

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, February 2, 2006 at 6 p.m. in the Municipal Building, 92 Sunset Avenue, Westhampton Beach**

**PRESENT:** Mayor Robert Strebel  
Deputy Mayor Timothy Laube  
Trustee Ora Belle "Ridgie" Barnett  
Trustee James Kametler  
Trustee Conrad Teller

Clerk-Treasurer Kathleen McGinnis  
Village Attorney Richard T. Haefeli

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Mayor Strebel opened the meeting at 6 p.m. with the Pledge of Allegiance.

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**Presentation: Update on new Village Hall**  
**Victor Canseco, Sandpebble Builders**

Victor Canseco, from Sandpebble Builders, gave an update on the new Village Hall. He explained that there is a lot of mechanical equipment in this building, in keeping with most of the goals of LEEDS, which is indoor environmental quality. This equipment monitors air changes, oxygen levels and carbon monoxide levels and makes all kinds of adjustments so you have a very high quality of indoor environmental air. He said they were about 3% over the budget. They have been wrestling with that over the last three months and they are still looking to bring this project in at or very close to budget. He felt the Village could start moving into the building the first couple of weeks in April.

Trustee Teller asked who would repair this sophisticated equipment when it breaks down.

Mr. Canseco responded that there will be service contracts for every piece of mechanical equipment that is in the building.

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**Regular Meeting:**

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**Accept minutes of Board of Trustees Meeting**

Motion by Trustee Teller:

RESOLVED, that the minutes of the Board of Trustees regular meeting of December 1, 2005 and January 5, 2006 are hereby accepted.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Accept departmental reports**

Motion by Trustee Laube:

RESOLVED, that the Treasurer's report for December 2005, Police Department and Building Inspector's reports for January 2006 are hereby accepted.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

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**Schedule Public Hearing on Gentry Special Exception**

Motion by Trustee Barnett:

RESOLVED, that the Village Clerk Treasurer is hereby authorized to publish and post a Notice of Public Hearing to be held on Thursday, March 2, 2006 at 10:00 am at the Village Hall on a Special Exception Application on a proposed change of use to establish a contractor office at 201 Montauk Highway identified by SCTM# 905-12-4-1.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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**Approve 2006 Beach & Marina rates**

Motion by Trustee Kametler:

RESOLVED, that the attached Beach & Marina rate schedules and rules for the 2006 season are hereby approved.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Authorize employees to attend Bldg. Officials Conference**

Motion by Trustee Teller:

RESOLVED, that Bldg. Administrator Paul Houlihan and Fire Marshal William Hart are hereby authorized to attend the 2006 Finger Lakes 31st Annual Building Officials Conference in Hilton, New York on March 20-23, 2006 at a total cost of \$780 for registration and \$704 for lodgings, plus reimbursement for meals and travel expenses.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Authorize transfer of properties to Habitat for Humanities – Mickey’s Way**

Motion by Trustee Barnett:

WHEREAS, the Village of Westhampton Beach is the owner of a vacant parcel of real property of approximately 4,000 square feet located on a private road known as Mickey’s Way and which is designated on the Suffolk County Tax Map as 0905-03-01-42, and

WHEREAS, the Village acquired the property for nonpayment of taxes in 1947, and

WHEREAS, Habitat For Humanity of Suffolk Housing Development Fund, Inc. is desirous of acquiring the property for the purposes of constructing an affordable house, and

WHEREAS, said premise is not needed for public purpose, and

WHEREAS, the Village is desirous of promoting affordable housing within the Village.

NOW, THEREFORE, BE IT RESOLVED, that the transfer of the real property owned by the Village of Westhampton Beach which is designated on the Suffolk County Tax Map as 0905-03-01-42 to Habitat For Humanity of Suffolk Housing Development Fund, Inc. without consideration is hereby authorized, subject to the following conditions to be imposed in the deed as a covenant:

Habitat For Humanity of Suffolk Housing Development Fund, Inc. shall offer the house for sale to an individual who meets their criteria for selection of families to become

partners with Habitat and who meets one of the following conditions in the following order; (1) a full-time employee of the Village of Westhampton Beach, (2) an active member of the Westhampton Beach Fire Department, (3) an individual who graduated from Westhampton Beach High School from 1980 to the present time and who was a resident of the Town of Southampton at the time of graduation, (4) an individual who currently resides within the area of the Westhampton Beach School District, Quogue School District, East Quogue School District or Remsenburg School District, (5) an individual who currently resides within the Town of Southampton, (6) an individual who currently resides within the County of Suffolk and (7) any other individual who qualifies. The property shall only be transferred to an individual to be used as the individual's permanent residence. The term individual as used herein may include a husband and wife as joint owners.

Proof of compliance with the above shall be a condition to the issuance of a certificate of occupancy with proof to be delivered to the building department of the Village of Westhampton Beach and the building inspector shall make the initial determination of compliance. In the event any issue arises regarding compliance with the above requirements, the final determination of compliance shall be made by the Board of Trustees of the Village of Westhampton Beach after a public hearing.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Authorize transfer of properties to Habitat for Humanities – Avon Court**

Motion by Trustee Laube:

WHEREAS, the Village of Westhampton Beach is the owner of a vacant parcel of real property of approximately 4,000 square feet located on a private road known as Avon Court and which is designated on the Suffolk County Tax Map as 0905-03-01-53, and

WHEREAS, the Village acquired the property for nonpayment of taxes in 2000, and

WHEREAS, Habitat For Humanity of Suffolk Housing Development Fund, Inc. is desirous of acquiring the property for the purposes of constructing an affordable house, and

WHEREAS, said premise is not needed for public purpose, and

WHEREAS, the Village is desirous of promoting affordable housing within the Village.

NOW, THEREFORE, BE IT RESOLVED, that the transfer of the real property owned by the Village of Westhampton Beach which is designated on the Suffolk County Tax Map as 0905-03-01-53 to Habitat For Humanity of Suffolk Housing Development Fund, Inc. without consideration is hereby authorized, subject to the following conditions to be imposed in the deed as a covenant:

Habitat For Humanity of Suffolk Housing Development Fund, Inc. shall offer the house for sale to an individual who meets their criteria for selection of families to become partners with Habitat and who meets one of the following conditions in the following order; (1) a full-time employee of the Village of Westhampton Beach, (2) an active member of the Westhampton Beach Fire Department, (3) an individual who graduated from Westhampton Beach High School from 1980 to the present time and who was a resident of the Town of Southampton at the time of graduation, (4) an individual who currently resides within the area of the Westhampton Beach School District, Quogue School District, East Quogue School District or Remsenburg School District, (5) an individual who currently resides within the Town of Southampton, (6) an individual who currently resides within the County of Suffolk and (7) any other individual who qualifies. The property shall only be transferred to an individual to be used as the individual's permanent residence. The term individual as used herein may include a husband and wife as joint owners.

Proof of compliance with the above shall be a condition to the issuance of a certificate of occupancy with proof to be delivered to the building department of the Village of Westhampton Beach and the building inspector shall make the initial determination of compliance. In the event any issue arises regarding compliance with the above requirements, the final determination of compliance shall be made by the Board of Trustees of the Village of Westhampton Beach after a public hearing. This resolution takes precedence over any previously made resolution regarding this property.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

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**Approve WHB School Student Art Exhibition**

Motion by Trustee Kametler:

RESOLVED, that the application submitted by the Westhampton Beach School District to hold a student art exhibition on the Village Green and surrounding sidewalk area on Saturday, May 13, 2006 from 7 a.m. to 4 p.m. is hereby authorized.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

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**Approve Family Counseling Services Gala Fundraiser**

Motion by Trustee Teller:

RESOLVED, that the application submitted by the Family Counseling Services to hold the Gala Fundraiser on "The Great Lawn", Saturday, July 8, 2006 from 6 p.m. to 12 a.m., is hereby approved.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Approve WHB Fire Department Dinner Dance on Great Lawn**

Motion by Trustee Laube:

RESOLVED, that the application submitted by the Westhampton Beach Fire Department to hold the 75<sup>th</sup> Anniversary Dinner Dance on "The Great Lawn" on Saturday, June 17, 2006 from 6 p.m. to 11 p.m. is hereby approved.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

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**Approve WHB Historical Society Farmers Market**

Motion by Trustee Barnett:

RESOLVED, that the application submitted by the Westhampton Beach Historical Society to hold a Farmers Market on the municipal parking lot located on Mill Road and Glovers Lane every Saturday morning from 7 am to 1 pm commencing on June 17, 2006 through to October 28, 2006, is hereby approved.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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**Accept East End Granite bid for Village Hall Ceramic Tile contract #9.400**

Motion by Trustee Kametler:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by East End Granite in the amount of \$43,400.00 for the Village Hall ceramic tile contract #9.400 as recommended by Sandpebble Builders Inc.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Accept Pazera Associates bid for Village Hall cabinetry contract #6.700**

Motion by Trustee Teller:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by Pazera Associates in the amount of \$45,000.00 for the Village Hall cabinetry contract #6.700 as recommended by Sandpebble Builders Inc.

Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

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**Accept Sybelle Carpet bid for Village Hall contract #9.300**

Motion by Trustee Laube:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by Sybelle Carpet & Linoleum Corp. in the amount of \$41,800.00 for the Village Hall carpeting & resilient flooring contract #9.300 as recommended by Sandpebble Builders Inc.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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**Accept Florence Corp. bid for round columns contract #6.900**

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by Florence Corp. in the amount of \$8,822.00 for the Village Hall perma cast columns contract #6.900 as recommended by Sandpebble Builders Inc.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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**Accept Kneski bid for recycled concrete aggregate base course contract #2.250**

Motion by Trustee Kametler:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by Kneski & Sons, Inc. in the amount of \$15,750.00 for the Village Hall contract #2.250 for the spreading and compaction of recycled concrete aggregate as recommended by Sandpebble Builders Inc.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

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**Approve change order Intelli-Tec Security Services**

Motion by Trustee Teller:

RESOLVED, that the Board of Trustees hereby approve the change orders #2 and #3 submitted by Intelli-Tec Security Services for the Village Hall access control system contract #8.70 in the amount of \$1,490.00 as recommended by Sandpebble Builders Inc.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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**Approve change order to J&M Long Island water main contact**

Motion by Trustee Laube:

RESOLVED, that the Board of Trustees hereby approve the change order submitted by J & M Long Island, Inc. for the Village Hall water and fire mains contract #2.925 in the amount of \$1,000.00 as recommended by Sandpebble Builders Inc.

Seconded by Trustee Teller and unanimously approved. 4 Aye, 0 Nay

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**Approve warrant for the month of February 2006**

Motion by Trustee Barnett:

RESOLVED, that the warrant for the month of February 2006 in the amount of \$242,197.40 for the General Fund and \$432,106.15 for the Capital Fund is hereby approved.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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**Public Discussion**

James Hulme, of Kelly & Hulme, 323 Mill Road, was looking for some guidance and clarification regarding Local Law 8/2005. He said that when the law was first enacted it was their understanding that the entire law was to apply to new construction. The subsection 2 of the law talks about "if height of a building as of April 8, 2002 was one quarter more above the base flood elevation, such building height may be increased by one quarter more". He felt this language seemed to say that you have to have a house that is existing since 2002, and if you do, then you can add another foot if you are below base flood. He said his informal understanding of the discussion that took place about this was that they were really trying to encourage peak roofs on new construction. He said his sense was that one of the things that was intended was that if a house was above base flood by at least a foot, that in addition to the other additional relief, is that you have provided that you can get another foot in height as well. He said it does not, however, read that way. He said the law seems to say that I can only get an extra foot of height if I had a house in 2002, which seems to go contrary to your goal of trying to get new construction to have pitched roofs by giving it additional height. He felt this law did not make any sense and asked the Board to reconsider it.

Village Attorney, Richard Haefeli, responded that the alternate to that is back in the 1970's this Village had a height limitation on Dune Road which is in excess of the current height limitations. So, this Board may have very well decided to give those pre-existing houses who were already higher, the ability to have the additional one foot. The height on the south side of Dune Road is twelve feet. At one point, he believes it was fifteen feet. There are homes on Dune Road that have a height limitation that is greater today than is permitted and maybe that is what they did it for. The fact is that

this is what the law says, it is clear, but if the Board wants to reconsider it at some point in the future, they certainly can. He said the language is there and that is what it says.

Mayor Strebel responded that they would discuss it and take it under consideration at the next Work Session. There was a different Board in 2005, but if this Board sees fit to change it, they could certainly entertain looking at it.

Robert Pollack, 215 Dune Road, responded to Mr. Haefeli's comments that perhaps it related back to those buildings built from 1988 to 2002. He said at that time the Code was written such that it encouraged houses to be fifteen feet above grade and go to a height of fifty. To the extent that they were not fifteen above grade, they would lose one foot of height. That law was changed in 2002 and what he finds, is the date that is in the recent amendment says that the height of the building as of April 8, 2002. He said the relevance of the April 8<sup>th</sup> date is the date the Village enacted the forty foot above sea level height limitation. Those buildings are the ones that suffered the most, those built after April, 8, 2002. Additionally, he wanted to suggest that if the intent of the legislation is to bifurcate the district between those buildings which were built before 2002 and those subsequent to 2002, it would, in his opinion, run afoul of two provisions. The first is Section 7-702 of the Village law which is entitled "Districts", which authorizes the Village Trustee to create districts provided that all property, land, shall be treated uniformly. Also, there was a court decision that discussed this. They gave the reason for why this provision was here. They suggested it was unconstitutional to treat land in the same district differently, the reason being they want to assure property holders that all owners in the same district will be treated alike, and there will be no improper discrimination. This would, essentially, be an improper discrimination. He said they talk about favoritism. It would be a favoritism toward those that built prior to 2002.

Mr. Haefeli said the period of time he was talking about was prior to 1978. It was from 1963 or 1964 until 1978. As far as the second part of what Mr. Pollack was talking about, that regulation applies to all residences in the Town. If a zoning code is changed so that some become non-conforming as a result of it, that does not make it bifurcate. It is when you put additional provisions in, in the same zoning district, that one property has to meet and the other properties don't. What we have here is pre-existing, non-conforming uses. So, what Mr. Pollack is saying has no validity in the zoning law of the State of New York.

Mr. Pollack said we are not talking about non-conforming uses. We are talking about giving one property built a certain date a right to go forty-five feet and a property built on a subsequent date the right to go to forty-four. He said he was not talking about existing uses.

Mr. Haefeli said that was because the properties are existing as of that date and some we have to give more of a benefit to because of their existing status, as opposed to new construction that can meet the code better than the prior homes can. That does not violate the constitutional law of the State of New York and it doesn't result in treating properties in the same district differently.

Mr. Pollack said the first section talks about houses that are being built right now. Would it make any sense that regulation two, which says with respect to the above, heights, we're going to add one foot on. If the top portion, section one relates to houses being built now, it would not be sensible, in his opinion, that section two would now relate back to houses that were previously built prior to 2002. He asked the Village Board to clarify this ambiguity. He said that on the issue of ambiguity, in one sense, it could be read this way and isolated. But, when you read it together with the other section, he felt it was ambiguous.

Mayor Strebel responded that when the Board makes a decision regarding the law, they do not just use the Board's expertise, especially when it involves FEMA. Besides the Building Administration and counsel, sometimes they go for outside help. He said that more than likely this would remain the way it is, because it was not done in a willy-nilly fashion to begin with. He said they would certainly look into it.

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Mr. Hulme then spoke regarding the moratorium up on Riverhead Road. He said one of his clients had made an application pursuant to the law for an exception to that moratorium so they could begin to have the various Village boards look at a proposed project in one of the hotel districts up there. They had submitted the application last week and had received a letter back from Mr. Haefeli this week rejecting their application, basically, for exceeding the density issue. He felt the exception language in the moratorium law does not really talk in terms of whether you comply with current zoning or not, it talks in terms of an applicant making an application and the Board of Trustees, with the help of others, making a determination as to whether to grant an exception to the moratorium so the particular project in question can be reviewed. He said they were hoping that through the exception process, they could help the Village form their opinion as to what this zone should look like and the Village could help them to form their opinion as to what their project should look like at the end of the day. They were not expecting that it would be returned to them without review. He said that Mr. Haefeli had indicated in his letter that the application was returned because the section 197-81 limits the special exception applications to six units per acre and this project exceeds that. He felt there seems to be conflict and inconsistency, or a different point of view perhaps, in the Code itself as to whether that limit should apply or not. He said that limit appears to have been enacted back in 1982 and there was a subsequent law adopted in 2000 that is entitled "Permitted Densities in Hotel Zones" which refers to a chart or table in the back of the Codebook which indicates the density per acre of different kinds of units. He believed that the project as proposed, while it may not meet the six per acre limit of the older special exception code, it still does meet the acceptable density the Village has allowed pursuant to 48.2 for the hotel zone. He said they had expected to be able to discuss these issues as a part of a review of their application for an exception and had not anticipated that these terms would be used to actually reject the application so they could not get any review.

Mr. Haefeli responded that their application indicated that they were entitled to forty-three three bedroom units or fifty-six two bedroom units. The maximum number of units you could have, if you could build that project tomorrow, is anywhere from thirty-six to thirty-nine. So, under no circumstances could this Board consider an application where your basic density, irrespective of what you are trying to achieve, has been met. All you can get is thirty-six to thirty-nine. So, the Board cannot consider an application that is contrary to the existing code. The application process says you have to be compatible with the existing zoning. The density requirement that was in effect in 1982 is exactly the same density requirement that is in effect today, except that studios have been eliminated as a permitted density of ten studio units per acre. In 1982 you could have six three bedroom or eight two bedroom units per acre in the B-1 District and it was specifically referenced to the B-1 to have a higher density. Back in 1982 you had the MF-20 District and the Board at that time, for reasons that they wanted, decided to limit the density in the MF-20 to six units per acre, irrespective of the number. So, the density requirements under the code are the same today as they were in 1982. Your application could not be considered under any circumstances, because you are claiming you are entitled to forty-three units, and you are not. He said they cannot meet the basic density. He said that nothing had been changed.

Mr. Hulme said he did not feel they were asking the Board to consider granting permission to build all of these units. He felt they were asking the Board to grant them an exception, so that this proposal can be reviewed.

A discussion ensued between Mr. Haefeli and Mr. Hulme regarding how many units they were asking for and how many units they were entitled to.

Mayor Strebel stated that the Village code says you can have six per acre. That is what they are reviewing now. He felt that this Board would not take it upon themselves to change it to seven or eight while it was under review.

Mr. Hulme suggested the Village had changed it in 2003 when they authorized more than six units per acre for one and two bedrooms and only six units per acre for three bedrooms.

Mayor Strebel said that was one of the things they were looking into with work force housing, to see whether they could change the density.

Mr. Hulme said that was one of the reasons they showed increased density in what they had filed. He said they do not know what the Board would ultimately adopt. They were trying to show the Board what they could adopt. He felt the Board of Trustees would look at it if he filed it according to the moratorium exception statutes.

Mr. Haefeli responded that one of the conditions is that you have to be compatible with the code and Mr. Hulme's application does not comply with the code, so the Board cannot look at it. He said if Mr. Hulme would come back with six units an acre and let the Board look at it as a moratorium exception, the Board can look at it. He felt Mr. Hulme was asking the Board to do something that was beyond their power.

Mr. Hulme said he disagreed with the analysis, but he appreciated the Board's time.

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John Gordon, 11 Bishop Place, said he felt the Habitat for Humanity houses should not be given to Village workers who are very well compensated and come from outside Westhampton Beach. He felt they should be reserved for our "kids" who reside in the Village and do not make much money.

Richard Haefeli, Village Attorney, explained that a Village employee would have to meet the Habitat for Humanity standards, including income eligibility.

Trustee Barnett said she felt this did meet what Mr. Gordon wanted.

Police Chief Ray Dean said there are Village employees that also meet Mr. Gordon's requirement of coming from Westhampton and having gone to the local high school.

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Jean Sweibish, 114 Potunk Lane, asked if the Village Planner, David Emilita, would be discussing what was being planned for Riverhead Road and if there would be public input before the Board decided what would be put up there. She felt that prior to going into "planning mode", there should be public meetings. Ms. Sweibish felt she lived in "Fairy Land" with the turrets and castles.

Trustee Barnett suggested that if Ms. Sweibish had questions regarding why buildings were too close to the sidewalk, etc., she should talk to the Building Inspector and find out why it is being allowed.

Ms. Sweibish responded that she knew why it was allowed, that it was part of the code. She said she understood that, but she was suggesting that they take a look at the code and maybe re-think it. She felt it was fine for Main Street, it was appropriate for buildings to be one right after another. She felt they were creating another Main Street on Mill Road. She also felt they should re-think the height restrictions. She said she felt the Village was becoming like Nassau County, what little bit of open space there was is disappearing. She felt the Board should re-look at the way the Code was written and re-examine things. She said that many people she talks to feel the same way she does. She felt the Board had made up their mind about Riverhead Road and the sewers up there and on Main Street.

Mayor Strebel responded that this was not true. He said the Board was waiting for a report from the Planner and then they would come before the public and present the plan and discuss it with the public and ask for their opinion. He said they would not be doing anything without having meetings and input from the public.

Trustee Laube said that he could think of several instances in the past before he was here, when he was a reporter covering this Village, where the Board had discussed their plans and the public came out either with support for or against the plans and had stopped the project. He said there was a time when an Inn was going to go in at the Six Corners site where the new Village Hall is being built. A lot of residents came out and said they didn't want it there, and it didn't go there. Also, when there was an application for a cell tower behind the Fire House, the public came out against it and the Board did not allow it. He said they were having a meeting right now and were discussing the

issues Ms. Sweibish was concerned with. He said the issue regarding the sewers was also discussed at last month's meeting.

Ms. Sweibish felt there were a lot of people that did not want the Village Hall there.

Mayor Strebel said they were not in the majority. He felt Ms. Sweibish fails to realize that the majority rules. There were two votes regarding that and the majority voted they did want the new Village Hall there.

Ms. Sweibish asked that the Board do a little more outreach in the community, not wait for planners, not wait to have all of their "ducks in a row".

Mayor Strebel responded that they would find out from the planner what could be done, they would have hearings with input from the public, and would then decide what to do. He felt it would be nice to put in a sewer system to stop the pollution in Moneybogue Bay. Whether it is a practical thing to do, they don't know. That is what they are studying. He said that you need to have your "ducks in a row". It takes a lot of planning to come up with an idea and then get it done.

Ms. Sweibish said she wanted to know if there were actually people in this community who want work-force housing up on the highway there.

Mayor Strebel said he was hoping that people would respond when they advertise that they have a plan. He felt they should look at the plan, kick the plan around and see whether they like it or not. He said he had not received one letter regarding this housing.

Trustee Barnett said that if you ask people they do respond. There are a lot of young people that need an affordable place to live.

Trustee Kametler said the big question is, what is affordable, how is it going to affect the school district. There are a lot of issues that need to be worked out.

Trustee Laube said there were a lot of issues they are investigating. That is what they are doing now.

Ms. Sweibish asked if the work-force housing on Riverhead Road would be built for people who were going to come from out of the area to work here.

Mayor Strebel responded that the criteria for the work-force housing would be similar to what they have for the Habitat Homes. If that is not perfect, we can fine tune it.

Ms. Sweibish said that in order to do the kind of numbers of work-force or affordable housing that they are talking about, you are going to have to do an incredible amount of density there. Mr. Hulme is just the tip of the iceberg as far as what people are going to want to do there.

Mr. Haefeli said that he agreed they would have to have a fairly reasonable density. Mr. Hulme's application was for roughly fifty-seven units on six acres. That is all contingent on a sewer system. Without a sewer system, you can't do anything.

Mayor Strebel said that the sewer system is not a done deal. If it doesn't happen, you won't be able to have that density. Then what would have to happen, is that if a private developer brought a plan through that would include a sewer treatment plant, it would have to be approved by the County with the thought in mind that they might have to run it someday. You could not build houses of that density without something being done with the sewers.

Ms. Sweibish asked if they would approve of houses with that kind of density there.

Mr. Haefeli explained that if the moratorium came off tomorrow, and there was no action taken by this Board, the property on Riverhead Road and Montauk Highway are both in the hotel district. The property on Depot Road is R-2. R-2 is one-half acre residential. The property on Riverhead Road, it would limit an applicant to six units per acre, unless

they wanted to put a hotel in. If it came off tomorrow and somebody came in, that would be the maximum density. To get even the six units per acre, they would have to go to the County and would have to construct their own sewage treatment facility on the property and then you get into the economics of it. Is six units per acre sufficient to justify a sewage treatment plant? If nothing was done tomorrow, that is where you are, without any changes.

Trustee Barnett said that if they don't have the sewer district and they had to go with the six units per acre plus they would have to do their own sewer system, they will have to charge a lot for those houses. They won't be affordable.

Mayor Strebel said at least they were looking into it. That is all they were doing.

Ms. Sweibish said she felt they keep forgetting that they are really a little community.

Trustee Laube responded that we are a little community, and there are a lot of young people that would like to stay in this little community. He felt it was the responsibility of the government to try and provide when it can.

Mayor Strebel reiterated that they were just doing a study. We have a study going for the treatment facility for the sewer district that was \$11,000. The next study would be six figures and we would like to get a grant. If we can't get a grant, we probably won't do it. We could be stopped dead right there. If we can't get a grant for that six figures, I doubt very much if we will be able to pursue it. He said he does not know what will come back from David Emilita's study, and he doesn't know if the community will accept it, but we will find out. It won't be a rush-rush job. He said he was sorry that there were developers that wanted to rush in and develop it, but that is why we are looking into it. It is quite possible that it won't work the way we think it will.

Ms. Sweibish asked if they were talking to any other communities.

Trustee Laube said he talks to Mayor Paul Pontieri from Patchogue Village all the time. They just did the same thing. They put in a sewer district and affordable housing. They also provided their downtown with sewers, almost the exact same project we are looking into here. He said he remembered Ms. Sweibish writing a letter last summer asking for a study. He said that is what they are doing here, is getting a study.

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Mayor Strebel asked if anyone else would like to address the Board. There being no further response, Trustee Teller made a motion at 7:30 p.m. to adjourn the meeting to Executive Session. Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

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Respectfully submitted,

Christine Owen  
Deputy Clerk