

**MINUTES OF THE MEETING
PLANNING BOARD
HELD VIA ZOOM VIDEO CONFERENCING
(Due to COVID-19 Public Assembly Restrictions)
STENOGRAPHICALLY RECORDED
January 19, 2022
7:00 PM**

PRESENT:

Chris Hadjandreas, Chair
James Galtieri
Sally Ingraham
Nancy Jones

ALSO PRESENT:

Howard D. Avrutine, Village Attorney

See list at end of Minutes

Chairman Hadjandreas called the meeting to order at 7:00 p.m.

Notice of tonight's meeting was posted and provided to the Oyster Bay Guardian by the Village Clerk and posted on the Village website.

Adoption of the minutes of the meeting held on December 6, 2021, was deferred until the Planning Board's next meeting.

Tree Removal Application – P10-2021 and T48-2021 – Application of Valerie Ghitelman for approval to remove 2 trees located in the front yard setback—Premises: 375 Stillwell Lane—Section 14, Block 30, Lot 20

The public hearing then commenced on the application of Valerie Ghitelman to remove 2 trees located in the front yard setback of her property. The parcel of property under application has a street address of 375 Stillwell Lane and is also known as Section 14, Block 30, Lot 20 on the Land and Tax Map of Nassau County.

The exhibits were made part of the record and discussion ensued, including testimony by the applicant. After discussion by the Board, it was moved by Member Galtieri, seconded by Chairman Hadjandreas and unanimously carried, that the hearing be closed to further evidence and testimony.

The Board then determined that the matter be deemed Type II under SEQRA.

After further discussion by the Board, it was moved by Chairman Hadjandreas, seconded by Member Jones and unanimously carried, that the application be approved in accordance with the following resolution:

**APPLICATION P10-2021 AND T48-2021
INC. VILLAGE OF LAUREL HOLLOW - PLANNING BOARD
APPLICATION OF VALERIE GHITELMAN TO REMOVE 2 TREES
375 STILLWELL LANE – SECTION 14, BLOCK 30, LOT 20**

WHEREAS, on January 19, 2022, the Planning Board of the Village of Laurel Hollow held a public hearing relative to the application of Valerie Ghitelman to remove 2

trees located in the front yard setback of her property. The parcel of land under application has an address of 375 Stillwell Lane and is also known as Section 14, Block 30, Lot 20 on the Land and Tax Map of Nassau County; and

WHEREAS, a legal notice was published in the Oyster Bay Guardian on December 31, 2021 and said notice was appropriately posted within the Village as required by the Rules and Regulations of the Village; and

WHEREAS, affidavits of mailing to the persons listed in the files were presented by the applicant; and

WHEREAS, the Board Members considered all testimony and evidence submitted; and

WHEREAS, the Board, deemed the project to be Type II under SEQRA; and

WHEREAS, the Nassau County Planning Commission referred the matter to the Planning Board to make a decision as it deems appropriate; and

WHEREAS, all who wished to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED that the Board voted unanimously to approve the application as submitted with the following conditions:

1. The applicant will plant two replacement trees in the front yard setback of the subject premises such trees to be selected from the "tall tree list". Prior to issuance of the tree permit approved hereunder, the applicant shall deposit a cash bond of \$5,000 to ensure that the within condition requiring the two replacement trees as described above is performed to the satisfaction of the Planning Board ;
2. The applicant must obtain all other required approvals from all applicable jurisdictions; and,
3. It is understood that all rules and regulations of the Village and any other applicable jurisdiction continue to apply, all fees must be paid, and the work performed must be to the satisfaction of the Building Department and Village Engineer.

Upon a poll of the Board, the Members voted as follows:

Chairman Hadjandreas	Yes
Member Galtieri	Yes
Member Ingraham	Yes
Member Jones	Yes

Tree Removal Application – P11-2021 and T51-2021 – Application of The Laurel Group on Behalf of Erika and Daniel Krasner to remove 33 trees—32 Hilltop Drive—Section 14, Block 15, Lot 5

The public hearing then commenced on the application of The Laurel Group on behalf

of Erika and Daniel Krasner to remove 33 trees in order to accommodate a new swimming pool, patio and retaining wall project. The parcel of property under application has a street address of 32 Hilltop Drive and is also known as Section 14, Block 15, Lot 5 on the Land and Tax Map of Nassau County.

The exhibits were made part of the record and discussion ensued, including testimony by Scott Sheehan of the Laurel Group. During his testimony, Mr. Sheehan stated that the applicant sought to remove a total of 32 trees rather than 33 trees as set forth in the application submitted. After discussion by the Board, it was moved by Member Ingraham, seconded by Member Galtieri and unanimously carried, that the hearing be closed to further evidence and testimony.

The Board then determined the matter to be Type II under SEQRA.

After further discussion by the Board, it was moved by Chairman Hadjandreas, seconded by Member Jones and unanimously carried, that the application be approved in accordance with the following resolution:

APPLICATION P11-2021 AND T51-2021
INC. VILLAGE OF LAUREL HOLLOW - PLANNING BOARD
APPLICATION OF THE LAUREL GROUP ON BEHALF OF
ERIKA AND DANIEL KRASNER TO REMOVE 32 TREES
32 HILLTOP DRIVE – SECTION 14, BLOCK 15, LOT 5

WHEREAS, on January 19, 2022, the Planning Board of the Village of Laurel Hollow held a public hearing relative to the application of The Laurel Group on behalf of Erika and Daniel Krasner to remove 32 trees in connection with their swimming pool, patio and retaining wall project proposed for the premises. The parcel of land under application has an address of 32 Hilltop Drive and is also known as Section 14, Block 15, Lot 5 on the Land and Tax Map of Nassau County; and

WHEREAS, a legal notice was published in the Oyster Bay Guardian on December 31, 2021 and said notice was appropriately posted within the Village as required by the Rules and Regulations of the Village; and

WHEREAS, affidavits of mailing to the persons listed in the files were presented by the applicants; and

WHEREAS, the Board Members considered all testimony and evidence submitted; and

WHEREAS, the Board deemed the project to be Type II under SEQRA; and

WHEREAS, the Nassau County Planning Commission referred the matter to the Planning Board to make a decision as it deems appropriate; and

WHEREAS, all who wished to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED that the Board voted unanimously to approve the application as submitted with the following conditions:

1. Submission of a revised landscape plan to the satisfaction of the Planning Board which depicts 20 replacement trees as well as additional landscape screening;
2. No Certificate of Occupancy/Completion shall be issued with respect to the applicants' proposed improvements on the property until the applicant files with the Village certification by the applicants' landscape professional that all tree removal and installation of trees, shrubs and plantings have been installed on the property in strict accordance with the revised landscape plan to be submitted by the applicant to the satisfaction of the Planning Board;
3. The applicant must obtain all other required permits and approvals from all applicable jurisdictions; and,
4. It is understood that all rules and regulations of the Village and any other applicable jurisdiction continue to apply, all fees must be paid, and the work performed must be to the satisfaction of the Building Department and Village Engineer.

Upon a poll of the Board, the Members voted as follows:

Chairman Hadjandreas	Yes
Member Galtieri	Yes
Member Ingraham	Yes
Member Jones	Yes

Slope Disturbance Application – P12-2021 – Application of James M. Murphy on Behalf of Glenn Bernstein to install an elevated tram—12 North Road—Section 26, Block A, Lot 1272

Application to Modify Prior Planning Board Approval – P13-2021 - Application of James M. Murphy on Behalf of Glenn Bernstein to modify the prior Decision of the Planning Board dated January 15, 2004—12 North Road—Section 26, Block A, Lot 1272

The public hearing then commenced on the application of James M. Murphy on behalf of Glenn Bernstein to install an elevated tram which will disturb steep slopes, very steep slopes and severely steep slopes. The applicant also seeks to modify various conditions set forth in the Resolution of the Planning Board in connection with "Final Approval RDC Homes LLC" dated January 15, 2004. The parcel of property under application has a street address of 12 North Road and is also known as Section 26, Block A, Lot 1272 on the Land and Tax Map of Nassau County.

The exhibits were made part of the record and discussion ensued, including testimony by James M. Murphy, Esq., Glenn Bernstein, Molly Bernstein and several other representatives of the applicant. After discussion by the Board and testimony by an interested resident, it was moved by Chairman Hadjandreas, seconded by Member Galtieri and unanimously carried, that the hearing be closed to further evidence and testimony.

It was moved by Member Jones, seconded by Member Ingraham and unanimously carried, that the Planning Board declare itself lead agency under SEQRA.

It was moved by Chairman Hadjandreas, seconded by Member Ingraham and unanimously carried, that the Board declare the matter to be unlisted under SEQRA.

It was moved by Member Galtieri, seconded by Chairman Hadjandreas and unanimously carried, that the Board enact a negative declaration under SEQRA determining that the proposed action will not have significant environmental impacts.

On motion by Chairman Hadjandreas, seconded by Member Galtieri and unanimously carried, the Board approved the application as submitted in accordance with the following resolution:

APPLICATION P12-2021 AND T13-2021
INC. VILLAGE OF LAUREL HOLLOW - PLANNING BOARD
APPLICATION OF JAMES M. MURPHY ON BEHALF OF
GLENN BERNSTEIN TO DISTURB STEEP SLOPES, VERY STEEP SLOPES AND
SEVERELY STEEP SLOPES AND TO MODIFY A PRIOR DECISION
OF THE PLANNING BOARD
12 NORTH ROAD – SECTION 26, BLOCK A, LOT 1272

WHEREAS, on January 19, 2022, the Planning Board of the Village of Laurel Hollow held a public hearing relative to the application of James M. Murphy on behalf of Glenn Bernstein to disturb steep, very steep, and severely steep slopes in connection with construction of a proposed elevated tram. The applicants also sought to modify the Planning Board final approval in the case of RDC Homes LLC dated January 15, 2004. The parcel of land under application has an address of 12 North Road and is also known as Section 26, Block A, Lot 1272 on the Land and Tax Map of Nassau County; and

WHEREAS, a legal notice was published in the Oyster Bay Guardian on December 31, 2021 and said notice was appropriately posted within the Village as required by the Rules and Regulations of the Village; and

WHEREAS, affidavits of mailing to the persons listed in the files were presented by the applicants; and

WHEREAS, the Board Members considered all testimony and evidence submitted; and

WHEREAS, the Board, as lead agency, declared the matter to be unlisted under SEQRA and issued a negative declaration in connection therewith; and

WHEREAS, the Nassau County Planning Commission referred the matter to the Planning Board to make a decision as it deems appropriate; and

WHEREAS, all who wished to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED that the Board voted unanimously to approve the application as submitted with the following conditions:

1. The applicant shall submit a landscape plan to the satisfaction of the Planning Board depicting all trees and shrubs to be planted on site;
2. The approval issued herein will have a duration of 5 years. At the end of said 5 year period, the applicant and/or property owner must reapply for the relief granted herein. In connection with such application for renewal, the applicant and/or owner must demonstrate compliance with all conditions set forth herein.
3. The elevated tram approved herein shall be maintained in good operating condition at all times and in strict accordance with manufacturer's specifications;
4. If at any time the elevated tram approved hereunder is abandoned or is no longer used, it shall be removed from the premises;
5. There shall be strict compliance with the landscape plan approved by the Board at all times;
6. There shall be strict compliance with the plans submitted and approved in connection with construction of the elevated tram;
7. The elevated tram shall be serviced by an authorized representative of the manufacturer twice per year—once in the Spring and once in the Fall. Further, all service records shall be filed with the Village Clerk demonstrating compliance with this condition and maintained in the Village's property file with respect to this premises;
8. The applicant shall issue to the Village a Certificate of Insurance naming the Village of Laurel Hollow as an additional insured under his home owner's policy in connection with construction, maintenance and use of the elevated tram approved hereunder.
9. The applicant shall also execute an Agreement whereby the applicant will hold the Village harmless from any suits, claims and/or liabilities in connection with construction, maintenance and use of the elevated tram approved hereunder. Such Agreement shall be to the satisfaction of the Village Attorney;
10. The elevated tram approved hereunder shall have a lock and/or keypad system to prevent unauthorized use;
11. No Certificate of Occupancy/Completion shall be issued with respect to the applicant's proposed elevated tram on the property until the applicant files with the Village certification by the applicant's landscape professional that all trees, shrubs and plantings have been installed on the property in strict accordance with the landscape plan to be submitted by the applicant to the satisfaction of the Planning Board;

12. The track system shall be power coated in a green or brown tone so as to blend in with the surrounding landscape;
13. The applicant must obtain all other required permits and approvals from all applicable jurisdictions including, but not limited to the Village Board of Zoning Appeals and New York State Department of Environmental Conservation (if required); and,
14. It is understood that all rules and regulations of the Village and any other applicable jurisdiction continue to apply, all fees must be paid, and the work performed must be to the satisfaction of the Building Department and Village Engineer.

Upon a poll of the Board, the Members voted as follows:

Chairman Hadjandreas	Yes
Member Galtieri	Yes
Member Ingraham	Yes
Member Jones	Yes

The Board then discussed various administrative matters.

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.

Chris Hadjandreas

Chris Hadjandreas, Chair

Valerie Ghitelman	375 Stillwell Lane, Laurel Hollow, NY
Erika and Daniel Krasner	32 Hilltop Drive, Laurel Hollow, NY
Scott Sheehan—The Laurel Group (on behalf of Krasner)	31 Prospect Street, Huntington, NY
James M. Murphy, Esq. (on behalf of Bernstein)	1045 Oyster Bay Road, East Norwich, NY
Glenn and Molly Bernstein	12 North Road, Laurel Hollow, NY
Michael Rant, Northcoast Civil Land Surveying (on behalf of Glenn Bernstein)	23 Spring Street, Oyster Bay, NY
Don Gatehouse (on behalf of Glenn Bernstein)	140 Prospect Avenue, Hackensack, NJ
Joseph Piscitelli (Harrison Design, on behalf of Glenn Bernstein)	114 East 44 th Street, New York, NY
John Moutopoulos	4 Hemlock Court, Laurel Hollow, NY

