



# NORTH HAVEN NEWS

February, 2023  
Vol. 3, Issue 2

## Letter from Mayor Chris Fiore

Good day everyone --

One third of winter is behind us and we've been treated pretty well so far.....fingers crossed -- 40's for the next few weeks!

In January, the trustees and I had an open hearing to invite input on an addition to the clearing code that would protect large, old, majestic trees from clearcutting by developers and destruction by others. The overwhelming majority of you said in the official survey 2 years back, the most important factors needing protection in our Village are our water and our natural beauty. Surely magnificent trees fall into the latter category.

Tr. Peter Boody and I wrote, and Peter presented, a code that we both felt is not at all burdensome or overreaching -- it is, in fact, quite reasonable. From the very first draft, it states there are three ways trees over a certain trunk diameter (indicating mature growth) could be removed from your property:

1. if the tree happened to be within your proposed building envelope -- the home, garage, accessory building(s), pool, tennis.
2. If the tree was obviously dead or dying, or an arborist stated in writing the tree was diseased;
3. if the tree posed a danger to your home or your neighbor's home.

There. 3 good reasons to allow you to lose the tree. But other trees would

be protected. Grand old maples, oaks and the like could not be removed and replaced with beachgrass -- **that's what the revised clearing code from March '21 allows.** We don't think that's what you wish to see. And the support from the community has been very strong. There is another public hearing this month -- Wednesday the 15th. You may participate by zoom or in person. If neither is possible, please email me your thoughts, pro or con; I will read your email at the BOT meeting. ([mayor@northhavenvillage.org](mailto:mayor@northhavenvillage.org))

I ran last year on the promise I would prevent overbearing, onerous regulations; I don't think this code revision is either. I also promised to listen to your wishes and issues. Clearly this falls into that category. I think the majority of you will be pleased with this revision, but I also know in any democracy, there will be differing points of view. But one thing I can guarantee: those grand old trees will be happy for many years to come!

In addition, committees are busy talking about:

- Accessory Living spaces (not to be confused with the Affordable Living initiative). This may allow you to use an accessory structure for living quarters for members of your family. (Trs. Skillbred and Abraham)
- A review of our parameters around the size, height, and general mass of structures, especially on smaller parcels of land. We wish (as you have requested) to preserve the character of our neighborhoods and local streets. (Myself and Tr Skillbred)
- Code Enforcement -- we will have something to say about this at the March meeting
- Lovelady Park -- I take my dog Max there almost every day and am thrilled to see so many of you walking the path Jackson Dodds recreated. We are hopefully ready to extend it to the north side of the pond, connected by a simple catwalk over the water. Very exciting! More to come!
- I have an upcoming meeting with Fred Theile and the Dept. of Transportation to discuss: litter on Ferry Rd., (SR114), speed limits, repairing our medians and roundabout, replacing signs (that have been knocked down for years), and the ok to erect digital radar speed signs. Many of you have indicated your concern for speeding cars and construction vehicles on Ferry Road; we need to address this before the summer onslaught of traffic.
- Cell service: a few of you have inquired about this subject. If you would be interested in volunteering for a committee of 3 to study possibilities, especially non tower ones, please email me.

Thanks for all your interest and support for our projects that we hope will enhance the Village and our quality of life. That's why we're here --that's what it's all about!

Chris

=====

This month's newsletter edition will recap the highlights from the January Village of North Haven Board of Trustee meeting, and the topics discussed at the January Board of Trustees Work Session. We will also preview agenda items of interest for the February Village Board Meeting.

Recordings of these meetings can be found on the Village website or by clicking [HERE](#).

Going forward, if you have any questions or if there are any other topics you would like to read about, please contact Terie Diat (Village Trustee) at [tdiat@northhavenvillage.org](mailto:tdiat@northhavenvillage.org).

### **Upcoming Board of Trustees Meeting**

The next meeting will be held on Wednesday, February 15th at 5 p.m. at Village Hall and via Zoom. All residents are welcome and encouraged to attend. The agenda for this meeting will be posted on the Village website ([northhavenny.us](http://northhavenny.us)) under Minutes and Agendas the Friday before the meeting date. The Zoom meeting link can be found on the home page of the Village website under the calendar entry for the Board of Trustee meeting.

### **Public Hearings Scheduled for February 15th at 5 p.m.**

1. Proposed amendments to CHAPTER 163 ZONING- ARTICLE I SECTION 163-5 – GENERAL PROVISIONS – DEFINITIONS AND WORD USAGE AND ARTICLE II SECTION 163-20 USE AND REGULATIONS AND REQUIREMENTS – **CLEARING LIMITATIONS**.

The proposed amendments to the Village CLEARING CODE can be viewed [HERE](#).

The most significant changes proposed can be summarized as follows:

- A permit will be required to remove noxious or invasive species on undeveloped properties.
- Prior to clearing naturally occurring vegetation on undeveloped properties, approval must be obtained from the Building Inspector or the Planning Board
- A Permit must be obtained to Remove Mature Trees
  - (1) Except for species identified as invasive by the NYS Department of Transportation, no native deciduous trees with a caliper of 16 inches or greater at a height of 4.5 feet above ground level or American holly or cedar with a caliper above 10 inches at a height of 4.5 feet above ground level may be removed without a tree removal permit issued by the Building Inspector. Tree work conducted by or for a state – regulated public utility shall be exempt.
  - (2) A permit to remove a mature tree shall be granted only if in the opinion of the building inspector or an arborist certified by the International Society of Arboriculture if:
    - (a) it is dead or dying; or if
    - (b) it poses a danger to property or the public; or if

(c) it is within the building envelope of construction plans on file with the Building Department.

- Any person guilty of violating this section of the code shall be fined \$2,500 for each tree removed; also, any building permit in effect for the property will be suspended for 90 days; in addition, each tree must be replaced with one from the North Haven Village list of recommended species with a minimum caliper of 8 inches at 4.5 feet above ground level.

## 2.A LOCAL LAW AMENDING CHAPTER 163 – ARTICLE I GENERAL PROVISIONS §163-5 DEFINITIONS AND WORD USAGE AND ENACTING ARTICLE XIII – **WETLAND/COASTAL SETBACKS AND EXCEPTIONS**

View the proposed code [HERE](#).

- It is the intent to introduce minimum setbacks for building activities, structures, and accessory structures within wetlands or coastal setbacks in order to protect and preserve environmental areas.

## 3.A LOCAL LAW AMENDING VILLAGE CODE CHAPTER 50- ARTICLE V. **BOAT STORAGE AREAS**

View the proposed amended code [HERE](#).

- The proposed change is to prohibit the storage of boats with engines on Village beaches.

## 4.A LOCAL LAW AMENDING VILLAGE CODE CHAPTER 151 – ARTICLE II **SENIOR CITIZEN TAX EXEMPTION** SECTION §151-20 INCOME LIMITS AND EXEMPTION PERCENTANGAGES

View the proposed amended code [HERE](#).

- The amendment proposes changes to annual income limits for senior citizens owning qualifying real property in the Village of North Haven, to obtain tax exemptions.

### **Village Updates:**

#### **Short Beach Road Electronic Traffic Speed Monitoring Results**

We continue to monitor incoming and outgoing traffic using our electronic speed sign on Short Beach Road. During the most recent 3-month period from 11/7/22 to 1/26/23 we observed:

- The average speed of incoming vehicles has increased to 36.43 mph from 34.95 mph since September, 2022
- Average vehicles per day were 2,646, half as many as compared to the period of July to September

- In the current period, 8.83% of vehicles were travelling >45 mph leaving the Village, which has doubled since the summer period.

As “locals” lets set the example in the off-season, and SLOW-DOWN, even when there is less traffic! Please do your part to make our Village roads safer.

As Mayor Fiore has reported, the Village is working to deploy more electronic speed signs to aid in slowing traffic on Village roads.

### **Updates from the January 18th Board of Trustee’s Meeting:**

#### **Public Hearing:**

- A public hearing was held on the proposed amendments to CHAPTER 163 ZONING- ARTICLE I SECTION 163-5 – GENERAL PROVISIONS – DEFINITIONS AND WORD USAGE AND ARTICLE II SECTION 163-20 USE AND REGULATIONS AND REQUIREMENTS – **CLEARING LIMITATIONS**.

- Mayor Fiore opened the hearing by summarizing the proposed amendment to the clearing code:
  - Trustee Boody worked on drafting the code and has done a skillful job of analyzing other Villages codes related to this topic
  - The goal is to protect mature, majestic trees
  - The code is reasonable and there are four reasons that trees, that are 16” in caliper or 10” in caliper if cedars or hollys, with the permission of the Building Inspector, can be cut down:
    - If they are in a building envelope, for a tennis court, pool or accessory structure
    - If a tree is diseased with a certificate from an arborist
    - If a tree is dead
    - If a tree is causing danger to a structure or property or a neighboring property

The code needs some tweaks, and will not be voted on tonight

- Trustee Diat made the following comments:
  - The entire Board is aligned to preserve the rural character of the Village
  - She expressed concerns that the proposed amendments to the code would be harmful to residents of North Haven who abide by the laws and would be burdensome to homeowners who live here and try to do the right thing. We need to be careful and consider the repercussions. The changes will go beyond developers, they will impact everyone in North Haven.
  - The current code amendments as written do not have any language that allows for healthy trees to be taken down for reasonable, legitimate reasons such as building projects and other non-construction projects, the Board should consider this.
  - Homeowners should make decisions regarding their properties if they are within the legal clearing limits, not the Village. We should not take away the rights of the Homeowners.
  - We can address these concerns in a smarter way and achieve a better balance by focusing on the penalties and fines in the code and enforcing

the code without making the proposed changes which will penalize the law abiding homeowners who do the right thing. The proposed changes are over-regulating and over-reaching.

- Trustee Diat implored the Board to consider a more moderate position with a process for Homeowners to be allowed to present a case for approval to remove healthy trees above the designated calipers for non-construction reasons

- Trustee Boody commented that changes would be made to the code and re-published in February for another Public Hearing.
- 7 North Haven residents spoke in favor of the proposed amendments to the clearing code at the Public Hearing.
- The Board thanked residents for their input and voted to carry over the public hearing into February for comments on further revisions to the proposed amendments.

### **Water Quality Update**

Trustee Diat provided an update from the Water Quality Committee who have confirmed the North Haven Village Water Quality Improvement Program for 2023 which will consist of 5 important components:

1. Series of Engagements with Residents to Improve Water Quality:
  - Educate residents on the importance of improving water quality through upgrading septic systems with Innovative Alternative (I/A) Systems and assist residents with obtaining grant funds to do so.
  - Educate the community on the impact of fertilization on water quality and share alternatives.
  - Collaborate with Stony Brook University and Cornell Cooperative on Project Carbon and encourage residential oyster farming in North Haven waters.
2. Improve road water runoff by upgrading Village and County/State road sites adjacent to wetlands, creeks and bays.
3. Ongoing water quality testing from May-October by Dr. Chris Gobler, Stony Brook University, of five key North Haven water bodies: Genet Creek, Polles Creek, Mashomuck Creek, Great Salt Pond and Fresh Pond.
4. Enforce Village Clearing Code for vegetated buffers.
5. Put together a plan to dredge Genet Creek, Great Salt Pond and Fresh Pond to restore the health of those key estuaries.

Stay tuned for more information as the five components start to roll-out in the spring.

### **Parks & Recreations Update – Lovelady Powell Advisory Committee Update**

Trustee Skillbred provided an update that the LLP Advisory Committee and the LLP 501c3 held a joint meeting in January. Both groups agreed that no work would take place without following the recently approved Village protocol. Work has begun to mark the proposed location for the walking path on the north side of Sebastian Pond and the potential location for a catwalk over the Pond. Within the next 2-3 weeks the groups will walk the Pond.

The joint groups had discussions regarding the upcoming demolition of

the structures on the Lovelady property which is scheduled to take place on February 9<sup>th</sup>. Until that date options can be considered for alternatives for the structures. The asbestos removal has been completed from the structures.

Max Rohn has resigned from the 501c3, but will remain a member of the LLP Advisory Committee.

### **Accessory Housing Committee Update**

Trustee Skillbred updated that the committee held their first meeting. All members are aligned on the objective – to provide living space for family members in an accessory space. The initiative will not address affordable housing, it will be for family members only, not for rentals. The initiative will need to address certain criteria such as setbacks, septic systems, etc. The committee will look at the East Hampton Village code that has recently been adopted.

### **Resolutions Approved by the Board of Trustees:**

- Pending approval from the NYSDOT, the purchase of two flashing radar signs from Elan City and related supplies for \$7,299.00. Units to be installed on Ferry Road, State Road 114.
- Approval of the election calendar for 2023. The General Village Election for North Haven will be held on June 20, 2023 at Village Hall between the hours of 12:00 noon and 9:00 p.m. To be elected are the following:

Trustee 2 year term (Trustee Diat's Seat)

Trustee 2 year term (Trustee Boody's Seat)

The first date upon which an individual may sign an Independent Nominating Petition is April 4, 2023. Independent Nominating petitions must be filed with the Village Clerk on or before May 9, 2023.

- Approval to publish for three successive weeks a notice of tax sales listing real property upon which taxes are unpaid and date of tax sale of March 15, 2023.
- Acceptance, with regret, the resignation of Glenn Ficorilli, Labor/Public Works, for retirement purposes, effective, July 15, 2023. Mr. Ficorilli has worked for the Village since July of 1984. Glenn will be greatly missed.
- Approve a public hearing to be held on February 15, 2023, 5:00 p.m., amending the Village Code Chapter 50 – Article V – Boat Storage. The Board authorizes the Clerk/Treasurer to advertise said meeting.
- Approve a public hearing to be held on February 15, 2023, 5:00 p.m., amending the Village Code Chapter 151 – Taxation section 151-20 Income limits and exemptions percentages. The Board authorizes the Clerk/Treasurer to advertise said meeting.
- Approve a public hearing to be held on February 15, 2023, 5:00 p.m., amending the Village Code Chapter 163 – Article 1 General

Provisions Section 163-5 Definitions and word usage and Enacting Article ? Section ? Wetland/Coastal Setbacks and exceptions. (Article and section to be determined). The Board authorizes the Clerk/Treasurer to advertise said meeting.

- Approval of the Harbor Master Agreement as discussed by the Village of Sag Harbor for Harbor Master Services in season from the period of April 1, 2022 to March 31, 2023 in the amount of \$12,500.

#### **Other Discussions:**

- Based on the great success of the recent coat drive for Maureen's Haven, Mayor Fiore proposed a Bike Drive for residents to donate used bikes to be restored and donated to charity. The Board was unanimously in agreement. The bike drive will be kicked-off in March. Further details will be forthcoming.
- The Board agreed to update Code Chapter 103 on littering to include private property and increase the fines. Trustee Boody will draft and circulate to the Board for review.

#### **Topics Discussed at January 24<sup>th</sup> Board of Trustees Working Session**

- Sag Harbor Harbormaster Presentation
- Updating penalties & fines in North Haven code
- Litter Code changes
- Amendments to Clearing Code
- Amending the property tax exemption for Fire/Ambulance volunteers
- Executive Session – Legal Matters

#### **North Haven Code Trivia – Did You Know....**

As per Village code, Chapter 163-36.2 that addresses Outdoor Lighting, outdoor lights must be turned off at 11:00 p.m. This excludes pathway or security lights and up to three light fixtures attached to the main dwelling commonly referred to as entrance or front porch light. You can read the code section [HERE](#).

North Haven News Editor: Terie Diat (Trustee) [tdiat@northhavenvillage.org](mailto:tdiat@northhavenvillage.org)

North Haven Village Board of Trustees:

Mayor – Chris Fiore

Deputy Mayor – Claas Abraham

Trustee – Peter Boody

Trustee – Terie Diat

Trustee – Dianne Skilbred

