

REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, November 6, 2006, 7:30 PM

The regular meeting of the Board of Trustees of the Incorporated Village of Farmingdale was held in Village Hall, 361 Main Street, Farmingdale, New York at 7:30 PM on Monday, November 6, 2006.

Present: Mayor George Graf (arr. 9:30 pm)
Deputy Mayor Joseph Rachiele
Trustee Thomas Langon
Trustee George H. Starkie
Trustee Patricia Christiansen
Village Administrator David Smollett
Deputy Clerk/Treasurer Elizabeth Kaye
Building Superintendent Ronald Craig
Public Works Superintendent Fred Zamparelle
Village Attorney Kevin M. Walsh, Esq.

Absent:

Deputy Mayor Rachiele announced that Mayor Graf would be late to the meeting. Deputy Mayor Rachiele opened the meeting at 7:30 pm with the pledge to the flag which was followed by a moment of silence for the troops.

It was moved by Trustee Langon, seconded by Trustee Christiansen, to approve the minutes of October 16, 25, 2006. Motion carried with all voting Aye.

It was moved by Trustee Langon, seconded by Trustee Christiansen, to approve Abstract #975, with the exception of one voucher held for further review. Motion carried with all voting Aye.

Deputy Mayor Rachiele announced the next board meeting to be held Monday, December 11, 2006 at 7:30 p.m.

It was moved by Trustee Starkie, seconded by Trustee Langon, to reserve decision on the Jewish War Veterans' request to utilize the Village Green on April 28, 29, May 12, and Labor Day Weekend, 2007. Motion carried with all voting Aye.

It was moved by Trustee Langon, seconded by Deputy Mayor Rachiele, to approve a taxi permit for Edwin J. Calvente. Motion carried with all voting Aye.

It was moved by Trustee Starkie, seconded by Trustee Christiansen, to approve the written decision for 199 Main Street Laundromat. Motion carried with all voting Aye.

Building Superintendent Craig reviewed the new building permits issued since the last meeting. It was moved by Trustee Christiansen, seconded by Trustee Langon, to approve the following building permits:

PRIESSE 11 Circle Drive DB 06-102	Rear dormer addition and two full baths

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LAMBOY 245 Conklin St. DB 06-103	Handicap ramp for chiropractic office
FOTIS 455-459 Main St. DB 06-104	Demo barn structure and install new Parking lot with landscaping and fencing
WOLLY 310 Main St. DB 06-105	Misc. interior alteration to existing retail store with plumbing and electric code upgrades
YONKE 130 Secatogue Avenue DB 06-106	Convert fire damaged 12 unit multiple Dwelling to 8 unit non-conforming multiple Dwelling with exterior face lift
LANGIS 10 Pinehurst Road DB 06-107	One story rear addition (approx. 184 s/f)
WINGS OVER FARMINGDALE, INC. 219-221 Main Street DB 06-108	Interior renovation to add seating for dining room

Motion carried with all voting Aye.

The board addressed the following requests for relief from the moratorium:

- B.F. Development. Mr. Bob Feldman spoke to the board about the proposed shopping center at the corner of Merritt Road and Hempstead Turnpike. Trustee Starkie inquired about the rear property line. Trustee Christiansen commented about the 155 required parking spaces, whereas only 138 are proposed on the plans. The board proposed that the applicant meet code for the parking requirements or agree to a fee arrangement with the village for the number of deficient parking spots. It was moved by Trustee Starkie, seconded by Trustee Langon, to grant the waiver conditioned upon meeting the aforementioned criteria. Motion carried with all voting Aye.

- Fuschetto Subdivision on Fulton Street – Anthony Addeo, Esq. informed the board that he met with Village Attorney Walsh and Building Superintendent Craig. Mr. Addeo commented that the homes would be on larger plots and agreed to the voluntary contribution toward the park fund. Village Attorney Walsh discussed the purpose of the park fee whereby a builder contributes toward a village need. It was moved by Trustee Starkie, seconded by Trustee Langon, to grant the waiver, conditioned upon the applicant's contribution to the park fund. Motion carried with all voting Aye.

- Wantagh Baptist Church – Anthony Addeo, Esq. informed the board that the existing building in Wantagh is scheduled to be sold in January, 2007 and it would be a hardship not to be able to move forward on the proposed new building in Farmingdale. The board inquired about parking, hours of operation and programs offered. Mr. Addeo indicated that his applicant would be willing to provide a Covenants and Restrictions regarding no summer camp and no parochial school. Village Attorney Walsh proposed that the board grant the waiver for Phase I of the plan which would not include any variances. It was moved by

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Trustee Langon, seconded by Trustee Starkie, to grant the waiver in accordance with Village Attorney Walsh's stipulation as stated. Motion carried with all voting Aye.

At 8:45 pm, it was moved by Trustee Langon, seconded by Trustee Christiansen, to open the public hearing for a special permit for 279 Main Street, Angel's Café. Motion carried with all voting Aye. Mr. Noel Rodgers presented the application to the board requesting relief on the parking requirement. Village Attorney Walsh discussed the section of the Code which permits municipal parking spots to be used to satisfy the parking requirement. Deputy Mayor Rachiele commented that the applicant is deficient for one parking spot so the board should waive the fee, but if at a later date the applicant requests more seating, the necessary parking spot(s) would have to be purchased. The applicant stated that the existing dark green awning would remain. Building Superintendent Craig asked the board to request a Covenants and Restrictions regulating that a second sign could not exceed 45 square feet.

At 9:05 pm, it was moved by Trustee Langon, seconded by Trustee Christiansen, to close the public hearing. Motion carried with all voting Aye.

It was moved by Trustee Starkie, seconded by Trustee Langon, to grant the special use permit conditioned upon Building Superintendent Craig's request regarding a second sign, and reserve decision other signage at this time. Motion carried with all voting Aye.

At 9:07 pm, it was moved by Trustee Langon, seconded by Trustee Christiansen, to open the public hearing on the proposed locksmith at 623 Fulton Street. Motion carried with all voting Aye.

Mr. Rory Burken presented the application to the board to utilize a single family dwelling for a locksmith shop on the first floor and an apartment on the second floor. The board asked about signage and parking. The adjoining property owner at 621 Fulton Street expressed concern about the driveway and parking. Mr. Burken stated that 90% of his business is mobile and does not take place at the shop. The board requested a revised site plan to include additional landscaping.

At 9:35 pm, it was moved by Trustee Starkie, seconded by Trustee Langon, to close the public hearing. Motion carried with all voting Aye.

It was moved by Trustee Langon, seconded by Trustee Christiansen, to grant the special use permit, subject to submission of a revised site plan showing additional landscaping, to be reviewed by the board at its November 13th work session. Motion carried with all voting Aye.

Mayor Graf discussed some of the zoning changes which the board has been considering and studying since the moratorium went into effect, including changes in the B Residential District. Mayor Graf indicated that the board needed additional time to pass legislation and thus, the moratorium needed to be extended. It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to extend the moratorium three months from December 5th, 2006. Motion carried with all voting Aye.

Mayor Graf opened the Good and Welfare portion of the meeting.

Mr. Ahern, Conklin Street, commented that the Wantagh Church would affect tax revenues. Mayor Graf indicated that the property has been off the tax roll for five years.

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Ms. Morrison, Roxbury Street, commented that residents standing in the hallway due to overcrowding in the meeting room could not hear the board during the meeting.

Ms. Morrison asked about the leaf collection schedule and inquired about the construction cones on Fulton Street. Public Works Superintendent Zamparelle indicated that the leaf schedule is the same as last year's and he would investigate the reason for the cones.

Ms. Parisi, Doud Street, commented that the New York State DOT is concerned with the turn-around by Bernard Street. Public Works Superintendent Zamparelle stated that he would call the DOT. Ms. Parisi complained about the condition of the sidewalk in front of St. Thomas Church and informed the board that the DOT had knocked down a sign. Building Superintendent Craig indicated that he would investigate the situation.

Mr. Carosella, Sherman Road, asked why the applications for relief from the moratorium were not open to public discussion. Trustee Starkie explained that the board was only approving the applicants' right to proceed forward with the process.

Mr. Carosella asked the board to explain the granting of the waiver for B.F. Development and the park fund. Village Attorney Walsh stated that the applicant would have to comply with code and discussed the legal aspects of a municipality being able to collect impact fees.

Mr. DiUrno, Fairview Road, asked about the Hofstra Law School case against the village. Village Attorney Walsh indicated that the case was not settled.

At 10:00 pm, it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to close the meeting and adjourn to Work Session and Executive Session. Motion carried with all voting Aye.

Mayor Graf