

**INC. VILLAGE OF MANORHAVEN  
PLANNING BOARD HEARING  
November 6, 2019 at 7 p.m. - MINUTES**

**CALL TO ORDER:** 7:01 p.m.

**PLEDGE OF ALLEGIANCE:** Zygmunt Jagiello

**ATTENDANCE:**

*Mario DeSantis - excused, Dan Garcia, Dominick Masiello, Mike Masiello, Zygmunt Jagiello, Chair, Sharon Abramski – Village Clerk - excused; Ken Gray – PB Attorney; Raul Cotilla – Village Engineer Alex Kovacevic – Acting Planning Board Secretary.*

**APPLICATIONS BEFORE THE BOARD:**

**PB 9-2019 – 22 Sagamore Hill, Port Washington,** NY 11050, S-4, B-39, L1 through 10 and 56 through 58 in an E1 Zone. Application of Secatoag 20-26, LLC, owner of the premise, is seeking a site-plan review for construction of a mixed-use building consisting of sixteen (16) residential apartments and one (1) commercial space.

**BOARD AND APPLICANT COMMENTS:**

*-Zygmunt Jagiello:* Discussed how board reviewed as much information as possible despite receiving reports a few days prior to meeting and noted that all the documentation submitted had not been reviewed. Also discussed the current conditions of the neighborhood in and surrounding 22 Sagamore Hill Drive.

*-Howard Avrutine Esq.,* representing the applicant, discussed history of property and recent Board of Zoning Appeals variance(s) approval.

**EXECUTIVE SESSION:**

*Daniel Garcia* moved to enter Executive Session to seek legal counsel at 7:13 p.m., Seconded by *Michael Masiello*; unanimously carried.

*Zygmunt Jagiello* moved to close Executive Session 7:32 p.m., Seconded by *Dominick Masiello*; unanimously carried. No action taken in Executive Session.

**BOARD AND APPLICANT COMMENTS CONTINUED:**

*-Mike Rant* of North Coast Civil Engineering representing the applicant, provided description of property, noted that the Port Washington Fire Department had no objections to the proposed plan and mentioned that the applicant is awaiting a letter from the Port Washington Water District regarding water availability status for the proposed project. Mr. Rant also discussed grading, drainage, structural elements, curb cuts, catch basins, and soil remediation relevant to Village Engineer's comments.

*-Zygmunt Jagiello* questioned how the applicant planned on addressing environmental concerns such as; soil remediation, ground water monitoring, sewer line conditions and sizing of pipes at connection, and setback terminology used in structural drawings. Also asked if construction noise would exceed standards. Also requested to applicant that information be submitted two weeks prior to the next meeting date. In addition, Chairman Jagiello requested information about the staffing and experience of Long Island Analytical Labs and if the applicant could provide any record of their work on projects of a similar scope. In reference to the MulRyan traffic study, Chairman Jagiello noted that traffic intensity was based on hypothetical conditions and requested that traffic information should be based from existing conditions. Also mentioned that the traffic study failed to report or acknowledge that the exit from Manhasset Isle on Manhasset Avenue is in an elevated flood hazard zone. Further, Chairman Jagiello noted inconsistencies between the building's area in reference to the Alignment and Grading Plan

drawings and requested that it be corrected. Also requested to amend paragraph C.4(b) and replace PWPD with Nassau Police Department.

-Howard Avrutine discussed current and past soil conditions of property as identified by contractors H2M, Long Island Analytical and prior Phase I & II reports conducted by Athenica Environmental in 2011. Mentioned that as per environmental reports, the proposed project was suitable for residential development and showed levels of contamination below the Department of Environmental Conservation standards. Noted that the applicant was committed to complying with the Board and Village Engineer's requests to ensure safety. Also noted that parking variances granted were based on square footage calculations.

-Raul Cotilla Village Engineer recommended that a soil vapor barrier be installed as well as a Sub-Slab Depressurization System. Also recommended a Soil Management Plan to protect neighboring properties. Additionally, recommended that additional groundwater samples be collected. Further noted that there was limited time to review the information submitted prior to meeting.

-David Mammina Architect representing the applicant presented a rendering of the proposed project, diagrammatic sections, identified locations of trash room, electrical room, apartment/unit locations, and addressed column locations in relation to Village Engineer comments. Also discussed routing dynamics pertaining to PSEG lines.

-Michael Masiello requested that any amended drawings submitted in the future be accompanied with attachment letters and/or callouts on the drawings that reflect any changes made. Also questioned the significance of a 45-degree mark out through a structural drawing presented by the Architect and asked if the Port Washington Fire Department acknowledged proposed plan. Also mentioned that the Planning Board cannot change Village Code or can change past decisions. Further questioned applicant if proposed project had only one or multiple electricity supply sources.

-Dominick Masiello questioned parking and traffic dynamics if commercial unit is used for a luncheonette or related service.

-David Wasserman Consultant representing the applicant, addressed questions raised by board regarding potential traffic impact and water runoff.

### **PUBLIC COMMENT:**

-Ken Kraft resident, discussed the results of recent and past environmental reports, noted that many inconsistencies were found. Also mentioned that he opposed recent Board of Trustees resolution which gave the Planning Board authority to determine application for site plan review. Also noted that past environmental reports of property were longer and more detailed in length compared to recent reports produced by H2M Engineers. Also complimented the applicant on a completed project on 25 Matinecock Ave which was built with no variances. Mr. Kraft also requested that the Board review the Environmental Assessment submitted by applicant.

-Carolyn Dubois resident of 8 Dunes Lane expressed concern regarding potential flood issues in Manhasset Isle. Suggested that proposed project could use stilts or somehow elevate the building. Also mentioned that Manhasset Isle was subject to flooding in reference to Climate Change, hurricane storm surges and recent Army Corp meeting information.

-Nick Marra resident of 12 Dunes Lane mentioned that Board of Trustee members should not be able to influence Planning Board members and noted that he spoke at every meeting regarding 22 Sagamore Hill and only remembers a few residents publicly speaking against the project. Further noted that no Village Officials had any influence over other Officials regarding a recent resolution passed. Also questioned documents and exhibits submitted to the Board by resident Ken Kraft.

-Howard Avrutine noted that although the Planning Board is important, its powers are limited as the Board of Zoning Appeals were the Lead Agency on this project. Also noted that prior variances via Board of Zoning Appeals were granted and that the decision was legally binding.

-Ken Kraft acknowledged the Board of Zoning Appeal's Negative Declaration but feels that declaration was based on H2M letters.

-Peter Dejana the applicant noted that he has addressed many residents' concerns as well as remedying concerns of his own free will. Discussed summary provided by Long Island Analytical and noted that he

was willing to comply with whatever measures necessary to monitor proposed groundwater wells. Applicant also mentioned that he couldn't recall Manhasset Isle ever flooding. Also agreed with prior comments from resident Nick Marra.

-Jean-Marie Posner Director of Properties representing the applicant, emphasized importance of the Board of Zoning Appeals granting variances and that previously discussed environmental reports were being incorrectly referenced. Mentioned that the proposed building represents a legacy and will be a positive re-development. Ms. Posner mentioned that she expects proposed building to last 100 years. Further noted that the applicant will comply with recommendations and has responded to every recommendation by Board.

**ADJOURNMENT:**

*Motion to adjourn meeting to December 3, 2019 at 7 p.m. by Zygmunt Jagiello. seconded by; Michael Masiello; unanimously carried.*

*Motion to close the meeting by Michael Masiello at 9:49 p.m.; seconded by Dominick Masiello; unanimously carried.*

**Next Scheduled Meeting is: December 3, 2019 at 7 p.m.**

Manorhaven, New York  
November 6, 2019  
ALEX KOVACEVIC