



TOWN CLERK

PUBLIC HEARING
Town Hall /Board Room
655 Main Street
Islip, NY 11751

May 24, 2016
2:00 p.m.

-
- 1. A public hearing on the transfer of 51 Spruce Street, Central Islip and 26 Nicholl Avenue, Central Islip under the CDA's Rent with Option to Buy Affordable Housing Program.**
 - 2. A public hearing to consider amending section 40-3 of the Town Code entitled "Procedure for Licensing".**
 - 3. A public hearing to adopt an amendment to Chapter 49, section 13 entitled Taxicabs, liability insurance; proof required.**
 - 4. A public hearing to consider amending section 68-341.1 of the Islip Town Code entitled "Adult Uses".**

Anyone wishing to address the Board at the conclusion of these hearings may do so. Please clearly print your full name and address by registering with the Aide in the lobby. Any disabled person who needs a sign language interpreter or special accommodations to attend this meeting, is asked to please contact Constituent Services at 631-224-5500 as early as possible in order for the Town to accommodate.

Dated at Islip, NY
TOWN OF ISLIP
May, 12, 2016
OHM/tb

TOWN BOARD,

By: OLGA H. MURRAY
TOWN CLERK

RESOLUTION

WHEREAS, the Town of Islip Community Development Agency has selected the following purchasers as qualified and eligible Sponsors for the purchase of the below listed properties:

<u>Name of Family</u>	<u>Contract Price</u>	<u>Conveyed Property</u>
Nelisha Williams	\$195,000.00	0500-100-02-041 51 Spruce Street Central Islip, NY 11722
Richard Sydnor	\$185,000.00	0500-122-02-036 26 Nicholl Avenue Central Islip, NY 11722

WHEREAS, said sponsors intend to occupy said premises as owner-occupants; and

WHEREAS, the Board deems it in the best interest of the residents of the Town of Islip for the Town of Islip Community Development Agency to convey said premises to said Sponsors.

NOW THEREFORE, on a motion of _____
seconded by _____, be it

RESOLVED, that the Town Board hereby approves the sale of the said properties described above from the Town of Islip Community Development Agency to convey said premises to said Sponsors, and that sale of said premises to said Sponsors is subject to permissive referendum.

UPON A VOTE being taken, the result was:

THIS RESOLUTION IS SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town Board wishes to amend section 40-3 of the Islip Town Code as it relates to the minimum amount of years required as a journeyman plumber in order to apply for a master plumbers license; and

WHEREAS, in order to qualify for an application for a master plumbers license is five years, the current minimum term for practice as a journeyman plumber; and

WHEREAS, the Town of Islip wishes to amend this term to seven years so to be concurrent with neighboring townships with whom we share licensing reciprocity; and

WHEREAS, a public hearing was held therefore on .

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends section 40-3 of the Islip Town Code entitled "Procedure for Licensing" as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

§ 40-3. Procedure for licensing

Applicants for a plumbing license shall:

A. Submit on a form provided for such purpose an application for a plumber's license to the Islip Town Plumber's Examining Board. The application shall include such information which the Board believes reasonably necessary to the fair administration of this chapter.

[Amended 8-3-1976]

B. Pay a filing fee, as established by the Town Board, which amount is not refundable.

[Amended 8-3 1976; 1-2-1979]

C. Submit two recent photographs of the applicant, measuring approximately 1 ½ square inches, taken within the past 30 days.

D. Submit satisfactory proof that he has been a journeyman plumber with at least ~~five~~ seven year's experience and that there is no uncorrected violation existing against his prior work.

E. Submit to an examination by the Plumbers' Examining Board as hereinafter provided.

F. A applicant who has been found to be duly qualified by the Plumbers' Examining Board shall pay a licensing fee as established by the Town Board.

[Amended 10-24 -1967; 8-3-1976; 1-2-1979]

§ 40-3. Procedure for licensing

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[Amended 8-3-1976]

B. Pay a filing fee, as established by the Town Board, which amount is not refundable.

[Amended 8-3 1976; 1-2-1979]

C. Submit two recent photographs of the applicant, measuring approximately 1 ½ square inches, taken within the past 30 days.

D. Submit satisfactory proof that he has been a journeyman plumber with at least ~~five~~ seven year's experience and that there is no uncorrected violation existing against his prior work.

E. Submit to an examination by the Plumbers' Examining Board as hereinafter provided.

F. A applicant who has been found to be duly qualified by the Plumbers' Examining Board shall pay a licensing fee as established by the Town Board.

[Amended 10-24 -1967; 8-3-1976; 1-2-1979]

WHEREAS, the Town Board wishes to amend chapter 49, section 13 of the Islip Town Code entitled "Taxicabs, liability insurance; proof required"; and

WHEREAS, a public hearing was held on _____.

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends chapter 49, section 13 of the Islip Town Code entitled "Taxicabs, liability insurance; proof required" as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING
DELETIONS are indicated by STRIKEOUTS

Upon a vote being taken, the result was:

§49-13. Liability insurance; proof required

A. Business Owners

1. Owners shall.....

2. The memoranda shall set forth the following information:

- a. That the business and each vehicle is insured against public liability in the minimum amounts of ~~one million combined single limit for injuries, including wrongful death of any person, and to cover any accident involving more than one person and property damage insurance~~ required by the laws of the State of New York for personal injury and property damage, which insurance shall be maintained in force during the period covered by the license.

May 24, 2016

WHEREAS, the Town Board wishes to amend section 68-341.1 of the Islip Town Code as it relates to the regulation of “vape lounges” and “vape stores” in the Town of Islip; and

WHEREAS, the Town Board now determines that “vape stores” and “vape lounges” are properly categorized as an “Adult Use” within the Town of Islip; and

WHEREAS, “vape stores” and “vape lounges” pose a serious risk to the health, safety and welfare of Town of Islip residents and will be henceforth subject to the regulations pertaining to the aforementioned “Adult Uses” within the Town of Islip; and

WHEREAS, a public hearing was held on May 24, 2016.

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby amends section 68-341.1 of the Islip Town Code entitled “Adult Uses” as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING
DELETIONS are indicated by STRIKEOUTS

Upon a vote being taken, the result was:

§ 68-341.1

Adult uses.

[Added 9-23-1980; 4-8-1997]

Adult uses shall be allowable in an Industrial 1 District pursuant to the following:

A.

Purposes and considerations.

(1)

In the execution of this chapter it is recognized that there are some uses which, due to their very nature, have serious objectionable characteristics. The objectionable characteristics of these uses are further heightened by their concentration in any one area, thereby having deleterious effects on adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhoods or land uses.

(2)

It is further declared that the location of these uses in regard to areas where our youth may regularly assemble and the general atmosphere encompassing their operation is of great concern to the Town of Islip.

(3)

These special regulations are itemized in this section to accomplish the primary purposes of preventing a concentration of these uses in any one area and restricting their accessibility to minors.

B.

Definitions. As used in this ordinance, the following terms shall have the meanings indicated:

ADULT BOOKSTORE

An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, other periodicals, films, slides and video tapes and which establishment is customarily not open to the public generally but excludes any minor by reason of age.

ADULT DRIVE-IN THEATER

A drive-in theater that customarily presents motion pictures that are not open to the public generally but excludes any minor by reason of age.

ADULT ENTERTAINMENT CABARET

A public or private establishment which presents topless dancers, strippers, male or female impersonators or exotic dancers, or other similar entertainments, and which establishment is customarily not open to the public generally but excludes any minor by reason of age.

ADULT MOTEL

A motel which is not open to the public generally but excludes minors by reason of age, or which makes available to its patrons in their rooms films, slide shows or videotapes, which if presented in a public movie theater would not be open to the public generally but would exclude any minor by reason of age.

ADULT THEATER

A theater that customarily presents motion pictures, films, videotapes or slide shows, that are not open to the public generally but exclude any minor by reason of age.

MASSAGE ESTABLISHMENT

Any establishment having a fixed place of business where massages are administered for pay, including but not limited to massage parlors, sauna baths and steam baths. This definition shall not be construed to include a hospital, nursing home or medical clinic or the office of a physician, surgeon, chiropractor, osteopath or duly licensed physical therapist or barbershops or beauty salons in which massages are administered only to the scalp, face, neck or shoulders. This definition also shall exclude health clubs which have facilities for physical exercise, such as tennis courts, racquetball courts or exercise rooms, and which do not receive their primary source of revenue through the administration of massages.

PEEP SHOWS

A theater which presents material in the form of live shows, films or videotapes, viewed from an individual enclosure, for which a fee is charged and which is not open to the public generally but excludes any minor by reason of age.

VAPE LOUNGE

An establishment intended for the gathering of people for the purpose of using of electronic cigarettes, vapor products or hookah.

VAPE SHOP

A retail outlet specializing in the sale and/or distribution of any electronic cigarette or vapor products, including but not limited to electronic cigarettes; vape pens; dissolvable liquids; vaporizing liquids, oils or gels; mods; atomizers; vape tanks; coilheads; hookahs; hookah tobaccos;

C.

The adult uses as defined in Subsection B above are to be restricted as to location in the following manner in addition to any other requirements of this Code.

(1)

Any of the above uses shall not be located within a five-hundred-foot radius of any area zoned for residential use.

(2)

Any of the above uses shall not be located within a one-half-mile radius of another such use.

(3)

Any of the above uses shall not be located within a five-hundred-foot radius of any school, church or other place of religious worship, park, playground or playing field.

D.

The restrictions enumerated in Subsection C above may be waived by the Town Zoning Board of Appeals if the applicant shows and the Board finds that the following conditions have been met in addition to the general conditions contained in Article XXXIII of this ordinance:

(1)

That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit and intent of this ordinance will be observed;

(2)

That the establishment of an additional use of this type in the area will not be contrary to any program of neighborhood conservation or improvement, either residential or nonresidential; and

(3)

That 51% or more of the property owners within the restricted area as defined in Subsection C(1) of this section have signed a petition stating that they have no objection to the establishment of one of the uses defined above.

E.

No more than one of the adult uses as defined above shall be located on any lot.

F.

By amortization, the right to maintain a legal nonconforming adult use shall terminate in accordance with the following schedule:

Amount of Capital Investment* as of the Effective Date of this Ordinance[1]

Date Before Which Use Shall Terminate

0 to 5,000

January 1, 1982

5,001 to 8,000

January 1, 1983

8,001 to 15,000

January 1, 1984

15,001 to 22,000

January 1, 1985

22,001 or more

January 1, 1986

***NOTE:** The term "capital investment," as used above, is defined to mean the initial outlay by the owner or operator of the use to establish the business as of the date of the enactment of the ordinance, exclusive of the fair market value of the structure in which the use is located.

[1]

Editor's Note: This ordinance took effect 9-23-1980.