

VILLAGE OF OLD FIELD
BOARD OF TRUSTEE MONTHLY MEETING MINUTES
Tuesday, Sept. 8, 2020 at 7:00 P.M.

Mayor Michael Levine-Safety

Deputy Mayor Stephen Shybunko-Fire, Special Projects,

Trustee Jeffrey Owen-Parks, Bldg. & Street Trees, Commissioner of P/T Code Enforcement

Trustee Bruce Feller-Environmental Council

Trustee Thomas Pirro-Street and Road Repairs

Village Clerk Adrienne Kessel

Village Treasurer Andrea Podolsky

Building Insp. Joseph Arico

Pledge to the Flag

Mayor Levine led the Pledge to the Flag and opened the meeting at 7:10 PM.

Mayor Levine commented on the recent passing of Don Pius, a former Trustee and a member of the ZBA, and asked for a moment of silence in his honor.

Public Comment

There were no public comments.

Building

- On a motion by Mayor Levine, seconded by Trustee Pirro, the Board approved David Paul, 153 Old Field Road, Permit # 2020-0019, for a ten foot wide Belgian block driveway apron, 5-0.
- On a motion by Mayor Levine, seconded by Trustee Pirro, the Board approved National Grid, for gas service to 16 Old Field Woods Rd, Permit #2020-0020, to open a 4' x 4' mac bell hole on the W/S, approximately 650' N of Evans Lane, 5-0.
- The Board approved Douglas & Kelly Mason, 81 Old Field Road, Permit #2020-0021, for a 10' x 14' gardening shed, contingent on the requirements to close out permit #2015-0043 for the carriage house are finalized and recorded at Village Hall. 5-0.

Minutes

- On a motion by Trustee Shybunko, seconded by Trustee Pirro, the Board approved the minutes of July 14, 2020 (transcribed by court reporter) 4-0. Trustee Owen recused, as he was not at the July meeting.

Treasurer

- On a motion by Trustee Pirro, seconded by Trustee Feller, the Board approved the warrants and Treasurer's report for July, 2020, 5-0.

Code Report From Chief Frank Croce

Overview of Constabulary Activity for August 2020

530 House watches completed in August

23 Field reports generated (20-082 thru 20-104)

5 Code violation investigation reports

1 Suspicious Vehicle report

3 Disturbance reports

5 Tree storm damage reports

5 Aided person reports

1 Fire investigation report

1 Water rescue report

1 Information report

1 Trespass report

New Business

- Increase the approved \$5000 for forming the Lighthouse Foundation (approved Jan. 2018) by \$1695. Village Attorney Anthony Guardino reviewed the charges, and will reimburse the Village for costs above the original \$5000.
- Proposed Local Law 02-2020, prohibiting short term rentals
A LOCAL LAW AMENDING CHAPTER 121 OF THE CODE OF THE VILLAGE OF OLD FIELD TO PROHIBIT SHORT-TERM AND PARTIAL RENTALS OF RESIDENCES

BE IT HEREBY ENACTED, by the Board of Trustees of the Village of Old Field, as follows:

Section 1. Amendments.

Chapter 121 (Zoning), Article II (Permitted and Prohibited Uses) of the Village Code is hereby amended as follows:

§ 121-8 Prohibited uses.

Without being construed to permit by implication any use not heretofore set forth as a permitted use, the following uses are specifically prohibited:

- A. Commercial cutting of native trees and sawing of timber for commercial purposes; the excavation of gravel, soil, sand and other mineral deposit; and the stripping of sod or topsoil for commercial purposes.
- B. Commercial raising of mushrooms.
- C. Commercial recreation, including polo field, riding club, golf course and similar activities conducted as a business or available to the public for a fee.
- D. Farms for the disposal of garbage; hog ranches; pig and livestock feeding farms; small animal and fur farms.
- E. Laboratory or experimental station, except as an incidental use on the same premises as a college to which such use is accessory, and provided that there in no danger of explosion or radiation therefrom.
- F. Use, storage or parking of automobile trailers designed to be used for human habitation, mobile homes and campers, commercial trucks or trailers on any part of any lot, except that storage or parking thereof shall be permitted in a private garage or behind a screening enclosure approved by the Board of Trustees and located in the rear yard.
- G. Storage or parking of any boats in excess of 14 feet on any part of any lot, except inside a private garage or other accessory building or screening enclosure; storage of boats of less than 14 feet within the front yard of any lot.
- H. No structure, building, dwelling or part thereof shall be altered or constructed in such manner as to contain more than one kitchen. As used in this subsection, the word "kitchen" shall mean any space or floor area used or equipped in such a manner that food is or may be cooked or prepared.
- I. Wind energy conversion systems, either as a principal or accessory use and regardless of whether connected to a public utility or private.

- J. Parking or storage of a motor vehicle or trailer within 60 feet of the front lot line of a property unless said motor vehicle or trailer is parked or stored on an approved driveway or is actively being used in connection with deliveries, repairs, construction or the performing of service to or on the property on which it is parked.
- K. No single-family dwelling or dwelling unit in the Village may be leased or rented for any purpose for a term of less than six consecutive months each time. Notwithstanding the foregoing sentence, a property owner may apply to the Board of Trustees for permission to rent or lease a single-family dwelling or dwelling unit for less than six months. The owner must demonstrate to the Trustees that strict application of this subsection would cause them severe financial hardship that is not self-created. The Board of Trustees shall have sole discretion in determining whether the owner has met their burden. The listing of a single-family dwelling, dwelling unit, or any portion thereof, on a website or digital platform that is used to advertise short-term rental offerings, such as Airbnb, VRBO, or HomeAway, shall create a rebuttable presumption that the dwelling or unit is being operated or used in violation of this section.
- L. The lease or rent of less than an entire single-family dwelling or dwelling unit shall be a violation of this chapter, regardless of the duration of the term. For purposes of clarity, it is the intent of this subsection to prohibit hotels, boarding houses, bed-and-breakfasts, and similar uses wherein one or more rooms within a single-family dwelling or dwelling unit are leased or rented individually for a period of days, weeks, or longer. The listing of a single-family dwelling, dwelling unit, or any portion thereof, on a website or digital platform that is used to advertise short-term rental offerings, such as Airbnb, VRBO, or HomeAway, shall create a rebuttable presumption that the dwelling or unit is being operated or used in violation of this section.

Section 2. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof declared by said court to be invalid.

Section 3. Effective Date.

This local law shall take effect immediately upon filing with the Office of the New York Secretary of State.

The Mayor discussed the local law, with input from Village Attorney Guardino. Comments were made by Christine D'Alessandro and Ilia Rochlin on the Air B&B now operating in the Village.

A public hearing will be set for October 13, 2020.

New Business continued:

- Removal of storm debris from Old Field Road. The Board approved a second reminder to residents, with a Sept. 30 deadline for removal; thereafter, a summons may be issued.
- Hold: Adopt new NYS Disposal Schedule LSG-1, for the proper disposal of government records, by resolution
- On a motion by Mayor Levine, seconded by Trustee Shybunko, the Board approved the architectural services proposal from JD8 Design, Inc., 17 Hillside Road, Stony Brook, John Cunniffe, principal, for the restoration of the Lighthouse for \$35,000, additional billing @ \$145 per hour, first payment for professional services of \$4500, approved 5-0.

Old Business

- The Board discussed the revetment repair, Trustee Feller spoke with two different companies, R & N Engineering, and GEI, for proposals.

- Guard rail options at end of Old Field Road-Trustee Feller also spoke with R & N Engineering for the damaged guard rail at end of Old Field Road for estimates and options.
- On a motion by Trustee Pirro, seconded by Trustee Feller, the Board approved Opal Construction, for \$4900,5-0. The second proposal was Roadwork Ahead, \$21,000, which included additional work.
- Cell Tower, on hold; update on Committee on Cell Service, Jeff Schnee, Mark Eghrari
- Order new Code car

Trustee Reports

Mayor Michael Levine-Safety

Deputy Mayor Stephen Shybunko-Fire, Special Projects,

Trustee Jeffrey Owen-Parks, Bldg. & Street Trees, Commissioner of P/T Code Enforcement

Trustee Bruce Feller-Environmental Council:

SCPD Sgt. Steve DeMao met with Trustee Feller to discuss issues of speeding and recent vehicle break-ins. Sgt. DeMao also road with Code Officer Mike Dominguez through the Village, identified problem areas, and will step up SCPD patrols. He also received a key to the Lighthouse Park gate in the event of after-hours events.

Trustee Thomas Pirro-Street and Road Repairs

Trustee Pirro discussed the road work proposals from Opal Construction and Roadwork Ahead.

Additional Public Comment

There were no public comments.

On a motion by Trustee Pirro, seconded by Trustee Owen, the meeting was adjourned at 8:10 PM.

Calendar: Village Elections Tues., Sept. 15, 2020, noon to 9:00 PM at the Lighthouse

Next work session is Oct. 8, 2020 at 6:00 PM, BOT meeting Oct. 13, 2020, 7:00 PM.

**Respectfully submitted,
Adrienne Kessel**