

**Inc. Village of Northport  
Approved Minutes of the Planning Board**

May 28, 2013

There was a regular meeting of the Planning Board held tonight at Village Hall beginning at 7:00pm. Present were: Chairman Richard Boziwick, Paul Ersboll, Robert Flynn, Martin Rebholz (late), Gene Guido, Village Administrator, Ed Gathman, Planning Board Attorney and Joy Nygren, Planning Board Secretary. Absent was: Lizbeth Thalheimer.

**Approval of the Minutes**

The minutes of the February 26, 2013 meeting were, on the motion of Chairman Boziwick, seconded by Mr. Flynn, approved, with Ms. Thalheimer abstaining, as she was not present.

**Lico, 32 Hawkins Drive – steep slope application**

Present was Eric Fauser, of Fauser Associates, representing the owner.

Mr. Fauser stated that the intent of this application is to place a pool, patio area, gazebo and cabana in the backyard. There was a brief discussion regarding the submitted items, and, on the motion of Chairman Boziwick, seconded by Ms. Thalheimer, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board unanimously adopted the following resolution, as amended:

**WHEREAS:** A steep slope application from Randall and Antoinette Lico was received on March 20, 2013, and

**WHEREAS:** The May 24, 2013 Village Administrator's report states that application is complete and recommends approval, and

**WHEREAS:** The report further states that the conditions recommended in the report are listed in the further resolved below, and

**BE IT RESOLVED:** The Planning Board determined that the proposed action is an Unlisted Action requiring no additional environmental review, and adopts the proposed action, now therefore

**BE IT RESOLVED:** That the Randall and Antoinette Lico steep slope application, for the proposed work to be done at 32 Hawkins Drive is hereby approved with the following conditions:

1. Install additional erosion control measures in the area south of the residence to limit any additional damage to the slope as soon as possible and before issuance of a Building Permit.
2. On a site visit requested by the Building Inspector during the bulkhead project, there was substantial over excavation which encroached into the proposed pool and retaining wall area. This site condition should be incorporated into and submitted during the Building Permit process as a compaction plan from a structural Engineering firm and approved by the Building Department prior to issuance of any Building Permit. An approved construction inspection schedule and final signoff upon completion of the project will be required from the Engineer.

#### **Palmieri, 99 Soper Ave – steep slope application**

Present was the homeowner, Paul Palmieri, and Roy Earlandsen, PE.

Mr. Palmieri stated that the intent of this application is to replace some of the failing existing timber retaining walls with block at the front of his property. He went on to say that the new walls will be a direct replacement of the existing.

The Board briefly discussed the application, and on the motion of Chairman Boziwick, seconded by Ms. Thalheimer, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Ersboll, the Board unanimously adopted the following resolution:

**WHEREAS:** A retaining wall was demolished at the applicant's property without steep slope or Building Department permits being issued, and

**WHEREAS:** A steep slope application was received on 5/16/13, from Paul Palmieri, and

**WHEREAS:** The Village Administrator report states that application is substantially complete and recommends approval with conditions, now therefore

**BE IT RESOLVED:** The Village Administrator has determined that the proposed action is Type II Action requiring no additional environmental review, and

**BE IT FURTHER RESOLVED:** That the Paul Palmieri steep slope application, for the work to be done at 99 Soper Ave is hereby approved, and

**BE IT FURTHER RESOLVED:** The following conditions need to be met before final approval:

1. Building Permit must be applied for and issued.
2. The wall on the proposed site plan must be moved back to the property line or secure insurance and execute a Hold harmless Agreement with the Board of Trustees.
3. Underground utilities must be shown on site plan before issuance of a Building Permit.
4. Engineer's letter certifying the walls upon completion.
5. Final inspection by the Village.

### **Baumgarth, 87 Woodhull Place – steep slope application**

Present was Christopher Modelewski, attorney, Douglas Baumgarth, the applicant, and Victor Burt from the engineering firm of Nelson & Pope.

Mr. Modelewski asked the Board for a conditional approval. He also asked if the applicant could install the agreed upon drainage in the roadway, to the satisfaction of the Village, and he also stated that this could be a condition for the issuance of the building permit.

The Board briefly discussed the matter, and on the motion of Chairman Boziwick, seconded by Ms. Thalheimer, the Board unanimously adopted the following resolution:

**BE IT RESOLVED:** That the Planning Board will hold a public hearing at 7pm on Tuesday, June 25, 2013, to hear the steep slope application of Douglas Baumgarth, 87 Woodhull Place.

Gerard Healy of 27 Belknap Drive stated his displeasure regarding the former Gempport site, and the fact that a supermarket is going to be at 240 Fort Salonga Road. The Board noted that the proposed use is a permitted use in that zoning district.

On the motion of Chairman Boziwick, seconded Mr. Flynn, the Board adjourned the meeting. The next regularly scheduled meeting will be held on Tuesday, June 25, 2013.