

The Special Meeting of the Board of Trustees was held on Wednesday, July 1, 2020 at the Lawrence Yacht & Country Club, 101 Causeway, Lawrence, New York 11559), as well as via Virtual Webex/Go To Meeting and Convened by conference call-in.

To join by phone: 1-408-418-9388

Meeting number (access code): 132 055 4801

Notice having been given, published in the Nassau Herald, posted throughout the Village of Lawrence (in seven – 7 locations) and posted on the Village website, the public had access to the meeting and several members did participate.

Those members present were: Mayor Alex H. Edelman
Deputy Mayor Michael A. Fragin
Trustee Daniel J. Goldstein
Trustee Uri Kaufman
Trustee Syma F. Diamond

Also present were: Ronald Goldman, Village Administrator
Village Attorney, Andrew Preston, Esq.
Alison Cohen, Secretary to the BOT

Absent were: Gerry Castro, Deputy Village Clerk
Lina Fusco, Deputy Village Treasurer

REGULAR MEETING

Mayor Edelman called the regular meeting to order at 8:00 p.m.

NEW BUSINESS

Item 1 – Approve Resolution adopting a SEQRA Negative Declaration and Determination of non-significance in connection with the proposed Amendment of the Building Zone Ordinance of the Village of Lawrence, to add a new Section 212-13.1, creating a new zoning district – The Coastal Conservation District – Woodmere Club

Board Action: Trustee Goldstein moved the approval of a Resolution adopting a SEQRA Negative Declaration and Determination of non-significance in connection with the proposed Amendment of the Building Zone Ordinance of the Village of Lawrence, to add a new Section 212-13.1, creating a new zoning district – The Coastal Conservation District – Woodmere Club (attached hereto as Exhibit “A”). Mayor Edelman seconded the motion. All in favor, with one abstention. Deputy Mayor Fragin abstained from the vote.

Item 2 – Approve adoption of proposed amendment of the Building Zone Ordinance to add a new section 212-13.1 for the creation of a new zoning district to be entitled the “Coastal Conservation District – Woodmere Club”; presented at the June 23, 2020 Public Hearing/Meeting at the Town of Hempstead Town Hall

Board Action: Trustee Goldstein moved the approval of the proposed amendment of the Building Zone Ordinance to add a new section 212-13.1 for the creation of a new zoning district to be entitled the “Coastal Conservation District – Woodmere Club”; presented at the June 23, 2020 Public Hearing/Meeting at the Town of Hempstead Town Hall (attached hereto as Exhibit “B”). Mayor Edelman seconded the motion. All in favor, with one abstention. Deputy Mayor Fragin abstained from the vote.

Item 3 – Approve authorizing the Mayor to sign the IMA with Nassau County regarding LCFD Fire Truck Purchase

Board Action: Deputy Mayor Fragin moved the approval to authorize Mayor Edelman to sign the IMA with Nassau County regarding the LCFD Fire Truck Purchase. Trustee Goldstein seconded the motion. All in favor.

Noted for the record was the attendance of Lawrence Civic Association President Paris Popack and Park Commission Vice-Chairperson Jacqueline Handel. No comments were received from the public. .

On motion by Trustee Goldstein seconded by Trustee Kaufman and unanimously approved, the Board adjourned at 8:04 p.m.

This is to certify that I, Ronald Goldman, read the preceding minutes, and they are in all respects a full and correct record of such proceedings.



Ronald Goldman, Administrator,
Clerk/Treasurer

EXHIBIT A

CASE NO.

RESOLUTION NO.

Adopted: July 1, 2020

Trustee Goldstein offered the following resolution and moved its adoption:

**RESOLUTION ADOPTING A SEQRA NEGATIVE DECLARATION AND
DETERMINATION OF NON-SIGNIFICANCE IN CONNECTION WITH
THE PROPOSED AMENDMENT OF THE BUILDING ZONE
ORDINANCE OF THE VILLAGE OF LAWRENCE, TO ADD A NEW
SECTION 212-13.1, CREATING A NEW ZONING DISTRICT -- THE
COASTAL CONSERVATION DISTRICT -- WOODMERE CLUB**

WHEREAS, the Village of Lawrence Board of Trustees (“Village Board”) is considering the adoption of an amendment of the Building Zone Ordinance of the Village of Lawrence to create a new zoning district -- the Coastal Conservation District - Woodmere Club in order to protect the Village against the adverse environmental impacts of potential future residential development of the Woodmere Golf Club property (the “Proposed Action”); and

WHEREAS, the Village Board has entered into a comprehensive study, in cooperation with the neighboring Town of Hempstead and Village of Woodsburgh, of the property currently owned and occupied by the Woodmere Golf Club (the “Woodmere Golf Club property”; the “Subject Property”), whether the Villages’ and Town’s existing zoning regulations adequately protect against potential adverse environmental impacts of potential residential development of the currently open and undeveloped Woodmere Golf Club property under existing zoning regulations, and whether the Villages and Town should amend their zoning codes to protect against such potential adverse impacts; and

WHEREAS, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law Article 5-J, Section 119-u, Village Law Section 7- 741, and Town Law Section 284, the Village and the contiguous Village of Woodsburgh and Town of Hempstead entered into an Intermunicipal Cooperation Planning and Land Use Regulation Agreement (the “IMA”) with the purpose of undertaking mutually beneficial, shared and coordinated comprehensive planning and land use regulation for the Woodmere Club Property in order to promote intergovernmental cooperation, increase coordination and effectiveness of comprehensive planning and land use regulation, make more efficient use of infrastructure and municipal revenues and resources, as to enhance the protection of community resources which span municipal boundaries; and

WHEREAS, to respond to the significant anticipated potential adverse environmental impacts associated with a potential residential build-out under existing zoning regulations within the Woodmere Golf Club property, the proposed CC-WC District has been developed under the IMA between the Village of Lawrence, Town of Hempstead, and Village of Woodsburgh, so as to provide for, and ensure, a coordinated comprehensive measure to protect against the potential

adverse environmental impacts associated with a maximum residential build-out under existing zoning regulations; and

WHEREAS, the Village Board has reviewed the criteria for determining environmental significance of such an action pursuant to 6 NYCRR 617.7(c); and

WHEREAS, the Village Board has received from environmental consultants retained by the Town of Hempstead, and reviewed, an Expanded Environmental Assessment (the “EEA”); and

WHEREAS, the EEA was prepared by the Town of Hempstead’s environmental consultants to assess the potential impacts associated with, and concerning the proposed amendment of the Building Zone Ordinance of the Village of Lawrence to create a new zoning district -- CC-WC District for the Woodmere Golf Club property, so as to permit this Board to take the necessary hard look at the potential environmental impacts of the Board’s Proposed Action; and

WHEREAS, this Board finds that the EEA, prepared by the Town of Hempstead’s environmental consultants, augmented by information received at a public hearing from interested members of the public, has adequately identified in detail the potential adverse environmental impacts associated with both a potential residential build out of the Subject Property pursuant to the existing zoning regulations, and resulting from the Proposed Action, as well as the clear public benefits to be obtained, such that the Proposed Action will not result in significant adverse environmental impacts; and

WHEREAS, the EEA has documented for this Board the unique environmental resources of the area of the Woodmere Golf Club property, and within the proposed new CC-WC District, and provides an impact analysis of “build-out” potential under both existing zoning regulations and the proposed CC-WC District; and

WHEREAS, pursuant to the EEA, this Board has taken a hard look at, and examined the full range of potential impacts associated with residential conversion under both existing zoning regulations and the proposed new CC-WC District, focusing on numerous critical environmental factors (e.g., climate change, floodplain management, sea-level rise, open space preservation, aesthetics, impact on community character, compatibility with adjacent zoning, exacerbation of traffic congestion); and

WHEREAS, the analysis provided by the EEA has helped to refine the parameters of the proposed CC-WC District, and the Village’s desire to balance potential residential development within the area of the Woodmere Club property with the protection of the critical environmental resources of the Woodmere Golf Club property; and

WHEREAS, the analysis provided by the EEA demonstrates that there will be potential significant adverse environmental impacts associated with a potential residential conversion of the Subject Property under existing zoning regulations within the Woodmere Club property on environmental and cultural resources, floodplain management, community character, open space/visual resources, and traffic congestion, among others, which will be reduced and mitigated to the greatest extent possible by the adoption of the proposed zoning amendment; and

WHEREAS, the analysis provided by the EEA demonstrates that the existing zoning regulations with respect to the Woodmere Club property are clearly inadequate to effectively manage this significant, valuable, uniquely environmentally sensitive coastal open space, and that the outdated existing zoning regulations do not contemplate the potential wholesale residential redevelopment of this critical open and environmentally sensitive area, the potential adverse environmental impacts on both the Woodmere Club property and the Village as a whole that such would bring, and the Village's and this Board's need, and indeed obligation, to recognize, and to protect against, the rapidly evolving threats to the environment (i.e., sea-level rise, storm severity and frequency, storm water run-off, etc.) of this unique coastal property and surrounding community; and

WHEREAS, the analysis provided by the EEA demonstrates that the proposed zoning regulations concerning a potential residential "build-out" under the proposed CC-WC District will not have a potential for any significant adverse environmental impacts, but, to the contrary, will significantly mitigate against the many significant adverse environmental impacts under existing zoning regulations; and

WHEREAS, the analysis provided by the EEA demonstrates that a potential residential build-out of the Woodmere Golf Club property under existing zoning regulations will result in significant adverse impacts associated with floodplain management. A traditional subdivision layout that seeks to maximize yield under existing zoning regulations a) would likely raise the grade of the majority of the Subject Property in order to comply with FEMA NFIP regulations, with existing grades falling significantly below NFIP Base Flood Elevations throughout much of the Subject Property; b) many areas within the Subject Property would require six feet of fill or more to meet the required BFE plus freeboard elevation; c) a preliminary engineering analysis has been performed to assess the impact of the use of this quantity of fill on the ability of the Subject Property to provide adequate flood water storage; d) comparing existing ground elevations, floodplain elevations, and the likely potential grading conditions and resulting elevations, a maximum-yield subdivision under existing zoning will potentially displace approximately 6,048,000 cubic feet (224,000 cubic yards) of flood water; e) for comparison purposes, this volume of floodwater equates to over 45,000,000 gallons of displaced floodwater, likely flowing into the immediate surrounding communities, potentially impacting homeowners and businesses with new flooding patterns and more significant flooding depths than have been experienced in past storm events; and

WHEREAS, the potential residential build-out under existing zoning regulations will result in significant adverse impacts to community character, for the Woodmere Club property serves as a defining element of local community character and is part of the last remaining open space in the area, the coastal views and existing tree cover on the Subject Property serves as one of the area's most important neighborhood environmental resources, and the loss of such benefits would have a significant adverse impact on the surrounding community; and

WHEREAS, the potential residential build-out under existing zoning will result in significant adverse impacts to open space and visual resources, and would result in the loss of nearly all open space at the Woodmere Club property, and, in addition, the loss of

existing trees and vegetation, which would be replaced by potentially up to 285 new homes, all significantly adversely impacting upon the visual resources that help to define this unique coastal area and surrounding community; and

WHEREAS, the potential residential build-out under existing zoning regulations would result in significant adverse impacts on both commercial and residential traffic congestion on neighboring streets, including: intersection impacts at Broadway/Prospect Avenue and cause up to 78% more traffic during peak hours; and

WHEREAS, considering the anticipated 24-hour traffic volume under existing zoning regulations, a potential residential build-out under existing zoning regulations would increase traffic on Broadway by almost 20%, which will be significantly avoided or mitigated by the proposed zoning amendment; and

WHEREAS, construction traffic associated with such a potential residential build-out of the Subject Property, would be anticipated to last several years, and would also result in a significant number of truck trips over local roads which are already heavily taxed by existing commercial and residential traffic, which would be significantly reduced by the proposed zoning amendment; and

WHEREAS, along the coast, and particularly in low-lying coastal areas such as the Woodmere Club property, it is imperative that the Village, as steward of the environment and protector of the Village's community safety, health and welfare, act to protect the Village and surrounding communities against severe potential adverse impacts on this unique environmentally sensitive area; and

WHEREAS, the proposed amendment to Building Zone Ordinance to establish the CC-WC District will better align the Village's zoning regulations with existing state and federal environmental principles, provide coordinated floodplain management regulations, preserve area character, and protect the critical environmental resources spanning the Village of Lawrence and the adjacent contiguous Village of Woodburgh and Town of Hempstead; and

WHEREAS, the proposed CC-WC District is a more sustainable residential zoning district that will provide for contextual single-family development that is far more responsive to environmental, ecological, cultural, and physical conditions; and

WHEREAS, the proposed CC-WC District recognizes the unique environmental conditions that could affect both future development as well as the natural attributes and functions of the Subject Property; and

WHEREAS, in such a vulnerable low-lying community, the potential impact of climate change, significant sea-level rise, resulting in both a significant increase in flooding associated with typical rainfall events, as well as storm surge flooding from and severe storm events, are some of the most critical environmental issues that must be recognized, and are guarded against, by the Village in its proposed amendment to its zoning regulations; the proposed CC-WC District is designed to provide more effective measures to address these significant potential adverse environmental impacts; and

WHEREAS, in order to improve daily stormwater management, the proposed CC-WC District provides additional regulations related to stormwater storage and recharge, effectively requiring a volumetric design for an eight-inch rainfall event for the entire Subject Property /subdivision, as well as a volumetric design of a three-inch rainfall event per building lot; green infrastructure, such as rain gardens and bioswales are also incentivized; in addition, the proposed CC-WC District encourages the use of permeable pavement surfaces while further limiting impervious coverage on each proposed building lot; and

WHEREAS, in order to address the potential flooding from severe storms and coastal storm surges, the proposed CC-WC District provides for building lot layout that provides for a continuous perimeter coastal buffer area around the Subject Property (approximately 83 acres/70% of total site area); this coastal buffer area plays a critical role in providing flood storage and protection of existing development; and

WHEREAS, as the subject property spans the municipal boundaries of the Village and neighboring municipalities, effective floodplain management at the Subject Property requires a coordinated approach for the entire property; the proposed CC-WC District provides for coordinated floodplain management among all three municipalities; and

WHEREAS, the proposed CC-WC district provides an opportunity to regulate the entire Subject Property as a whole, thereby reducing this potential for fill-induced local flood impacts; and

WHEREAS, understanding floodplain management guidance from Federal Emergency Management Agency (FEMA) and New York State Department of Environmental Conservation (NYS DEC), along with the existing floodplain regulations adopted by each municipality, the proposed CC-WC district recognizes that flood prevention and mitigation is not limited to site-specific elevation, as it is currently regulated through the National Flood Insurance Program (NFIP), or to the limits of a municipal boundary; and

WHEREAS, FEMA notes that, *“Fill is prohibited within the floodway unless it has been demonstrated that it will not result in any increase in flood levels. Some communities limit the use of fill in the flood fringe to protect storage capacity or require compensatory storage.”* These flood risk mitigation measures effectively preserve the floodplain and surrounding areas; and

WHEREAS, the goal of managing a floodplain is not only to ensure that new development is reasonably safe from flooding but to address existing risks, to avoid increasing risk to others, and to sustain natural capacities to slow and diffuse flood flows. Reducing development in a flood-prone area allows the natural landscape to absorb more floodwaters, reduce flooding to adjacent areas, recharging groundwater and sustaining healthy ecosystem; and

WHEREAS, by implementing a coordinated, site-wide approach to flood mitigation (e.g., clustered residential development areas with continuous perimeter open space area with restrictions on the use of fill and tree removals in this area), the proposed CC-WC District regulations address the mitigation of potential adverse flood impacts in a coordinated manner

across the whole Subject Property, consistent with FEMA's explanation of the effects of earthen fill within a Special Flood Hazard Area; and

WHEREAS, the proposed CC-WC District has been designed to preserve community character by utilizing a cluster or conservation-style development approach, to ensure that future residential density and character remains consistent between the Village's and neighboring municipalities' zoning regulations, while also ensuring that a sufficient amount of the existing open space within in the Woodmere Club property is properly conserved; and

WHEREAS, the proposed cluster-style development for the Woodmere Club property will allow for the preservation of approximately 83 acres of perimeter open space (70% of total site area) throughout the Subject Property; and

WHEREAS, additional regulations related to tree removals and the use of earthen fill in the perimeter open space area will provide further protection to the area's community character; and

WHEREAS, the adoption of the proposed CC-WC District will preserve a significant portion of the Subject Property as open space and recognize the need to protect the area's visual resources; and

WHEREAS, the CC-WC District establishes an Open Space/Recreational Sub-District, which will effectively preserve approximately 83.3 acres or 70% of the Subject Property as unfragmented open space, achieved through clustering within the smaller Single-Family Residential Sub-District, in line with the general planning concept of a conservation subdivision; and

WHEREAS, in addition, this conservation subdivision approach aligns closely with NYS DEC regulations for tidal wetlands, particularly 6 NYCRR Part 661.6 Subsection 6, which provides for the clustering of residential uses as to allow enhanced buffering of sensitive coastal resources; and

WHEREAS, as such, the significant drainage and flood absorption capabilities associated with the existing golf course and natural areas would be retained in the proposed new zoning District, and, in order to further protect open space and visual resources, the proposed regulations within the CC-WC district will further restrict tree removals and the use of fill/significant grading to preserve this area to the maximum extent practicable; and

WHEREAS, by adopting the proposed zoning amendment this Board will implement a measure that, consistent with balancing of social, economic, and environmental considerations, will minimize, to the maximum extent practicable, the potential adverse impacts of a potential residential build out under the existing Building Zone Ordinance; and

WHEREAS, based on all of the foregoing, and on due consideration of the recommendations of the consultants, and the members of the Board's personal knowledge of the Woodmere Golf Club property and surrounding neighborhoods in the Village of Woodsburgh and Town of Hempstead;

NOW, THEREFORE, BE IT

RESOLVED, the Village Board declares itself Lead Agency for SEQRA purposes of the Proposed Action; and be it further,

RESOLVED, pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR, Part 617.4 (SEQRA), the Proposed Action, which consists of the adoption of a proposed amendment of the Building Zone Ordinance of the Village of Lawrence to add a new Section 212-13.1, creating a new zoning district -- CC-WC District -- is a "Type 1 Action"; and be it further,

RESOLVED, the Board finds the environmental documentation is complete, the Proposed Action will not result in significantly adverse environmental impacts, and adopt a Declaration of Non-significance and a Negative Declaration for the Proposed Action in consideration of the "Criteria for Determining Significance" contained in SEQRA Rule Part 617.7(a)-(c); and it is

RESOLVED, that the requirements of SEQRA have been met, and the SEQRA process has been satisfied and completed with this Declaration of Non-significance and Negative Declaration.

Mayor Edelman seconded the motion.

The foregoing resolution was adopted upon roll call as follows:

AYES: Mayor Edelman,

Trustee Goldstein,

Trustee Kaufman

Trustee Diamond

NAYS:

ABSTAINED: Deputy Mayor Fragin

EXHIBIT B

**RESOLUTION ADOPTING A PROPOSED LOCAL LAW TO ADD AN
AMENDMENT TO THE BUILDING ZONE ORDINANCE OF THE
VILLAGE OF LAWRENCE, TO ADD A NEW SECTION 212-13.1,
CREATING A NEW ZONING DISTRICT -- THE COASTAL
CONSERVATION DISTRICT -WOODMERE CLUB**

WHEREAS, the Board of Trustees scheduled a public hearing, held on June 23, 2020, to consider proposed local law to add a new section to the Village Zoning Code to create a new zoning district to be entitled the “Coastal Conservation District- Woodmere Club” and to amend the Village Zoning Map to reclassify the Woodmere Club property as Coastal Conservation District – Woodmere Club and,

WHEREAS, the Board of Trustees held a public hearing on June 23, 2020, and provided an opportunity for all interested parties to be heard, including an opportunity to submit written comments through June 25, 2020; and,

WHEREAS, the Board has referred the proposed local law to the Nassau County Planning Commission, and the Planning Commission has recommended local determination; and,

WHEREAS, the Board has declared itself Lead Agency with respect to the environmental review of the proposed local law and determined that adoption of same is a Type I action that will not have a significant environmental impact; and,

WHEREAS, after due deliberation, the Board finds it in the public interest to adopt the proposed local law adding the new Section 212-13.1 to the Village Code.

NOW, THEREFORE,

1. The Board adopts the proposed Section 212-13.1 of Village Code, and directs that a copy thereof be appended to the minutes.
2. The Board directs that the Village Clerk publish, post and file a copy of the new Village Code Section 212-13.1 as required by law, and file a copy of same with the New York State Department of State.
- 3 The Board directs the Village Clerk to take such action as is necessary to amend the Zoning Map, as provided in Section 212-13.1.