

Plandome Heights trustees to hear arguments on Planning Board next week

By **Rose Weldon** - January 27, 2021



The Village of Plandome Heights is considering abolishing its Planning Board and transferring its powers to the Board of Trustees. (Photo courtesy of Google Maps)

Trustees for the Village of Plandome Heights will hear arguments on a proposal to dissolve the Planning Board and absorb its powers in a public hearing at their meeting next week, a move opposed by the Plandome Heights Civic Association.

The village said that the proposal, which comes via [a bill that would alter the village code](#), is necessary due to the infrequency of the Planning Board's use, but the civic association said that the independence of the board is required in the village for oversight reasons, among others.

Jim Madison, the Planning Board's president, said in an interview last week that he agrees with the proposal.

"I'm in total agreement that it be done," he said.

Rosemary Mascali, president of the Plandome Heights Civic Association, said in a phone interview: "The Planning Board, in general, is an independent board, in order to keep kind of elected officials out of Planning Board decision. It's a kind of well known, accepted practice that decisions made for a particular property shouldn't be influenced by, potentially influence or even create the appearance of a conflict of interest."

The text of the law cites the infrequency of the Planning Board's use among the reasons for its elimination.

"It's a relatively inactive committee," Madison said. "I think I've been on this board for 15 years, and we've had three issues that have come before it. And two of them weren't even in our village; they related to properties that were adjacent to our village."

Mascali contends that the inactivity is expected. "Planning boards, in general, meet on an as-needed basis," Mascali said. "That's what the people are signing up for. They know there's not that much activity during the year... But [the planning board members] know they have to keep up with the training required."

She added that the civic group was concerned that the attempt to dissolve the board came "clandestinely."

"There's been no notification to the residents, there was no notification to the civic or the women's club until just last week," Mascali said. "I don't feel that this process is being done the way it should. This is an important decision."

A source who spoke on condition of anonymity said the Planning Board's members received an email two weeks ago thanking them for their work, just under a month before a hearing on the subject.

Only four properties in the village exist that could be subdivided, Madison said.

"One of [the properties] doesn't have the frontage," Madison said. "So if you need a variance, that would not be our committee anyway. The other two, one of them is the synagogue, which is unlikely to subdivide. And the other two are private. It isn't a very active activity, and there's not a lot of potential for activity."

"We were basically incurring costs in our village for issues [where] the jurisdiction should have been elsewhere, in my view," he added.

"Just because we don't have that many properties that would be potentially subdivided, because they're mostly built out, doesn't mean that those residents shouldn't have the same independent consideration as any other property had," Mascali said.

Due to the lack of frequency of meetings and "minimal need" for the Planning Board functions, the bill says, the members of that board "do not have the opportunity to become familiar with current property and zoning issues within the Village or in neighboring jurisdictions, but are burdened by the obligation to satisfy annual training requirements which are rarely put to use."

"At the same time, the Board of Trustees finds that such familiarity does exist with the members of the Board of Trustees, who meet regularly to address the many issues that arise in the Village, including those that pertain to property and zoning issues," the text states. "Furthermore, in a small Village like Plandome Heights, there is an inherent difficulty in identifying and securing residents who are ready, willing, and able to serve the Village in a voluntary, uncompensated role such as that of [a] member of a separate Planning Board, and the interests of the Village are not served if such individuals do come forward and volunteer, only to serve on a Board that meets as infrequently as the Village's separate Planning Board."

"It's relatively difficult for volunteers to make really, really well-informed decisions because the issues are pretty technical," Madison said. "[These issues are] being discussed by the Board of Trustees. And they're active in what's going on in the village, they have more context in dealing with what's going on in the village. So I think it fits better naturally that that be moved within the Board of Trustees."

Madison said he had not discussed the issue with the other members of the board.

"The [village] trustees are involved with the normal day to day issues, but subdivisions are unique situations for anyone that's involved in the Planning Board and at least has the training associated with that," Mascali said. "[The Planning Board is] independent, it's not going to be influenced by a particular property coming up."

"[We're seeking] an independent board that is looking at it, you know, truly in the best interests of the village, not perhaps in the interests of a particular resident that wants something done at that property," she said.

A public hearing on the topic is planned for Monday. If passed, the local law enacting the change in code would take effect immediately.

Interested parties may attend remotely via Zoom videoconference on Monday at 6 p.m. Information on how to participate in the public hearing will be available on the village website, www.plandomeheights-ny.gov, two hours before the meeting, according to the village's legal notice.

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