

Minutes of the Board of Trustees Meeting
Village of Kensington, 2 Nassau Drive, Great Neck, NY
May 15, 2019

Present: Mayor Susan Lopatkin

Trustees: Darren Kaplan, Alina Hendler, Neil Garfinkel, Jeff Greener

Mayor Lopatkin brought the Board of Trustees meeting to order at 8:05pm, seconded by Deputy Mayor Kaplan, all in favor.

Mayor Lopatkin made a motion to approve the April Board minutes, seconded by Deputy Mayor Kaplan, all in favor.

Preliminary Sub-Division Hearing for 41 Beverly Rd / Paul Bloom - Attorney

Mayor Lopatkin made a motion to open the public hearing for the continuation of the sub division, seconded by Deputy Mayor Kaplan, all in favor.

Mayor Lopatkin stated the subdivision is allowed of right because there is enough square footage and frontage in this application to support two homes. No variance is required. A \$5,000.00 deposit fee was presented to cover legal and other expenses as per village code. The Parkland fee that is calculated as 3% of the value of the additional buildable lot which is created by the subdivision, will be paid at a later date prior to final subdivision approval.

Mayor Lopatkin read a Resolution adopted by the Board of Trustees from our Village Attorney, it states:

RESOLUTION adopted May 15, 2019 by the Kensington Board of Trustees

RESOLVED that the Board hereby grants preliminary subdivision

approval. Final subdivision approval will be granted upon the

following conditions:

1. Demolition of the existing house in accordance with *Kensington Code* §64-15.
2. Approval of the two new houses in accordance with *Kensington Code* Chapter 6 entitled "Architectural Review Board."

3. Proof that all taxes and fees have been paid including, but not limited to, fees in lieu of parkland dedication and for the Village's processing of the subdivision application.

AYES: SUSAN LOPATKIN, Mayor
DARREN KAPLAN, Deputy Ma
ALINA HENDLER
JEFFREY GREENER
NEIL GARFINKEL

NOES: None

ABSENT: None

Mayor Lopatkin also read a Resolution adopted by the Board of Trustees from our Village Attorney, it states:

RESOLVED that the Board hereby adopts the following SEQRA Negative Declaration:

SEQR NEGATIVE DECLARATION

Notice of Intent to Not Require a Draft EIS Determination of Significance

Lead Agency: Incorporated Village of Kensington Board of Trustees

Address: 2 Nassau Drive
Great Neck, New York 11021

Date: May 15, 2019

This notice is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review – SEQRA) of the Environmental Conservation Law. The Board of Trustees (“Board”) of the Incorporated Village of Kensington, as lead agency, has determined, subsequent to review of the Environmental Assessment Form (Part 1), review of the proposed surveys, subdivision map, radius map, site inspection, consideration of other relevant factors, and review of 6 NYCRR Part 617, that the proposed action described below will not have a potential significant adverse effect on the environment, and that a Draft Environmental Impact Statement (“EIS”) need not be prepared.

Title of Action: Proposed Subdivision of 41 Beverly Road, Great Neck, New York

SEQR Status: Unlisted Action

Location: Northwest corner of Beverly Road and Gilchrest Road, Great Neck, New York

Tax Map Designation: Section 2, Block 222, Lots 93-102

Description of Action: Subdivision of Premises into two

building lots **Reasons Supporting this Determination:**

1. The site has been evaluated in accordance with the Criteria for Determining Significant as contained in SEQRA 6 NYCRR Part 617.7(c). The proposed action has been evaluated through review of the following materials:
 - Short Environmental Assessment Form (Part 1);
 - Survey of Premises prepared by Bladykas & Panetta, P.E. & L.S., P.C., dated December 28, 2018;
 - Site Plan prepared by Bladykas & Panetta, P.E. & L.S., P.C., dated February 26, 2019, last revised March 14, 2019;
 - Site and Vicinity Inspection
2. The proposed subdivision is not expected to cause any significant adverse environmental impacts based on the design and mitigation inherent in the project as described herein. The Criteria for Determining Significance are specifically evaluated as follows with respect to this action:
 - a. The project will not cause a substantial adverse change in existing ground or surface water quality or quantity, public water supplies, or noise levels; increase in solid waste production; a substantial increase in erosion, flooding, leaching or drainage problems. Additional drainage will be installed for the newly paved areas. The site is not located within a flood prone area. The property has minimal topographic relief within proximity to the area of proposed construction disturbances, with no excessive slopes that would pose a constraint to development.
 - b. The project will not result in the removal or destruction of large quantities of vegetation or fauna; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of

animal or plant, or the habitat of such a species; or other significant adverse impact to natural resources. There will be some vegetation removal on site, including the removal of several mature trees, in order to accommodate the proposed subdivision. No rare or threatened species have been identified in connection with the site and no rare or unique habitats are associated with the site.

- c. The project will not impair the environmental characteristics of a Critical Environmental Area.
 - d. The project is not expected to cause impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources. There are no known archaeological or historical resources on the site.
 - e. The project will not cause a major change in the use of either the quantity or type of energy.
 - f. Both lots have frontage on public Village roads and have access to all public utilities.
 - g. The project will not create any hazards to human health.
 - h. The project proposes the subdivision of the Premises into two building lots. This change will result in an increase in the intensity of use of the site; however, such use would not be out-of-character with the existing land use pattern in the vicinity of the property. The subdivision, however, is part of a larger action which includes the demolition of the existing house, the removal of vegetation and trees, and the construction of two new houses. This Board, with the recommendation of the Architectural Review Board, grants architectural and site plan approval for the two new houses pursuant to *Kensington Code* Chapter 6, which is a condition precedent for the demolition of the house pursuant to *Kensington Code* §64-15(F). In order to avoid an impermissible segmentation of the environmental review of the overall action, the Board has considered the impacts of the overall action. Any mitigating measures required regarding the exterior/interior design of the house or of the landscaping and design of each building lot will be addressed by the Architectural Review Board and this Board during that review and approval process.
3. The Village of Kensington finds that the documentation prepared is complete in addressing potential adverse environmental impacts related to the proposed project and no significant adverse environmental impacts have been identified. As a result, a Negative Declaration is determined to be appropriate for this project.

AYES: SUSAN LOPATKIN, Mayor
DARREN KAPLAN, Deputy Mayor
ALINA HENDLER
JEFFREY GREENER
NEIL GARFINKL

NOES: None

ABSENT: None

Open Time:

Resident from 18 Arleigh Rd came to speak with the Board stating the builders of 18 ½ Arleigh Rd have artificially raised the land by 3 or 4 feet and when it rains there are puddles in their backyard; he stated that this will increase the mosquitos in the summertime. The resident wanted to see if the Board could look into the situation. Deputy Mayor Kaplan will speak with Building Inspector Mike McNerney regarding this issue and get back to the resident.

On motion of Mayor Lopatkin, seconded by Deputy Mayor Kaplan accept the Police and Treasurers reports.

On the motion of Mayor Lopatkin, seconded by Deputy Mayor Kaplan, the meeting adjourned at 9:07pm.