

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, June 3, 2026**

The work session of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, June 3, 2026 at 7 PM at the Village Hall located at 500 North Country Rd., St. James, NY 11780. Those present were the following members Mayor Michael D. Utevsky, Deputy Mayor Jeffrey D. Fischer, Trustees Judith C. Ogden; Kathleen Diana and Trustee Robert E. Kent. Also, in attendance Village Administrator/Clerk, Margaret O'Keefe; Police Chief, Charles M. Lohmann; Village Treasurer, Carolanne J. Darrigo; Building Inspector, Robert O'Shea and Village Attorney, Brian T. Egan. Not in attendance, Dir. of Highway Operations, Frank Prinzevalli and Village Engineer, Dan Falasco.

Mayor - Michael Utevsky:

Pledge of Allegiance

Mayor Utevsky convened the meeting on this 3rd day of June 2026, at 7:00 PM and opened the public hearing for the purpose of considering a Special Event Permit application by Thatch Meadow Flowers for a Musical Festival Fundraiser to be held on Saturday, June 20, 2026 at 121 Harbor Road, St. James, N.Y. 11780. The Village Board has reviewed the application for conformity with Village Code Chapter 138 opened the floor to the public.

RESOLUTION #030-26

It was, upon motion by Deputy Mayor Fischer, second by Trustee Ogden and unanimously adopted, to grant the Special Event Permit.

Mayor Utevsky next convened the hearing on this 3rd of June 2026, at 7:00 PM to consider the following application - The Monastery of the Glorious Ascension Inc. has applied to build a church at 481 North Country Road, St. James, N.Y. 11780. Village Counsel, Brian Egan, outlined the history of this application and what was to be decided upon at this hearing. Presentation made by Joseph Buzzell, Counsel for the Monastery. Following Zachary Strudenroth, Architectural Preservation Consultant presented his report dated May 21, 2026, previously submitted to the Board of Trustees and made available for the public.

The public was given the opportunity to speak and submit documents. Official transcript attached hereto. Public comment, no written submissions, were made by:

- Hartman, Robert
- Leighton, Alexandra
- Seaman, Kevin
- Kostis, Stacey

There being no further comments, the hearings were closed.

- It was, upon motion by Trustee Fischer, second by Trustee Ogden and unanimously adopted:

RESOLUTION #031-26

RESOLVED, motion to close the public hearing and approve the plans of MARK A WITTENBERG last dated and revised 8/15/2025 as presented on the record.

BE IT FURTHER RESOLVED, resolution deemed read into the record in its entirety and attached to the official record.

- It was, upon motion by Deputy Mayor Fischer, second by Trustee Kent, and unanimously adopted:

RESOLUTION #032-26

RESOLVED, in accordance Village Law 3-301 (3), Mayor Utevsky hereby appoints Mark Cohen, Esq, 7 Stony Brook Road, Stony Brook, N.Y. to the office of Acting Justice for a term to expire April 2027. Oath of Office is required to be filed within 30 days.

- It was, upon motion by Trustee Ogden, second by Deputy Mayor Fischer, and unanimously adopted:

RESOLUTION #033-26

RESOLVED, to reaffirm the following appointments to afford another 30 days to file Oaths of Office:

Michael Vincenti, Joint Coastal Commission, term expires 2029

Giovanna Curti, Joint Coastal Commission, term expires 2029

Leora Vatash, Tree Committee, term expires 2027

Michael Gargilo, Tree Committee, term expires 2027

Giovanna Curti, Tree Committee, term expires 2027
Damien Napoli, Tree Committee, term expires 2027

- The Agreement with Stafford Associates was presented. Discussion ensued. As renewal occurs prior to the July board meeting, Deputy Mayor Fischer will further review and advise the Village Clerk to poll the entire Board for a vote to be ratified at the July Trustees meeting.

Financials – Carolanne Darrigo, Village Treasurer:

- Oral and written reports provided to the Board of Trustees.
- It was, upon motion by Deputy Mayor Fischer, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #034-26
RESOLVED, to adopt Abstract Batch #'s 586-590, 592-996 and 598-601 to be paid from the General Fund and Abstract Batch #591 from the Trust & Agency for a total of expenses in the amount of \$112,563.97.
- It was, upon motion by Trustee Ogden, second by Trustee Kent, and unanimously adopted:
RESOLUTION #035-26
RESOLVED, the village treasurer is authorized and directed to make budget modifications to the 2026/2027 budget totaling \$85,000.00 for a net change of zero, to release payment for the Case Backhoe, as noted in her written report.

Highway Department – Judith C. Ogden, Highway Commissioner:

- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #036-26
RESOLVED, to accept the resignation of Pablo Mercado Encarnacion for an effective date of May 19, 2026.

Building Department – Robert O’Shea, Building Inspector:

- Oral report was made to the Board of Trustees.
- Release of Trust & Agency funds were tabled.

Police Department, Charles M. Lohmann Police Chief:

- Two assisted arrests were made.

Other Matters:

- Margaret O’Keefe, Village Administrator/Clerk, filed a Disclosure Notice dated June 3, 2026 with the Board of Trustees and the village’s official files noting a family members role on the Board of Governors for NYClass.
- A letter is to be sent to Mr. Bergeson, Counsel for Nissequogue Farms, requesting he appear before the Trustees on July 1st, 2026 at 7 PM to present an informal review on the Special Use Permit application.

Public Comment:

- Mr. Damien Napoli made the Board aware of the presence of a nest of Bald Eagles within the village’s jurisdiction.
- Mr. Robert Fiore – traffic control measures on Fifty Acre Rd.
- Mr. Howard Habberstad- inquiries made regarding the Village Code and enforcement.

There being no other matters to be brought before the Board; it was, upon motion by Deputy Mayor Fischer, second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 9:04 PM.

Respectfully Submitted,

Margaret O’Keefe
Village Administrator/Clerk

**RESOLUTION OF THE
THE VILLAGE OF HEAD OF THE HARBOR
BOARD OF ARCHITECTURAL REVIEW**

JUNE 3 2026

**S.C.T.M # 0801-007.00-03.00-029.001 & 037.000
481 NORTH COUNTRY ROAD
MONASTERY OF THE GLORIOUS ASCENSION INC.
CONSTRUCTION OF HOUSE OF WORSHIP**

WHEREAS, the Board of Trustees of the Village of Head of the Harbor, located in Suffolk County, New York serving as the **Board of Architectural Review (“BAR”)** , has received an application for Architectural Plan Approval, submitted by the **Monastery of the Glorious Ascension Inc.** (herein after referred to as the “Applicant”); and

WHEREAS, the proposed development is located at 481 North Country Road on the property designated as S.C.T.M # 0801-007.00-03.00-029.001 & 037.000, (hereinafter referred to as the “Property”); and

WHEREAS, the Property is approximately 202,215.47 square feet and lies within the Residence “A” District; and

WHEREAS, the proposed development consists of the construction of a house of worship of 3,341 square feet with a 982 square-foot wrap-around porch for a total proposed floor area of 4,323 square feet; and

WHEREAS, in addition to the house of worship, Applicant proposes the construction of a 33-space¹ parking lot to the rear of the house of worship with an adjoining brick walkway, the extension of existing gravel driveways to the proposed parking lot, a new on-site sanitary system, a dumpster enclosure at the north end of the parking lot, an A/C compressor and generator enclosure immediately north/northeast of the Church, a driveway apron expansion that includes work within North Country Road (State Route 25-A), and a landscape plan that includes new plantings, the removal of a tree, and the replacement of two trees; and

WHEREAS, the Property lies within the St. James Historic District, which is listed in the State and National Registers of Historic Places; and

WHEREAS, within the Property lies the Timothy House, a historic structure listed on the State and National Registers of Historic Places; and

WHEREAS, Applicant is a not-for-profit entity recognized by the IRS as a public charity and affiliated with the Russian Orthodox Church; and

¹ An additional nine parking spaces are proposed to be land-banked.

WHEREAS, Applicant currently uses the Timothy House as a monastery and place of worship for its religious Order; and

WHEREAS, under Section 165-23(B)(1) of the Village Code, Applicant's proposed use is permitted upon issuance of a special use permit by the Board of Trustees:

“B. Permitted special uses. The following uses are permitted subject to compliance with the requirements set forth in this § 165-23B and in §§ 165-35, 165-36, 165-37 and 165-38:

Churches and other places of religious worship located on adequate sites and with adequate provision for parking at times of maximum attendance or use of the premises, with landscaping and controls over lighting and signs as may be required so as to protect and not adversely affect adjoining properties and with means of ingress and egress which are properly related to the street system.”; and

WHEREAS, Applicant applied to the Board of Trustees for a special use permit for the Church project; and

WHEREAS, the Board of Trustees declared the proposed development a Type 1 project under the State Environmental Quality Review Act (SEQRA), provided notice to potentially interested agencies, declared itself lead agency, and undertook a coordinated review under SEQRA; and

WHEREAS, by resolution dated March 13, 2024, the Board of Trustees issued a negative declaration of environmental significance for the Church project ("Negative Declaration Resolution"); and

WHEREAS, by resolution dated March 13, 2024, the Board of Trustees issued a special use permit to Applicant for the Church project (the "BOT Resolution"); and

WHEREAS, the BOT Resolution set forth eighteen (18) conditions that Applicant must comply with to maintain the special use permit; and

WHEREAS, the BOT Resolution and Negative Declaration Resolution were the subject of an Article 78 challenge in the Supreme Court, Suffolk County (*Acker, et al. v. Village of Head of the Harbor et al.*, Index No. 609399/2024) (the "Article 78 Action"); and

WHEREAS, by decision and order dated April 2, 2025, the Supreme Court, Suffolk County dismissed the Article 78 Action (the "Court's Decision"); and

WHEREAS, the Court's Decision upheld the findings and conditions in the BOT Resolution and Negative Declaration Resolution, including the Board of Trustees' interpretation of the Property's Van Liew Covenants; and

WHEREAS, on or about January 14, 2025, Applicant submitted a site plan application to the Planning Board, which was approved by Resolution of that Board on August 6, 2025; and

WHEREAS, Joseph F. Buzzell of Buzzell, Blanda & Visconti, P.C. has represented Applicant throughout these proceedings; and

WHEREAS, the BAR application consists of the following documents (hereinafter referred to as the "BAR Application"):

i) Village Application for Build Permit dated August 21, 2025

ii) Survey of Property by AJC Land Surveying PLLC January 28, 2020

ii) a site plan drafted by Mark Wittenberg, R.A., P.C. with a latest revision date of August 15, 2025 and consisting of the following sheets:

SP1: Site Plan

SP2: Alignment Plan

iii) building plans and elevations for the proposed Church by Mark Wittenberg, R.A., P.C. with a latest revision date of August 15, 2025 and consisting of the following sheets:

FP1: Floor Plans no Seating

FP2: Floor Plans with Seating

EL1: Front and Rear Elevation

EL2: Left Side Elevation

EL3: Right Side Elevation; and

WHEREAS, Zachary N. Studenroth was retained by the BAR to act a consultant to advise the Board on eth application, and the consultant conducted a site visit at the property with representatives of the Applicant and the Village Attorney on May 8, 2026; and

WHEREAS, on May 21, 2026, Studenroth filed his "Site Inspection and Preservation Assessment Report", which made the following findings:

- a) The proposed project location and setting preserve the "overall site topography and vegetative density and character" of the property;
- b) The massing, scale and material components of the proposed building are well chosen to harmonize with the existing historic resources on the property and within the context of the St. James Historic District.
- c) The existing historic resource – Timothy House – is included and preserved as an integral feature of the site through its continued use as a residence for those serving the monastic community
- d) Construction of the church and parking facility will not "present an intrusive or disharmonious element in the historic district" because the scale and setting of the church have been chosen to minimize its visual impact.; and

WHEREAS, a public hearing on the Application was held before this Board on June 3, 2026; and

WHEREAS, during the duly-noticed public hearing all interested members of the public were given an opportunity to speak on the Application; and

WHEREAS, the Board closed the hearing at the June 3, 2026 meeting; and

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Board of Architectural Review of the Village of Head of the Harbor hereby grants **APPROVAL** to the Monastery of the Glorious Ascension Inc. for the Proposed Action as described above.

On a motion of Board Member Jeffrey D. Fischer,

Seconded by Board Member Judith C. Ogden,

This resolution was approved by the following vote:

Michael Utevsky, Mayor	AYE
Jeffrey D. Fischer	AYE
Kathleen Diana	AYE
Judith C. Ogden	AYE
Robert E Kent	AYE


Michael Utevesky, Mayor

June 8, 2026
Date

This Resolution Was Thereupon Duly Adopted