

MINUTES
BOARD OF TRUSTEES
VILLAGE OF NORTH HILLS
Village Hall
One Shelter Rock Road
North Hills, New York
September 18, 2024
7:30 pm

PRESENT: Mayor Marvin Natiss
Deputy Mayor Dennis Sgambati
Trustees Elliott Arnold, Gail Cohen and Phyllis Lentini
Peter Cinquemani, Superintendent of Building Department
A.Thomas Levin, Village Attorney

Mayor Natiss called the meeting to order at 7:30 pm.

Mayor Natiss announced that the next regular meeting date for the Board of Trustees will be October 16, 2024 at 7:30 pm.

On motion by Trustee Cohen, seconded by Trustee Arnold and adopted unanimously, the Board approved the August 21, 2024 minutes for filing.

The Board held a public hearing with respect to Case 24-08bt, Application of Strathmore Vanderbilt Country Club of Manhasset, Inc., 260 Country Club Drive, Manhasset, New York 11030, for a special use permit to maintain use of the premises for a non-commercial membership club, pursuant to Village Code §§215-11(4), 215-9(C), and 215-9(D). Premises are designated as Section 3, Block 204, Lot 28A and 28B, on the Nassau County Land and Tax Map, also known as 260 Country Club Drive, Manhasset. The minutes of the hearing were transcribed stenographically and are on file in the Village office. Marco Silva, Esq. appeared for the applicant. After hearing all interested parties, the hearing was closed, and decision reserved, on motion by Deputy Mayor Sgambati, seconded by Trustee Lentini, and adopted unanimously.

In the absence of the Village Administrator, Mr. Cinquemani read the Treasurer's Report for August 2024 , which was approved unanimously on motion by Deputy Mayor Sgambati, seconded by Trustee Cohen.

On motion by Trustee Lentini, seconded by Trustee Arnold and adopted unanimously, the Board approved the budgetary transfers as requested in the September 12, 2024 memorandum from the Village Administrator.

The Board read and reviewed the Village Administrator's September 12, 2024 memorandum regarding the American Rescue Plan.

On motion by Trustee Cohen, seconded by Trustee Arnold and adopted unanimously, the Board approved payment of the claims on General Fund Warrant 09/24. A copy of the approved Warrant is attached to these minutes.

The Board discussed a proposed agreement to implement the Village's participation in the NY CLASS program, as previously authorized by the Board. On motion by Deputy Mayor Sgambati, seconded by Trustee Lentini and adopted unanimously, the Board authorized the Mayor to sign the proposed agreement on behalf of the Village.

The Board reviewed the Village Administrator's September 6, 2024 memorandum regarding unpaid Village taxes. On motion by Trustee Cohen, seconded by Deputy Mayor Sgambati and adopted unanimously, the Board authorized a letter to delinquent taxpayers regarding the unpaid tax obligations, including a \$2.00 per parcel surcharge for the expenses of such notifications.

The Board reviewed Mr. Cinquemani's September 11, 2024 request for assistance in review of certain plans for Building Code compliance. On motion by Trustee Arnold, seconded by Deputy Mayor Sgambati and adopted, the Board accepted the September 6, 2024 proposal from JHW Plan Review Services, LLC, and authorized the Mayor to accept such proposal on behalf of the Village.

Carrie O'Farrell was present on behalf of Nelson, Pope & Voorhis, together with Jason Friedman, listing agent, to make a presentation in support of the Village reinstating cluster development in the R-3 Residential District, in particular with reference to the Shelter Rock Tennis Club property. The Board discussed the presentation, and there was no indication of interest in revising the zoning regulations.

The Board reviewed the most recent report on usage of the Village shuttle service. The Board noted that the service continues to increase, and continues to be a service available and useful to all Village residents. The Board will continue to review usage.

Mr. Cinquemani gave the Board an update on the status of the recently purchased Village truck, which seems to have an ongoing transmission problem which the dealer has been unable to remedy. Mr. Cinquemani has taken steps to assert a Lemon Law claim, and will keep the Board advised as to the status of the truck.

Deputy Mayor Sgambati advised that he would be attending a fire protection program under the auspices of Nassau County.

On motion by Mayor Natiss, seconded by Trustee Cohen and adopted unanimously, the Board convened in executive session at 8:35 pm to discuss (a) legal

advice with counsel, (b) matters leading to the hiring or firing of one or more persons or entities, and (c) deliberations with respect to Case 24-08bt, with respect to which a public hearing had been held and concluded.

After discussion, on motion by Deputy Mayor Sgambati, seconded by Trustee Cohen and adopted unanimously, the Board accepted an August 27, 2024 proposal from Bond Schoeneck & King for legal services as labor and employment counsel.

Mayor Natiss and the Village Attorney discussed recent consultations with the Bond, Schoeneck & King law firm regarding termination of employment of a particular Village employee.

The Board discussed Case 24-08bt, application of Strathmore Vanderbilt Country Club of Manhasset, Inc. and expressed a consensus as to a decision, to be adopted by motion and included in the minutes of this meeting.

On motion by Deputy Mayor Sgambati, seconded by Trustee Lentini and adopted unanimously, the Board returned to public session at 9:15 pm.

Deputy Mayor Sgambati moved the following resolution, which was seconded by Trustee Cohen and adopted unanimously as the Board's decision in Case 24-08bt:

DECISION - Case 24-08BT. Application of Strathmore Vanderbilt Country Club of Manhasset, Inc., 260 Country Club Drive, Manhasset, New York 11030, for a special use permit to maintain use of the premises for a non-commercial membership club, pursuant to Village Code §§215-11(4), 215-9(C), and 215-9(D), which premises are designated as Section 3, Block 204, Lot 28A and 28-B, on the Nassau County Land and Tax Map, also known as 260 Country Club Drive, Manhasset.

WHEREAS, the Board of Trustees of the Village of North Hills has duly held a public hearing with respect to Subject: Case No. 24-08bt. Application of Strathmore Vanderbilt Country Club of Manhasset, Inc., 260 Country Club Drive, Manhasset, New York 11030,

for a special use permit to maintain use of the premises for a non-commercial membership club, pursuant to Village Code §§215-11(4), 215-9(C), and 215-9(D), which premises are designated as Section 3, Block 204, Lot 28A and 28-B, on the Nassau County Land and Tax Map, also known as 260 Country Club Drive, Manhasset, and

WHEREAS, the use of the subject premises as a non-commercial membership club lawfully commenced prior to the March 19, 1980 enactment of the Village zoning regulations currently applicable to the property, and

WHEREAS, the subject property currently is located in an R-3 Residential District, in which a non-commercial membership club is a permitted use provided that such use has been authorized pursuant to a special use permit issued by the Village Board of Trustees, and

WHEREAS, inasmuch as no special use permit had been issued by the Board of Trustees for such use as of the March 19, 1980 effective date of the current zoning regulations, nor at any time thereafter, the use of the subject property became a lawful non-conforming use as of that date, authorized to continue pursuant to the restrictions in Village Code §215-31 and 215-32, and

WHEREAS, the said non-conforming use was not registered with the Village as provided in Village Code §215-32, and is therefore not entitled to any presumption that the said use is lawful, and such status must therefore be established by the applicant in order to maintain status as a lawful non-conforming use, and

WHEREAS, the applicant now seeks to obtain a special use permit for such use at the subjects property, which special use permit, if approved, would render the property, its use, and the buildings and structure thereon located to be lawful (except as otherwise indicated in such special use permit, and

WHEREAS, the Board of Trustees has held a public hearing with respect to such application, and has considered the information provided by the applicant in the application, and at the public hearing, including any SEQRA forms, and also has considered the comments received by the Board at the public hearing,

WHEREAS, after hearing all interested persons, the Board of Trustees heretofore closed the public hearing for this application, reserved decision, and has discussed this matter,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby finds and determines as follows:

1. *The proposed action is an Unlisted Action as classified in the State Environmental Quality Review Act and its implementing regulations (collectively, SEQRA);*
2. *After due consideration of the information provided to the Board prior to, and at, the public hearing, the various factors enumerated in the Village Code for consideration of special use permit, and the facts that (a) the use of the subject property has been in existence for an extended period of time without any significant adverse environmental impacts upon neighboring properties or the community, and (b) the use of the property will remain essentially unchanged, subject to any future authorizations for addition or removal of existing facilities, the Board hereby determines that the proposed action will not have a significant adverse environmental impact;*
3. *Except as otherwise indicated herein, the applicant has established that the current use of the subject premises is a lawful non-conforming use as a non-commercial membership club;*
4. *The continued use of the subject property as a non-commercial membership club pursuant to the requested special use permit, and subject to the conditions hereinafter imposed, will bring the property into conformity with the Village Code, and such use will no longer be a non-conforming use;*
5. *Such use is consistent with, and will not adversely affect, the public health, safety and welfare and the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular;*
6. *The proposed continuation of use will not prevent the orderly and reasonable use of adjacent properties, and will be in harmony with the general purposes and intent of Village Code chapter 215;*
7. *The requested special use permit to permit the continued use of the subject property as a non-commercial membership club is approved, subject to the conditions and safeguards herein contained in order to conform to the expressed intent of Chapter 215 of the Village Code and to accomplish the following objectives:*
 - a. *all structures, equipment and material shall be readily accessible to fire and police protection*
 - b. *the use shall be in harmony with the appropriate and orderly development of the R-3 District, and not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties*

- c. *the location and size of the use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to or incongruous with the said residential or commercial district or conflict with the normal traffic of the neighborhood and that there shall be adequate access to it for purposes of fire and safety protection, including traffic control*
 - d. *the location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and building*
 - e. *the use of the property as a non-commercial membership club shall conform to the current requirements for such uses in the R-3 Residential District.*
8. *This special permit approval shall not be deemed to include approval of any building or structure located on the property which was constructed, installed, renovated or repaired, in whole or in part, after March 19, 1980 without any required permit, and/or without any required certificate of occupancy or completion. Upon being notified by the Village of the existence of any such building or structure, the applicant shall take prompt and effective steps to legalize or remove any such building or structures;*
9. *For the foregoing reasons, and upon the foregoing conditions, the special use permit application is APPROVED.*

There being no further business, on motion by Trustee Lentini, seconded by Trustee

Cohen and adopted unanimously, the meeting was adjourned at 9:20 pm.

THE ABOVE MINUTES WERE FILED IN THE VILLAGE
OFFICE OF THE VILLAGE OF NORTH HILLS AT:

TIME: 10:00 AM/PM

DATE: 10/17, 2024.

PERSON FILING: Maranne Clobaccow

(Print full name of filer)