

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING
Special Meeting AGENDA**



September 10, 2020

7:00 PM

PUBLIC HEARINGS:

1. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2020, ADOPTED MAY 19, 2020, TO EXTEND THE MORATORIUM IN THE WATERFRONT BUSINESS (B-W) DISTRICT.

Synopsis: The proposed local law would extend the building moratorium in the Waterfront Business (B-W) District until October 30, 2020.

RESOLUTIONS:

2. NONE

Councilperson Dalimonte offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 387 - 2020

A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2020, ADOPTED MAY 19, 2020, TO EXTEND THE MORATORIUM IN THE WATERFRONT BUSINESS (B-W) DISTRICT.

WHEREAS, the Town Board, as the legislative body of the Town of North Hempstead is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

WHEREAS, a proposed Local Law has been prepared, pursuant to enabling legislation, to amend Local Law No. 2 of 2020, adopted May 19, 2020, in order to extend the building moratorium in the Waterfront Business (B-W) District through October 30, 2020; and

WHEREAS, the proposed Local Law, in final form, has been on the desks or tables of all the members of the Town Board for seven calendar days, exclusive of Sunday; and

WHEREAS, due notice was heretofore given of a public hearing to be held on the 10th day of September via Zoom, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town's website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on September 10, 2020 via Zoom, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, this Board deems it in the public interest to adopt the proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 9 of 2020 be and it hereby is adopted, which Local Law reads as follows:

TOWN OF NORTH HEMPSTEAD

LOCAL LAW NO. 9 OF 2020
A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 2020, ADOPTED MAY 19, 2020, TO
EXTEND THE BUILDING MORATORIUM IN THE WATERFRONT BUSINESS (B-W)
DISTRICT.

Section 1. Legislative Intent.

Since the adoption of Local Law No. 11 of 2017, establishing a building moratorium in the Waterfront Business (B-W) District, the Town has received invaluable comment from interested residents, businesses, community groups and public officials as to zoning code changes affecting the District. In order to give thorough consideration to the comments received, the Town Board has extended the building moratorium, most recently on May 19, 2020, when the Town Board passed Local Law No. 2 of 2020 to extend the moratorium until September 14, 2020. While the moratorium has been in effect the Town Board has continued to receive additional comment from all parties interested in zoning code changes affecting the District. In order to allow the Town the additional time needed to finalize the proposed zoning code changes, due to the closures of Town facilities as a result of the coronavirus pandemic, the Town Board of the Town of North Hempstead finds that it is in the best interest of the Town to amend Local Law No. 2 of 2020, adopted May 19, 2020, in order to extend the moratorium through October 30, 2020.

Section 2.

Section 2 of Local Law No. 2 of 2020 is hereby amended as follows:

During the period commencing December 28, 2017 and terminating on [~~September 14~~] **October 30**, 2020, the Town's Department of Building Safety, Inspection and Enforcement shall not issue any building permits, demolition permits, special permits or any other discretionary approval for any property within the Waterfront Business District (B-W), including the following properties, which are identified by reference to the Land and Tax Map of Nassau County:

Section 5, Block B, Lots 171, 46, 500

Section 5, Block C, Lots 9, 431, 2, 428, 427, 462, 463, 16, 429, 430

Section 5, Block H, Lot 2 and 43

Section 3.

Section 3 of Local Law No. 2 of 2020 is hereby amended as followed:

This local law shall take effect upon filing with the Secretary of State and shall remain in full force and effect through [~~September 14~~] **October 30**, 2020.

Section 4.

This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLVED that the Town Clerk be an hereby is authorized and directed, in the manner required by law, to file a copy of the Local Law with the Secretary of State, and to publish a notice of adoption of the Local Law, which notice shall be in substantially the following form:

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on September 10, 2020 via Zoom, Local Law No. 9 of 2020 was adopted. The local law amends Local Law No. 2 of 2020, adopted May 19, 2020, to extend the building moratorium in the Waterfront Business (B-W) District through October 30, 2020.

DATED: Manhasset, New York

September 10, 2020

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
Town Clerk**

Dated: Manhasset, New York

September 10, 2020

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Ferrara, Councilperson Lurvey, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Town Clerk Planning Building

PROPOSED RESOLUTION

******offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

RESOLUTION NO. -2020

NONE