

**Monthly Work Session**  
**Board of Trustees**  
**April 26, 2022 11:00am Village Hall**

**Present:** Mayor Sander, Dep. Mayor Skilbred (left meeting at 1:00PM), Tr. Diat, Tr. Fiore  
Clerk/Treasurer Tuohy  
Bill Tillotson-resident of Sagaponack.

**Absent:** Tr. Abraham

Mayor Sander opened the meeting at 11:00 am, then called for the Pledge of Allegiance.

**Lovelady Park**

Tr. Fiore presented plans for the development of the property purchased by CPF funds at 19 Sunset Beach Road. The proposed park is currently being referred to as the Lovelady Park. Tr. Fiore presented landscape plans for the proposed park. The plans were developed by the North Haven Parks and Trail Association based on comments received from various citizens and professional landscape designers, who are donating their services. A constant contact email was sent out requesting residents to comment on what they would like to be included in the park as well as what they do not want to be included. To date only a few replies were received. Including a dog park was suggested by a few of the respondents. It was decided that a dog park would most likely be too noisy for the immediate neighbors. Preserving the house on the property was also included in some of the response. As discussed in previous meetings – this will most likely not be done due to the costs. The current preliminary plan includes a series of walking paths, two bridges and the proposed revegetation. There will be areas where benches. Small tables and stools, all of which will be made from the tree debris that will be removed from the trails, will be scattered throughout the park. Proposed discovery areas of activities for small children are included as well. Only passive areas of recreation are allowed - no active areas of recreation are included in the park -i.e., no volley ball, tennis, basketball, etc. A staging area is also proposed. Parking areas were discussed. Tr. Fiore presented pictures of proposed benches. He also had what the tables and stools will look like. He presented examples of the discovery items for the smaller children. The idea of a labyrinth or a mosaic similar to the one at the entrance of Strawberry Fields in Central Park that honors John Lennon could be included in the design. It would be placed at the entrance of the park just as you enter in behind the two holly trees. Garbage cans were discussed. Currently the plans do not include garbage cans since they invite individuals to drop off their household garbage. Pollinating gardens were discussed. It is hopeful that one or two of these gardens can be installed on the grounds. They will have to be fenced in to protect the flowers from deer and dogs.

Tr. Fiore plans to present this to the public at the May 17 Board of Trustees meeting. Since we will most likely not have the equipment to do a hybrid meeting, Tr. Fiore is proposing to do a zoom meeting with those individuals who will not be able to attend the in person meeting on the 17<sup>th</sup>.

Tr. Diat stated she would like the park to be used for public events.

Fund raising was discussed. Tr. Fiore stated that naming rights will hopefully raise most of the funds. Tr. Diat asked if a more general form of fund raising will be available for those individuals who only have a set amount to donate. The Mayor suggested a fund-raising event at the park. Let the public see what they are contributing to. Tr. Fiore stated he would like to get John Sebastian or Graham Nash, both musicians have ties to the property, to attend such an event. Various suggestions were discussed.

Tr. Diat inquired about a more formal plan – proposed phases – what needs to be done first. Will the work be done based on funds collected? Will the project need to borrow funds from the general fund fund balance? Tr. Fiore stated that there will be a must do list of things that need to be done – and then there will be a list of things that will be done if funding is received.

Work will commence this weekend with volunteers cleaning up the area formally used an entrance into the Pallotine Retreat house-what was once referred to as the promenade. A constant contact will be sent out.

### **Candidate Search – Code Enforcement Officer/IMA with Town of Southampton**

Clerk/Treasurer Tuohy stated that only two calls were received to date in response to the ad placed for a part-time code enforcement officer. She stated that both candidates are from west of the Shinnecock canal. This could be problematic. She also has the name of two other potential candidates that were passed along to her. These are local individuals. The Board agreed to continue the ad for another two weeks. Hopefully more individuals will inquire.

The Board agreed that the Code Enforcement contract with the Town of Southampton should be extended for at least six months. (The portion of the contract that relates to the Town acting as prosecutor will be year-round.)

A brief discussion took place as to the number of calls that have come in during the last few months. Mayor Sander stated that whoever the code enforcement officer will be – it is important that we follow guidelines and that everything is documented and signed off by the code enforcement officer.

Tr. Fiore stated at this point that if we go forward with a code change for Dark Skies, we must grandfather residents. He is concerned that there will be lots of calls about this issue.

Tr. Diat also stated that May 1<sup>st</sup> is the deadline to stop using gas powered blowers. How/who is going to be responsible for handling these calls? A warning should be sent first. Mayor Sander stated we should tweak the form that the Town utilizes for pending violations. A process needs to be worked out for this issue. The notice of violation will go to the homeowner – they are responsible to inform their contractors as to the new rules.

### **Dark Skies**

Mayor Sander at this point went back to the issue of lighting – re dark skies - He stated that he believes that any new code would automatically grandfather residents – Tr. Fiore/Dep Mayor Skilbred stated that the proposed change would give residents one year to update their lighting. Further discussion will need to take place.

### **75 Foot Set Back**

Tr. Diat presented a first draft of a proposed code change that will address the issue of the Zoning Code wetland 75ft set back that the Planning Board, Village Environmental Consultant and Village Attorney requested to be formally included in the Village Code. Tr. Diat consulted with Billy Hajek, our environmental consultant along with Erika Gubitosi – Adm. Assistant to the various boards. The draft of the proposed code is attached. It is proposed that a 75ft setback be established for principal structures and accessory structures. Included are a few exceptions including the properties up on the Bluff in North Haven Point – this is in accordance with the bylaws of the Point's HOA, along with Docks, elevated walkways or stairways and flood and erosion protection solutions, which are addressed in separate codes.

At this point Mayor Sander inquired about pools – can he replace/repair his pool– Tr. Diat stated these are considered accessory structures. She explained what the proposed code states regarding reconstructed or structurally altered. Any applicant who cannot attain a 75 ft setback has the right to bring their case to the Zoning Board. She stated that there is a good number of properties that would be affected by this new code. Primarily Bay Haven. Approximately 18 properties were immediately identified as a potential issue if the resident wants to reconstruct or change.

At discussion took place regarding the issue of reconstructed and structurally altered.

Tr. Fiore asked at this point when he built his house – he was required to have the 75ft setback. If we are only adopting this new code now, what code was being sited at the time of his application. Was it DEC, Town, State? A question of whether Tr. Fiore was required to have a buffer, which is in the code, or was it a setback came up.

Mayor Sander asked if he stays within the existing footprint – why can't he modify it? He used the example of adding another floor to an existing cottage that is within 75 ft of the water. What environmental impact does this have? More ideas/scenarios were discussed. What is an environmental impact??? Dep Mayor Skilbred stated that the purpose of the code is to protect the environment.

Mayor Sander stated that cases would be addressed on an individual basis by the Zoning Board if variances were needed. Tr. Fiore stated his concern with this was that sometimes the Zoning Board says yes...sometimes no. The Mayor stated that the Zoning Board has a criteria (5 points) that must be met and that they are very consistent with their determinations. Tr. Diat stated that they are very objective – not subjective. Tr. Fiore just feels that the new code should have more definitive guidelines for the Zoning Board and Building Inspector to fall back on when making decisions. Input from residents that this new code will impact should be heard.

Tr. Diat at this point shifted the conversation to accessory structures – pools for example. Should we allow a resident to reconstruct a pool that is within the proposed setback. Are we obligated?

Tr. Fiore again asked about the urgency of drafting this code if there is an existing code, either at the DEC, state or town level. He stated again that when he built his house – he had to adhere to a 75ft rule...Both the Mayor and Clerk/Treasurer Tuohy stated that the Planning Board used guidelines and that is why they now want it to be supported by "CODE".

The Mayor stated that this was a good discussion and the proposed code will need more work before it is presented at a public hearing. He would like to have the input of residents who would be affected by these changes. Both Tr. Diat and Fiore stated that the Board should first finalize a draft that the Board is happy with, then present it to the residents.

### **Streamlining Permit Process**

Mayor Sander talked about how the process worked in the past when submitting plans to the Planning Board. They have modified the process regarding revegetation – now they just have to identify the area that will be revegetated and submit a formal plan later – what will be included in the plan. His concern is that this usually requires a new/updated survey in order to get approval. Currently it is taking sometime to get these new surveys/updates. He doesn't want approval to be held up because of this. Make the CO conditional until the survey and plans are submitted.

A detailed discussion took place on how these negotiations take place at the planning board. The Mayor is advocating that the agreed upon plan is detailed in full description in a resolution. That the survey that shows the agreed upon items can be submitted at a later date so that a building permit will not be held up. Tr. Diat does not think that this is a good idea. The Planning board needs to see what the plan will look like. Tr. Fiore stated that the CO can be held if the applicant does not install/plant what is agreed upon. Tr. Diat also stated that our code should not be changed for one specific situation. Our current code is pretty clear on what needs to be submitted.

More discussion will take place on this once the Mayor follows up with Billy Hajek, Bryan and Scott.

Dep Mayor Skilbred left the meeting at 1:00pm.

### **FAR-Tr Fiore**

Tr. Fiore wants to address the FAR at a future meeting. He feels that this calculation needs to be readdressed. Some of the houses that are going up on smaller properties are way to large – out of character of specific neighborhoods.

Mayor Sander feels that the FAR is working well.

Tr. Diat stated that it is a sticky topic – it is complex.

Tr. Fiore – thinks the houses should be in proportion to the size of the property.

### **ADU's**

This topic will be held over to another meeting since Dep Mayor Skilbred had to leave the meeting

### **Future Meetings**

The next meeting of the BOT is Tuesday, May 17, 2022 at 5:00pm at Village Hall. The next work session will be on Tuesday, May 24, 2022 at 10:00am. Both meetings will take place at Village Hall.

No actions or motions were taken at this meeting.

**ADJOURNMENT** - Motion by Tr. Diat, seconded by Tr. Fiore to adjourn the meeting at 1:06pm. Mayor Sander voted in favor. (Dep Mayor Skilbred left meeting at 1:00pm)

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Eileen M Tuohy  
Clerk/Treasurer