEDER: Second.

MAYOR VEGLIANTE: All in favor?

TRUSTEE GOLDFEDER: Aye.

TRUSTEE CRAIG: Aye.

TRUSTEE EFF: Aye.

MAYOR VEGLIANTE: All opposed?

None.

MR. GLANZ: Thank you all.

(Time noted. 8:00 p.m.)



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C E R T I F I C A T E

STATE OF NEW YORK   )  
  ) Ss:  
COUNTY OF SUFFOLK   )

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on February 23, 2018.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of February, 2018.

\_\_\_\_\_

STEPHANIE O'KEEFFE

A	C			
<b>aback</b> 9:9,10 <b>able</b> 4:7 <b>accurate</b> 17:9 <b>action</b> 17:12 <b>add</b> 11:24 <b>addition</b> 2:17 <b>address</b> 16:5 <b>adjoining</b> 5:3 7:10 <b>adjourn</b> 2:8 3:10 <b>adjourned</b> 2:13 <b>adjournment</b> 2:17 <b>ago</b> 6:23 7:2,5,13 8:9 9:9 14:12 <b>agree</b> 5:18 11:10 <b>Allegiance</b> 2:3 <b>allow</b> 5:21 <b>Angela</b> 1:17 2:20 <b>answers</b> 10:16 <b>anybody</b> 16:9 <b>application</b> 4:8 5:19,22 <b>April</b> 3:24,25 <b>articulate</b> 10:6 <b>asking</b> 10:3,6 <b>associated</b> 12:15 <b>attending</b> 14:8 <b>attorney</b> 1:18 11:16 <b>authorize</b> 2:25 <b>Avenue</b> 1:6 <b>aware</b> 12:10 <b>Aye</b> 16:13,14,15	<b>C</b> 17:2,2 <b>Carleton</b> 1:6 <b>catch</b> 10:24 <b>Central</b> 1:7 <b>certainly</b> 10:24 <b>certify</b> 17:8,11 <b>CHINNICI</b> 1:17 3:16,19,24 13:13 <b>circumstances</b> 4:5 <b>CLAIRE</b> 1:16 <b>clear</b> 10:11 <b>CLERK</b> 1:17 3:16 3:19,24 13:13 <b>cocktail</b> 9:21 <b>come</b> 7:4 9:3 <b>coming</b> 8:14 <b>completely</b> 9:20 <b>concept</b> 6:4 7:7 <b>concerning</b> 7:24 <b>condemnation</b> 1:4 2:6 5:23 7:12 9:16 <b>condemned</b> 4:19 <b>condemning</b> 8:12 <b>confused</b> 13:19 <b>consent</b> 2:19 <b>contemplate</b> 7:12 <b>contemplating</b> 9:15 <b>conversation</b> 9:4 9:14 16:9 <b>cooperate</b> 8:5 <b>cooperation</b> 4:16 8:6 <b>Correct</b> 9:17 <b>cost</b> 7:23,24 15:16 15:19 <b>COUNTY</b> 17:4 <b>CRAIG</b> 1:13 4:12 4:18 6:2 7:15 8:4 9:13 12:3,6,10,13 12:17 13:2,8,11 13:17,23 14:2,13 16:14 <b>critical</b> 8:15 <b>curiosity</b> 3:23 15:6	<b>Dave's</b> 10:3 <b>David</b> 1:5 2:10 9:12 11:12 12:24 15:24 <b>day</b> 4:20 5:12 17:16 <b>days</b> 6:23 7:2,5,13 8:9 9:8 <b>deal</b> 5:21 <b>DEC</b> 13:8 <b>December</b> 9:23 <b>decided</b> 4:9 <b>delay</b> 5:19 <b>determined</b> 4:17 <b>different</b> 11:6 15:15,25 <b>dimensions</b> 6:7 <b>directions</b> 11:22 <b>disappear</b> 6:16 <b>disappearing</b> 6:19 <b>discuss</b> 5:22 <b>discussion</b> 7:21 <b>district</b> 12:22 15:13 <b>dramatic</b> 15:18 <b>dubious</b> 14:18 <b>Dune</b> 9:4 <b>DUNES</b> 1:2	<b>February</b> 1:8 17:10 17:16 <b>feel</b> 10:20 <b>feet</b> 6:11 <b>file</b> 4:19 13:8 <b>filed</b> 4:13,15,15 13:4,7 14:5 <b>fine</b> 16:6 <b>finished</b> 5:5 <b>First</b> 2:16 <b>five</b> 8:18,23 14:12 <b>flag</b> 2:4 <b>focus</b> 8:2 16:3 <b>forward</b> 5:20 <b>four</b> 8:10 <b>frankly</b> 9:9 12:16 <b>friends</b> 11:14 <b>funding</b> 13:20 <b>further</b> 17:11	15:20 <b>hard</b> 8:7,13 <b>heard</b> 7:14 <b>Hearing</b> 1:4 2:6 <b>hereunto</b> 17:15 <b>homeowner</b> 8:22 <b>hopes</b> 14:22 <b>hoping</b> 14:21 <b>hosting</b> 8:9 <b>house</b> 9:2 <b>houses</b> 13:13,16
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