

**Village of Westhampton Beach
Board of Trustees Work Session
Wednesday, October 21, 2015 at 7:00 p.m.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARING – Special Exception Application-Build Coastal LLC

WHEREAS, by Special Exception Permit Application dated and filed on July 13, 2015, Build Coastal LLC (hereinafter, the “applicant”) requested a Special Exception Permit from the Board of Trustees to change the use of property located at 26 Old Riverhead Road, Westhampton Beach, New York, from a Propane Contractor’s office to a General Contractor’s office; and

WHEREAS, a General Contractor’s office is listed as a Special Exception use under the Village Code; and

WHEREAS, the Board of Trustees referred the application to the Village of Westhampton Beach Planning Board for its recommendation, pursuant to Village of Westhampton Beach Code section 197-77; and

WHEREAS, on September 11, 2015, the Planning Board stated that, based upon its review, it believed that the applicant could comply with the provisions set forth in the Village Code and recommended that the Board of Trustees grant the Special Exception Permit for the change of use to the applicant; and

WHEREAS, pursuant to Village Code section 197-76, following a public hearing, the Board of Trustees has the power to approve, disapprove, or approve with conditions an application for a Special Exception Permit for uses that are specifically provided for in Chapter 197; and

WHEREAS, a Public Hearing was duly noticed and held on October 21, 2015, it is hereby

RESOLVED that, the applicant’s request for a Special Exception Permit to change the use of property located at 26 Old Riverhead Road, Westhampton Beach, New York, from Propane Contractor to General Contractor is hereby approved.

Authorize Village Attorneys

RESOLVED that the Village Attorneys, Esseks, Hefter & Angel, LLP, are hereby authorized to represent the Village’s Zoning Board of Appeals in the CPLR Article 78 proceeding entitled “Edelman v. Zoning Board of Appeals of the Village of Westhampton Beach,” brought in New York State Supreme Court under Index Number 15-18139, at the hourly municipal rate schedule for special services set forth in the Village Attorneys’ retainer letter dated August 14, 2014.

Accept Proposal for Services – Glover’s Lane Park Walkways

RESOLVED, that the proposal submitted by Steven Stanley for the installation of the walkways in the Glovers Lane Park in the amount of \$6,000.00 to be taken from the Park Fund is hereby accepted.

Accept License Agreement

WHEREAS, BMB ENTERPRISES, LLC (hereinafter, “Owner”) has offered the Village of Westhampton Beach a license to use Owner’s property, located at 145 Main Street (hereinafter, “145 Main”), as a temporary public park for the residents and visitors of the Village; and

WHEREAS, the use of 145 Main as a park would require some site preparation, consisting of clearing of debris and some undesirable vegetation, spreading of topsoil, seeding and watering of new grass, the installation of a temporary fence to protect the grass seed, and the installation of benches and/or picnic tables; and

WHEREAS, the Village’s highway department has indicated that the site work can be performed by the department staff, with minimal disruption to the department, and for out-of-pocket expenses no more than \$3,000; and

WHEREAS, the owner is willing to grant an initial license for two years, subject to a written license agreement provided to the Village (hereinafter, “License Agreement”); and

WHEREAS, the License Agreement includes a provision that Owner retains a right to terminate the license upon thirty days’ notice, provided that if the agreement is terminated before September 5, 2016, Owner shall reimburse the Village up to \$3,000 for out-of-pocket expenses incurred toward site preparation; and

WHEREAS, the temporary license of 145 Main for use as a public park with benches and picnic tables constitutes a “minor temporary uses of land having negligible or no permanent impact on the environment,” and therefore is classified as a Type II action pursuant to the State Environmental Quality Review Act, 6 NYCRR 617.5(c) (15), and no further review is required;

NOW THEREFORE BE IT RESOLVED THAT

1. The Village Board of Trustees approves the use of 145 Main as a temporary public park and authorizes the Mayor to execute the License Agreement
2. The Highway Department is authorized to undertake the site preparation work for the park and to expend up to \$3,000, to be taken from the Park Fund, in furtherance of the site preparation work, for expenses such as procuring top soil, grass seed, fencing, benches, and picnic tables, or for dumpster and disposal fees.
3. In the event there is any refund of expenses due to an early termination of the License Agreement before September 5, 2016, such refund shall be returned to the Park Fund.

**Village of Westhampton Beach
Board of Trustees Work Session
Wednesday, October 21, 2015 at 7:00 p.m.**

DISCUSSION TOPICS

Summer Season Wrap-up - Beach Managers, Pontoon Paddlers

Ice Skating Rink

Asphalt Paving – Stillwaters/Short Path and Meadow Lane/Reynolds Drive

Welcome Center Cameras