

*North Sea Citizens Advisory Committee
Town of Southampton
164 Fish Cove Road & 18 Pine Tree Rd
Southampton, New York 11968*

631-283-5978 or 631-283-3566

*Lucille Dunne
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Co-Chairs*

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Barbara Fair*

*Members
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Mary Beatty
Joan Brennan**
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Frank Palmer
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Arlene Schroeder
Mary E. Topping*

**denotes Seasonal Member
**denotes ex-officio*

MINUTES

May 13, 2013

Speakers: Christine Fetten, Town Engineer and Chris Nuzzi, Town Council Member

Guests: Susan College, Shelia Comparato, Virginia and Charles Styler

The meeting opened at 8:06 pm with the Pledge of Allegiance.

The minutes of the April 8, 2013 meeting were approved.

New Business

Green Homes Program. Town Engineer Christine Fetten made a presentation explaining the Green Homes Program, funded under the American Recovery and Reinvestment Act of 2009 (ARRA). Sometimes called the “Stimulus” the primary objective for ARRA was to save and create jobs almost immediately. Secondary objectives were to provide temporary relief programs for those most impacted by the recession and invest in infrastructure, education, health, and 'green' energy. Seven towns in Suffolk County received grants to educate residents and encourage their participation in the Green Homes Program to increase the energy efficiency of their homes. Ms. Fetten brought handouts explaining the program.

The Town has a webpage devoted to the Green Homes Program, where a link to an application for a free home energy audit can be found. The Energy Audit is free for most residents but those with higher incomes will pay a small fee for the valuable service. The program provides a list of contractors certified by the Building Performance Institute (BPI) to conduct energy audits, during which blowers and smoke machines may be used to detect air leakage. BPI contractors use a comprehensive software system to provide a menu of actions the homeowner can take to improve energy efficiency. Homeowners can choose which, if any, of the money-saving actions identified in the Energy Audit they want to pursue and can complete the work in phases. You can register for the program either on-line or by mail.

Several options exist for paying for the work. An “On-Bill Recovery Loan paid through billing by LIPA; automatic bank withdrawals; and loans from NYSERDA. All bear a low interest rate.

Members asked if they would be required to use the same BPI certified contractor that did the audit for the work. Ms. Fetten thought not. Another asked if the homeowner could have the work done by a contractor who was not BPI certified. Ms. Fetten suggested that BPI certified contractors had extensive knowledge of the techniques that produced the correct results, making them a better choice. A guest recalled having an oil burner replaced in an emergency situation and did not use a BPI contractor; he was later told he was ineligible for a rebate. Other questions concerned whether you had to live in a house to get the free audit; it seems not, but you must own the property. Renters cannot apply for the program. Last, a guest pointed out there was an apparent conflict of interest in requiring the homeowner to use the same contractor to do the audit and then perform the work recommended by the audit. It was unclear if the Green Homes Program required the same contractor be used for the audit and for the work.

Council Member Chris Nuzzi. Councilman Nuzzi discussed the Town Board Agenda for the next meeting. The Solid Waste Management Plan would be discussed. The Town is required by the NYS Department of Environmental Conservation to prepare and update a plan for managing garbage and recyclables. Also on the Town Board agenda are proposed amendments to two laws governing rental permits. These proposals would decrease the “transient period” from 29 days to 14 days, to better align the law with the reality that two-week rentals “drive our economy here”. Problems with short-term rentals such as for proms, serious overcrowding and group rentals have “mostly been addressed”. Other proposed changes in the law would eliminate provisions that were cumbersome or impractical to enforce: requiring landlords to list tenants’ names and to provide insurance information. There is a \$1500 fine for failing to get a rental permit, which costs \$250 and is good for two years. If and when the amendments are passed, the Town will publicize the changes and is already discussing them with real estate brokers.

Responding to a question, Mr. Nuzzi stated that the Town has made a commitment not to reduce staff in Code Enforcement even during the hiring freeze, and put the staff on staggered shifts during peak periods. Regarding excessive numbers of cars observed at some homes, Mr. Nuzzi stated that the Code allowed one car per bedroom, plus one. If more are observed on a regular basis, this can be reported by calling Code Enforcement or Mr. Nuzzi. Other questions concerned the requirement that landlords provide garbage pick-up, and large extended families living in small homes.

The Sandy Hollow Tennis Camp is obviously a contentious issue, Mr. Nuzzi said. Under the Town Code, the Zoning Board is responsible for deciding on the change from one non-conforming use to another. Currently, the question is not in the hands of the Town Board. Members questioned whether the limit of a 50% expansion of a non-conforming use was a local or NYS law.

The language governing the Zoning Board's review of a change in a non-conforming use is a very general standard: the applicant must show "such change is beneficial to the neighborhood." The Zoning Board is not, by statute, a policy-making board; therefore, Mr. Nuzzi has drafted legislation that would shift the decision making to elected officials and require a public hearing process. Mr. Nuzzi said not everyone is in favor of the more lengthy process set out in the proposed legislation and he is assessing the level of community support for the change.

In response to many comments and concerns about the proposed tennis camp; - no sewage treatment plant is being required, there are groundwater protection issues, nearby ponds were at risk of pollution, provision hasn't been made for parking cars, buildings have been extensively modified without permits, the swimming pool (deemed an accessory use to the pre-existing cottages on the site by the Town Attorney) is nearly complete - Mr Nuzzi explained that the SEQRA analysis was in process and that the Planning Board was the lead agency. A guest asked how the Town stood regarding the bird sanctuary adjacent to the property, and that the residents living around Little Fresh Pond use no fertilizer to ensure Little Fresh Pond remains clean and pure. These considerations will be addressed during the SEQRA process, Mr. Nuzzi said.

A member protested that the Zoning Board was a small group of people with too much power and that needed to change.

Summarizing, Mr. Nuzzi said that usually when the ZBA is considering applications to change from one non-conforming use to another, it is a less noxious use, but this still leaves the process open to too much subjectivity.

Adjournment

The meeting was adjourned at 9:28 pm.

Present: Mary Beatty, John Clark, Lucille Dunne, Barbara Fair, Dan Gebbia, Stephanie McNamara, Frank Palmer, Ann Reisman, Arlene Schroeder, John Watson
Excused: John Barona, Mary Beatty, Jamie and Aaron Navan