Minutes - Board Meeting – 12/10/2014

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, December 10, 2014 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT:	Mayor Scott P. Strauss Trustee Paul S. Cusato Trustee George R. Durham Trustee Dennis J. Walsh
ALSO PRESENT:	Village Attorney John M. Spellman Village Clerk Joseph R. Scalero Deputy Village Clerk Cora T. Kelly Superintendent of Public Works Thomas J. Rini Superintendent of Buildings Daniel B. Whalen
Press Observers:	*Mineola American* *Williston Times*
Sunshine Observers:	10 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:35 PM

Mayor Scott P. Strauss announced that Trustee Paul A. Pereira is not able to attend this meeting due to work obligations, but would review the taping of these Public Hearings.

A Public Hearing was held 6:35 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

> **APPLICATION OF 5T FENCERS CLUB, LTD FOR A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "ZONING", SECTION 550.16 ENTITLED "M DISTRICTS", SUBSECTION (A) FOR THE PURPOSE OF ESTABLISHING A FENCING CLUB UPON THE PROPERTY KNOWN AS 65 EAST SECOND STREET, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 437, LOTS 454, 471; and**

1 Speaker addressed the Board

Resolution No. 340-14

Resolved to approve the application of 5T Fencers Club, LTD for a special use permit upon the property known as 65 East Second Street, Mineola, NY.

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA
----------X
In the Matter of the Application of

5T FENCERS CLUB, LTD

DECISION

For a Special Use Permit pursuant to Chapter 550, Section 550-16 of the Code of the Incorporated Village of Mineola, at premises known as 65 East Second Street, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 437, Lots 454 and 471.

----------X

NAME OF APPLICANTS:	5T Fencers Club, Ltd.
SUBJECT PROPERTY:	Section 9, Block 437, Lots 454 and 471
STREET LOCATION:	65 East Second Street Mineola, New York 11501
ZONING DISTRICT:	"M" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-16 to establish a fencing club
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	December 10, 2014
APPEARANCES:	Ilse Viviana Sconzo, Co-Owner

DECISION:

5T Fencers Club, Ltd. (hereinafter, "Applicant") is before this Board pursuant to Chapter 550, Section 550.16 of the Municipal Code of the Incorporated Village of Mineola for a special use permit to establish a dance and fitness studio upon the property known as 65 East Second Street, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 437, Lots 454 and 471) (hereinafter, the "Property").

By Notice of Disapproval, dated October 20, 2014, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations. Applicant was thus required to seek relief before the Board of Trustees for a special use permit to establish a fencing club upon the Property.

A referral of the application was made to the Nassau County Planning Commission. The Nassau County Planning Commission has recommended that this Board take whatever action it deems appropriate. Based upon the evidence adduced at the public hearing, and the documentation submitted to the Board in support of the application, the Board makes the following findings of fact:

1) Applicant is seeking a special use permit to establish a fencing club upon the property known as 65 East Second Street, Mineola, New York;

2) The Property is serviced by twenty (20) off-street parking spaces;

3) The hours of operation will be 3:30 P.M. to 8:30 P.M. Monday-Friday and 10:00 A.M. to 1:00 P.M., Saturday;

4) The Club has thirty (30) members (students) and two (2) coaches;

5) Approximately 90 percent of Applicant's students are drop-off and pick-up;

6) The Applicant will not be selling, preparing or cooking food upon the Property; and

7) The proposed use, subject to the conditions imposed by this Board, will provide a desirable service and convenience to the Village.

Based upon the above findings, it is hereby determined that the proposed use, subject to the conditions stated below, is harmonious to the "M" District, will conform to the general character of the neighborhood and that the public health, morals, safety and general welfare of such neighborhood will be secured by the granting of the requested Special Use Permit. Further, it is hereby determined that the Special Use Permit will provide a desirable facility to the area and will not be incongruous to the neighborhood by reason of excessive traffic.

IT IS THEREFORE RESOLVED, that the Special Use Permit is **GRANTED** subject to the following conditions:

1) The operation of the facility shall be self-contained within the interior of the building;

2) Music, if any, shall be played at a low volume and shall not be audible outside of the building;

3) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of them shall subject the applicant or it successors to enforcement pursuant to the Village's Municipal Code, including possible revocation of this special permit;

4) The representations made by Applicant on the record in this proceeding have been deemed material to this application and have been relied upon by the Board of Trustees in its deliberations and decisions. Said representations are deemed to be part of the conditions of this special permit; and

5) Violation of a condition set forth in this decision shall be deemed a violation of the Village Zoning Law and shall subject the owner or occupant of the premises to all penalties set forth in the Zoning Law.

Dated: Mineola, New York
December 10, 2014

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes	**No**	**Abstain**
Trustee George R. Durham		
Trustee Paul S. Cusato		
Trustee Dennis J. Walsh		
Mayor Scott P. Strauss		

A Public Hearing was held 7:10 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

PROPOSED LOCAL LAW AMENDING SECTION 510-15 OF THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "PARKING DURING AND AFTER SNOWFALL; COMMERCIAL PARKING" TO SET THE PARKING RESTRICTIONS DURING AND AFTER SNOWFALL WITHIN THE INCORPORATED VILLAGE OF MINEOLA

No Speakers addressed the Board

Resolution No. 341-14

Resolved to approve the proposed Local Law amending section 510-15 of the Municipal Code of the Incorporated Village of Mineola entitled "Parking During and After Snowfall; "Commercial Parking" to set the parking restrictions during and after snowfall within the Village of Mineola

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Dennis J. Walsh

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes	**No**	**Abstain**
Trustee George R. Durham		
Trustee Paul S. Cusato		
Trustee Dennis J. Walsh		
Mayor Scott P. Strauss		

Mayor Scott P. Strauss requested a motion to close the Public Hearing at 7:15 PM.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Mayor Scott P. Strauss called the Work Session to order at 7:45 PM.

PRESENT: Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee George R. Durham
Trustee Dennis J. Walsh

ALSO PRESENT: Village Attorney John M. Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Superintendent of Public Works Thomas J. Rini

Press Observers: *Mineola American*
Williston Times

Sunshine Observers: 6 Observers

Mayor Scott P. Strauss stated that Trustee Paul A. Pereira is not able to attend this meeting due to work obligations

Resolution No. 342-14

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee George R. Durham

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Resolution No. 343-14

Resolved to authorize the use of Development Incentive Bonus Funds for the purchase of the new, 75 foot mid-mount aerial bucket truck awarded to Rescue Vehicles, Inc. on November 19, 2014, Resolution No. 320-14.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee George R. Durham

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Resolution No. 344-14

Resolved to authorize a public bid for the Emergency Generator Project for the Village Hall and Community Center:

Engineers: D & B Architects and Engineers

Funding Source: Community Development Funds and Development Incentive Bonus

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Resolution No. 345-14

Resolved to authorize July Auto Wrecking, Inc. as the authorized tow car agent for abandoned vehicles and as such waive the annual tow car license fees.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Mayor Scott R. Strauss requested a motion to close the Work Session at 7:55 PM

Motioned by Trustee George R. Durham
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Trustee Dennis J. Walsh		