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INCORPORATED VILLAGE OF LAUREL HOLLOW  
BOARD OF TRUSTEES  
PUBLIC HEARING  
February 8, 2017  
7:30 p.m.

VILLAGE HALL  
1492 Laurel Hollow Road  
Syosset, New York 11791-9603

PRESENT: DANIEL DeVITA, Mayor  
KEVIN JUSKO, Trustee  
JEFFREY NEMSHIN, Trustee  
MARTIN NOVICK, Trustee  
RICHARD NICKLAS, Trustee  
NICHOLAS TSAFOS, Trustee

ALSO PRESENT:  
  
HOWARD AVRUTINE, Village Attorney  
KAREN A. NAVIN, Clerk/Treasurer

INTRODUCTORY LOCAL LAW B-2017

RONALD KOENIG  
OFFICIAL COURT REPORTER

## Proceedings

1 MR. AVRUTINE: This is the public hearing held  
2 before the Board of Trustees of the Incorporated Village  
3 of Laurel Hollow on Introductory Local Law B of 2017  
4 regarding modifications to the definition of swimming  
5 pools contained within the Village's Zoning Code.

6 The exhibits in connection with this public  
7 hearing are as follows:

8 First, an excerpt from the minutes of the  
9 January 11, 2017 meeting of the Board of Trustees  
10 setting this evening for the public hearing.

11 The next exhibit is a legal notice of public  
12 hearing prepared by the Village Clerk.

13 The next exhibit is an affidavit from Richner  
14 Communications, Incorporated, the publisher of the  
15 Oyster Bay Guardian, stating that the legal notice was  
16 published in the Oyster Bay Guardian on January 20,  
17 2017.

18 The next exhibit is an affidavit from Nicholas  
19 Porcaro that the legal notice was posted at the Village  
20 Hall on January 20, 2017.

21 The next exhibit is an e-mail from the Village  
22 Clerk to the Mayor and Board of Trustees sent on  
23 January 19, 2017.

24 The next exhibit is an affidavit from the  
25 Village Clerk stating that the notice of public hearing

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1 and local law were mailed to other interested parties on  
2 January 20, 2017.

3 The next exhibit consists of documents that  
4 confirm that the Notice of Public Hearing was published  
5 to the village of Laurel Hollow website and sent to  
6 website NEWS subscribers on January 20, 2017.

7 The next exhibit is a January 30, 2017 letter  
8 from the Nassau County Planning Commission advising that  
9 the Planning Commission has reviewed the proposed local  
10 law and the Commission refers the matter to the Village  
11 Board to take action as it deems appropriate.

12 The final exhibit is a copy of the proposed  
13 local law e-mailed to the Board of Trustees.

14 This local law concerns the definition of  
15 swimming pools contained within the Zoning Chapter of  
16 the village Ordinance. Essentially what it does is,  
17 there's a provision that speaks of the top of a swimming  
18 pool shall not extend more than 2 feet above the level  
19 of the surrounding grade level. This was resulting in  
20 what are known as infinity or negative edge pools to  
21 always require a variance relief in order to be  
22 approved. So at the suggestion of our Building  
23 Superintendent McNerney, there be a modification to the  
24 Code Section which essentially would allow construction  
25 of infinity or negative edge pools as of right without

## Proceedings

1 the need for any variance relief despite the fact that  
2 portions of the pool may indeed extend more than 2 feet  
3 above the level of the surrounding grade. So, the  
4 language is being inserted. The old Section  
5 145-20.F.(1)(d) is being repealed, and a new Section  
6 145-20.F.(1)(d) is enacted to include that reference to  
7 the infinity, negative edge, zero edge, disappearing  
8 edge, or vanishing edge pools.

9 MAYOR DEVITA: We talked about this  
10 extensively, and it just seems like the right thing to  
11 do.

12 TRUSTEE NOVICK: There will be more and more  
13 of them coming, people building them.

14 MAYOR DEVITA: Any discussion? Any questions?

15 THE CLERK: A motion to close?

16 Trustee Tsafos. Seconded by Trustee Novick.

17 All in favor?

18 TRUSTEE JUSKO: Aye.

19 TRUSTEE NICKLAS: Aye.

20 TRUSTEE NEMSHIN: Aye.

21 TRUSTEE TSAFOS: Aye.

22 TRUSTEE NOVICK: Aye.

23 MAYOR DEVITA: Aye.

24 MR. AVRUTINE: A motion for the Board to  
25 declare itself lead agency under the New York State

## Proceedings

1 Environmental Quality Review Act?

2 THE CLERK: Trustee Jusko. Seconded by  
3 Trustee Nicklas.

4 All in favor?

5 TRUSTEE JUSKO: Aye.

6 TRUSTEE NICKLAS: Aye.

7 TRUSTEE NEMSHIN: Aye.

8 TRUSTEE TSAFOS: Aye.

9 TRUSTEE NOVICK: Aye.

10 MAYOR DeVITA: Aye.

11 MR. AVRUTINE: The next is resolution to  
12 declare the matter unlisted under New York State  
13 Environmental Quality Review Act.

14 THE CLERK: Mayor DeVita. Seconded by Trustee  
15 Novick.

16 All in favor?

17 TRUSTEE JUSKO: Aye.

18 TRUSTEE NICKLAS: Aye.

19 TRUSTEE NEMSHIN: Aye.

20 TRUSTEE TSAFOS: Aye.

21 TRUSTEE NOVICK: Aye.

22 MAYOR DeVITA: Aye.

23 MR. AVRUTINE: And the next motion would be to  
24 declare a negative declaration under SEQRA stating that  
25 the adoption of the local law will not result in any

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significant environmental impacts.

THE CLERK: Trustee Jusko. Seconded by Trustee Nicklas.

All in favor?

TRUSTEE JUSKO: Aye.

TRUSTEE NICKLAS: Aye.

TRUSTEE NEMSHIN: Aye.

TRUSTEE TSAFOS: Aye.

TRUSTEE NOVICK: Aye.

MAYOR DeVITA: Aye.

THE CLERK: The next one would be to adopt Local Law B of 2017 as Local Law 2-2017.

Trustee Jusko. Seconded by Trustee Novick.

All in favor?

TRUSTEE JUSKO: Aye.

TRUSTEE NICKLAS: Aye.

TRUSTEE NEMSHIN: Aye.

TRUSTEE TSAFOS: Aye.

TRUSTEE NOVICK: Aye.

MAYOR DeVITA: Aye.

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CERTIFIED THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT OF THE ORIGINAL STENOGRAPHIC MINUTES IN THIS CASE.

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RONALD H. KOENIG  
Senior Court Reporter