

REGULAR MEETING
of the
NASSAU COUNTY PLANNING COMMISSION

Thursday, April 10, 2025
10:14 a.m. - 11:20 a.m.

LEGISLATIVE CHAMBER
Theodore Roosevelt Executive & Legislative Bldg.
1550 Franklin Avenue
Mineola, New York

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2 A P P E A R A N C E S:

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LEONARD H. SHAPIRO, Chair

4

JEFFREY H. GREENFIELD, Vice-Chair

5

NEAL LEWIS, Third Vice-Chair

6

DANA DURSO,

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REID SAKOWICH,

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Commissioners

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WILLIAM NIMMO, Deputy Commissioner

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ROBERT O'BRIEN, Esq., Counsel

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12 Staff:

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GREGORY J. HOESL

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MARTY KATZ

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JOHN PERRAKIS

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TIMOTHY WREN

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Also Present:

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STEPHANIE J. VALDER, Stenographer

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1 Proceedings

2 P R O C E E D I N G S:

3 CHAIRMAN SHAPIRO: Good morning and
4 welcome to the April 10th meeting of the
5 Nassau County Planning Commission.

6 All rise for the Pledge of Allegiance.
7 Hand over your heart.

8 (Pledge of Allegiance recited in a
9 body.)

10 VICE-CHAIR GREENFIELD: Play ball.

11 CHAIRMAN SHAPIRO: Thank you.

12 Staff, roll call.

13 (Stepping up.)

14 MR. PERRAKIS: (No response.)

15 VICE-CHAIR GREENFIELD: While we're
16 waiting for the roll call, there's agendas over
17 on the left on the table, if anyone didn't pick
18 one up. And also there is, in addition, a
19 speaker registration form. If you wish to speak
20 on any case, please fill out a form. There's no
21 speakers on the Zoning calendar.

22 Sorry, we -- we're running a little
23 late today, but we had a very active -- what do
24 you call it?

25 MR. O'BRIEN: Work session.

1 Proceedings

2 COMMISSIONER DURSO: Work session.

3 VICE-CHAIR GREENFIELD: Work session.

4 THIRD VICE-CHAIR LEWIS: Very good.

5 All right.

6 (Laughter.)

7 VICE-CHAIR GREENFIELD: Okay. A lot to
8 discuss at work session. We tried to get out on
9 time, but there was a lot today.

10 Mr. Perrakis, the roll call.

11 MR. PERRAKIS: Commissioner Sakowich?

12 COMMISSIONER SAKOWICH: (No response.)

13 MR. PERRAKIS: Commissioner Sakowich?

14 COMMISSIONER SAKOWICH: Here.

15 CHAIRMAN SHAPIRO: Okay.

16 MR. PERRAKIS: Commissioner Kalaty?

17 CHAIRMAN SHAPIRO: Excused.

18 MR. PERRAKIS: Commissioner Gold?

19 CHAIRMAN SHAPIRO: Excused.

20 MR. PERRAKIS: Commissioner Forman?

21 COMMISSIONER FORMAN: Excused.

22 MR. PERRAKIS: Commissioner Ellerbe?

23 CHAIRMAN SHAPIRO: Excused.

24 MR. PERRAKIS: Commissioner Durso?

25 COMMISSIONER DURSO: Present.

1 Proceedings

2 MR. PERRAKIS: Third Vice-Chair Lewis?

3 THIRD VICE-CHAIR LEWIS: Present.

4 MR. PERRAKIS: Vice-Chair Greenfield?

5 VICE-CHAIR GREENFIELD: Present.

6 MR. PERRAKIS: Chairman Shapiro?

7 CHAIRMAN SHAPIRO: Present.

8 MR. PERRAKIS: We have a quorum.

9 First item -- oh, I'm sorry.

10 Acknowledgement of the transcript?

11 CHAIRMAN SHAPIRO: Do we have a motion?

12 THIRD VICE-CHAIR LEWIS: So moved.

13 COMMISSIONER DURSO: Second.

14 CHAIRMAN SHAPIRO: All those in favor?

15 (Chorus of "ayes.")

16 CHAIRMAN SHAPIRO: Any opposed?

17 (No response.)

18 CHAIRMAN SHAPIRO: The motion carries.

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1 NCPC File No. 1915-F-5

2 CHAIRMAN SHAPIRO: Okay.

3 MR. PERRAKIS: The first case on the
4 agenda is "B." Item Section "B" is Extension of
5 Time to File Resolution for Major Subdivision
6 Application. This is for NCPC File No. 1915-F-5,
7 Map of Glen Head Commons. The property is in
8 Glen Head, Town of Oyster Bay, located at 2
9 Dumond Place, Glen Head, New York 11545, Section
10 21, Block N-3, Lots 21, 599 and 601.

11 This application received preliminary
12 and final subdivision approval on July 23rd, 2009
13 and March 21st, 2024 respectively, of a 7.74-acre
14 parcel into:

15 15 single-family dwellings,
16 38 townhouse units in 11 buildings;

17 And 1 common lot to be owned and
18 maintained by a Homeowner Association.

19 The property is located in the Hamlet
20 of Glen Head, Town of Oyster Bay, not within
21 300 feet of an incorporated village or city.

22 According to the applicant's attorney,
23 additional time is needed to post:

24 Performance bond;

25 Cash escrow;

1 NCPC File No. 1915-F-5

2 And inspection fees to permit the
3 release of the subdivision map for filing.

4 At the time of final subdivision
5 approval, it was conditioned on:

6 The submission of an inspection fee,
7 cash escrow and bond;

8 To contact County inspectors before
9 installing any public improvements;

10 Attorney General approval;

11 And to file the map within one year.

12 We did receive an e-mail from a -- an
13 abutting property owner who could not make this
14 meeting that had asked for an e-mail -- their
15 e-mail to be read into the record. It is from
16 Joseph Sita. We received it yesterday,
17 April 9, 2025 at 3:48 p.m. And his message is
18 our section, block and lot is 212323. It's the
19 property that borders the subject property.

20 The reason that we would like to go on
21 the record is that there are few trees that
22 separate our properties that need attention. We
23 checked with the PS&G and we were told that the
24 owner of the property would have to call and
25 address the matter with him.

1 NCPC File No. 1915-F-5

2 The problem is, is that the trees may
3 cause additional problems, that could be solved
4 by their -- their removal. One has come down,
5 and is leaning on another and they're very close
6 to the high-tension wires that border.

7 Just so that there are any problems
8 that may occur in the future, we would just like
9 to go on the record.

10 Thank you. Sent from his iPhone. And
11 again, Joseph Sita, the abutting property owner.

12 Here today we have Al D'Agostino
13 to speak on behalf of his applicant,
14 One Robert Lane, LLC.

15 CHAIRMAN SHAPIRO: Good morning.
16 (Stepping up.)

17 MR. D'AGOSTINO: Good morning,
18 Mr. Chairman, Members of the Commission. My name
19 is Albert A. D'Agostino. My firm is Minerva and
20 D'Agostino, P.C., 107 South Central Avenue,
21 Valley Stream, New York 11580. We're the
22 attorneys for the applicant.

23 As you might recall, there was
24 remediation required on this -- this property,
25 which is really what caused the delays. And

1 NCPC File No. 1915-F-5

2 we -- we are -- we are proceeding expeditiously
3 with respect to the -- the -- the e-mail, which
4 was received by Mr. Perrakis, I believe he said
5 this morning or yesterday. I think he said this
6 morning.

7 We had no knowledge of that, but
8 obviously we're going to address it. And if --
9 if we can get the contact information for that
10 particular gentleman -- I think his name was
11 Joseph Sito [sic] -- we will contact him.

12 But we're requesting a -- a -- a first
13 extension with respect to the time to post the
14 items, which were addressed by Mr. Perrakis.

15 THIRD VICE-CHAIR LEWIS: Are there any
16 other outstanding items? I mean there's four I
17 guess listed in the -- in the paperwork, but --

18 MR. D'AGOSTINO: I -- I -- I believe
19 that list was complete.

20 THIRD VICE-CHAIR LEWIS: Thank you.

21 MR. D'AGOSTINO: And as usual,
22 Mr. Perrakis's presentation is very thorough.

23 And as I said, the only thing that we
24 just need the contact information for the
25 gentleman who raised the question.

1 NCPC File No. 1915-F-5

2 THIRD VICE-CHAIR LEWIS: Remind us, if
3 you could, the property. What is this property?
4 What was this property previously?

5 MR. D'AGOSTINO: Well, the prior use on
6 the property, the remediation was the -- the --
7 the -- it was -- it was an industrial use, wasn't
8 it?

9 MR. MEHRABAN: Originally it was
10 industrial --

11 VICE-CHAIR GREENFIELD: Come to the
12 mic.

13 CHAIRMAN SHAPIRO: Come to the mic.

14 VICE-CHAIR GREENFIELD: Come to the
15 mic. and put your name and address on the
16 record.

17 MR. D'AGOSTINO: Morris Mehraban.

18 (Stepping up.)

19 MR. MEHRABAN: Good morning. My name
20 is Morris Mehraban. I am one of the managers of
21 the company.

22 The property originally was industrial
23 zoned. And it was the part of the 90 properties
24 where they made part of airplane. The -- the
25 land was contaminated and it took us about

1 NCPC File No. 1915-F-5

2 15 years, 20 years --

3 THIRD VICE-CHAIR LEWIS: Wow.

4 MR. MEHRABAN: -- with the help of the
5 Department of Environmental Conservation and the
6 Health Department to bring it to -- to clean it
7 up. We have the two zone of clean up over there,
8 one for the condominium and one for the
9 single-family residential, which both has been
10 approved.

11 We also have consequently a forum with
12 all the neighbors involved, if they had any
13 questions and we had a representative of the
14 "DEC" was present at the meeting to answer all
15 their concerns and all their questions.

16 VICE-CHAIR GREENFIELD: Sir, while
17 we -- we have you at the microphone, your
18 attorney said that you would take care and
19 remediate this neighbor tree problem. Is that
20 correct?

21 MR. MEHRABAN: Of course -- of course.

22 VICE-CHAIR GREENFIELD: Okay.

23 MR. MEHRABAN: We have this situation.
24 The fence, the tree are -- is a normal procedure
25 is a long bonding between the neighbors.

1 NCPC File No. 1915-F-5

2 VICE-CHAIR GREENFIELD: Right.

3 MR. MEHRABAN: And definitely we have
4 been and we will.

5 THIRD VICE-CHAIR LEWIS: You've already
6 dealt with much bigger problems than --

7 CHAIRMAN SHAPIRO: Than a tree.

8 THIRD VICE-CHAIR LEWIS: -- a tree.

9 (Laughter.)

10 MR. MEHRABAN: Well, we have -- we have
11 fences usually fall off. I don't know --

12 THIRD VICE-CHAIR GREENFIELD: Yeah. So
13 the --

14 VICE-CHAIR GREENFIELD: He was
15 referring to the remediation on the property.

16 MR. MEHRABAN: Oh.

17 VICE-CHAIR GREENFIELD: Thank you.

18 MR. MEHRABAN: Yeah.

19 VICE-CHAIR GREENFIELD: Thank you for
20 taking care of that.

21 MR. MEHRABAN: Oh, my pleasure.

22 THIRD VICE-CHAIR LEWIS: And the
23 Health Department, Al, is -- is signing off?

24 MR. MEHRABAN: Health Department has
25 signed off on it.

1 NCPC File No. 1915-F-5

2 THIRD VICE-CHAIR LEWIS: Okay.

3 MR. MEHRABAN: And they already
4 signed -- they have already signed all right on
5 that.

6 THIRD VICE-CHAIR LEWIS: Right.

7 So just, you know, so this was about a
8 year ago that we saw the mylars, because this is
9 your first extension?

10 MR. D'AGOSTINO: I -- I believe it was.

11 VICE-CHAIR GREENFIELD: Yeah.

12 MR. D'AGOSTINO: I -- I know at one of
13 the -- the -- the hearings and I think it was one
14 of -- a year ago we brought some people up from
15 Washington who had been involved in this. And I
16 think it was to explain the -- the delay. The --
17 the delay was fulfilling the -- the -- the
18 required clean up, which is obviously the purpose
19 of --

20 CHAIRMAN SHAPIRO: Was this a
21 "superfund site?"

22 MR. D'AGOSTINO: -- the environmental
23 review.

24 MR. MEHRABAN: I'm sorry?

25 CHAIRMAN SHAPIRO: Was it a "superfund

1 NCPC File No. 1915-F-5

2 site?"

3 MR. MEHRABAN: Yes.

4 CHAIRMAN SHAPIRO: So "EPA" was
5 involved also?

6 MR. MEHRABAN: Everybody was involved.

7 MR. D'AGOSTINO: Yes.

8 MR. MEHRABAN: And we have filed report
9 with all the relating agencies. In regard to
10 that lead agency, however, it was the Department
11 of Environmental Conservation in Albany. They
12 had sent all their reports to the Nassau County
13 Health Department, which ends up to be, at this
14 time, in big boxes of paperwork and the disc.
15 What else? We have the final remediation
16 approval that has been in place.

17 CHAIRMAN SHAPIRO: Are they requiring
18 you to do vapor barriers on the --

19 MR. MEHRABAN: Yes --

20 CHAIRMAN SHAPIRO: -- structures?

21 MR. MEHRABAN: -- part of the -- part
22 of the clean up is to -- to have a vapor barrier
23 throughout the site. And we have all part of the
24 approved plan is the method of putting the vapor
25 barrier under the footing and foundation, and

1 NCPC File No. 1915-F-5

2 having a vent going through the building and into
3 the roof, in case of there are any excess plume
4 odor coming --

5 CHAIRMAN SHAPIRO: Uh-huh --

6 MR. MEHRABAN: -- through the top.

7 CHAIRMAN SHAPIRO: -- thank you.

8 THIRD VICE-CHAIR LEWIS: It's a
9 significant accomplishment to take an
10 industrial-contaminated site and get it to the
11 level that would be permitted for a use for a
12 residential. So this, I could see why it took so
13 many years, but boy, that's a significant --

14 MR. MEHRABAN: It took us quite a few
15 time and the method was changing as we were going
16 along.

17 About 10 years ago, 15 years ago, the
18 way of cleaning up was they sucked all the plume
19 from the underneath the ground and then they find
20 out after a few years that these are traveling.
21 And where the site was cleaned up, then a few
22 years later it was contaminated again. So they
23 changed the law, and basically went with the new
24 law and that's where we are.

25 CHAIRMAN SHAPIRO: Thank you. We

1 NCPC File No. 1915-F-5

2 appreciate it.

3 VICE-CHAIR GREENFIELD: His partner
4 wants to talk. Wait.

5 You're the partner?

6 (Stepping up.)

7 A MALE VOICE: Yes.

8 VICE-CHAIR GREENFIELD: Okay.

9 A MALE VOICE: Frank --

10 CHAIRMAN SHAPIRO: Name and address for
11 the record.

12 A MALE VOICE: Okay. I had something
13 which I wanted to clarify. You asked if it was a
14 "superfund" for now. It was not "superfund."

15 It was a constant order by "DEC" to the
16 owner of the property, which is -- which was
17 "Breeze-Eastern." The name changed later on, but
18 it was not "superfund."

19 It was paid totally by "Breeze-Eastern"
20 for the clean up. It took a long time and was
21 not a "superfund." I will just clarify that.

22 VICE-CHAIR GREENFIELD: All right,
23 thank you.

24 So you're the contract vendee; correct?

25 A MALE VOICE: Correct.

1 NCPC File No. 1915-F-5

2 VICE-CHAIR GREENFIELD: Okay, perfect.

3 A MALE VOICE: Thank you.

4 VICE-CHAIR GREENFIELD: Okay. Thank
5 you for coming down. And Mr. D'Agostino likes
6 when we have applicants actually here to clarify
7 these issues, so thank you both for that.

8 A MALE VOICE: Thank you.

9 CHAIRMAN SHAPIRO: Commissioners, any
10 other questions?

11 VICE-CHAIR GREENFIELD: And the -- the
12 Vice-Chair likes that also.

13 Thank you, Reid.

14 COMMISSIONER SAKOWICH: Okay.

15 (Laughter.)

16 CHAIRMAN SHAPIRO: Is there anybody in
17 the public that wishes to be heard?

18 (No response.)

19 CHAIRMAN SHAPIRO: I don't have anybody
20 signed up.

21 Not seeing any, I'll take a motion.

22 COMMISSIONER SAKOWICH: Make a motion,
23 NCPC File No. 1915-F-5 be granted the extension
24 of time.

25 VICE-CHAIR GREENFIELD: I'll second.

1 NCPC File No. 1915-F-5

2 CHAIRMAN SHAPIRO: To

3 September 21st, 2025.

4 MR. O'BRIEN: John, is that correct,

5 September 21st?

6 MR. PERRAKIS: Yes.

7 MR. O'BRIEN: Thank you.

8 VICE-CHAIR GREENFIELD: Thank you.

9 CHAIRMAN SHAPIRO: Thank you.

10 Motion made and seconded.

11 All those in favor?

12 (Chorus of "ayes.")

13 CHAIRMAN SHAPIRO: Any opposed?

14 (No response.)

15 VICE-CHAIR GREENFIELD: So carried.

16 MR. D'AGOSTINO: Thank you,

17 Mr. Chairman, members of the Commission.

18 (Discussion held among Commissioners

19 off the record.)

20 A MALE VOICE: Thank you.

21 MR. MEHRABAN: Thank you.

22 CHAIRMAN SHAPIRO: You're welcome.

23 VICE-CHAIR GREENFIELD: Have a good
24 day.

25 * * *

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 CHAIRMAN SHAPIRO: All right. Next,
3 "OSPAC."

4 (Stepping up.)

5 MR. HOESL: Yes. Good morning,
6 Commission.

7 OSPAC Case 2-2025. This is an
8 application just to sell excess County-owned
9 property to an adjacent homeowner located at
10 968 Park Avenue in the Hamlet of New Cassel,
11 Town of North Hempstead. The subject property in
12 question is approximately 2,500 square feet.

13 We saw this last at our last meeting to
14 open up the public comment period. Public
15 comment period was opened and closed with no
16 comment from the public.

17 At the April 8th "OSPAC" meeting, they
18 were set to vote, but unfortunately we did not
19 have a quorum present at the "OSPAC" meeting.
20 And as such, we were unable to vote. We asked
21 that this be adjourned then to the May 13th --
22 well, it will be adjourned to the May 13th
23 "OSPAC" meeting when hopefully they have a
24 quorum.

25 That being said, they'd like it on the

1 NCPC OSPAC File Nos. 2-2025 & 3-2025
2 record that they were having some attendance
3 issues at "OSPAC." And as such, it's important
4 for them to have a full quorum. They would like
5 a new member to potentially be nominated and
6 approved by the Planning Commission.

7 MR. O'BRIEN: You're -- just so the
8 Commission is aware, you -- you know, they --
9 they don't have unlimited time in which to make a
10 referral. You would be within -- when -- when --
11 when did they -- when did they have it on for?

12 MR. HOESL: May 13th.

13 MR. O'BRIEN: No -- no, the -- with the
14 past date where they didn't have a quorum?

15 MR. HOESL: Oh, April 8th.

16 MR. O'BRIEN: April 8th.

17 MR. HOESL: I'm sorry. Two days, yeah.

18 MR. O'BRIEN: Okay. Then it would have
19 to go -- then I apologize. I don't -- I think
20 they're within their timeframe for the
21 May meeting, so it would have to go to the --

22 CHAIRMAN SHAPIRO: Yeah, but wait a
23 minute. We have a meeting on May 1st.

24 MR. O'BRIEN: May -- May 1st would be
25 too soon I believe, because they have the

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 30 days in which to act, so --

3 CHAIRMAN SHAPIRO: Are they going to be
4 within their timeframe?

5 MR. O'BRIEN: They -- well, we -- we
6 can't say that they defaulted on May 1st. We can
7 say that on -- on -- on May 29th. That was the
8 point that I was leading to.

9 CHAIRMAN SHAPIRO: Okay.

10 COMMISSIONER SAKOWICH: Well, can we do
11 anything --

12 MR. O'BRIEN: I'm getting --

13 COMMISSIONER SAKOWICH: -- but can we
14 do anything about it prior to -- to them meeting?

15 MR. O'BRIEN: They have -- "OSPAC"
16 has -- has -- has a -- a -- has -- has a, I
17 believe it's a 30-day window in which to make a
18 decision.

19 CHAIRMAN SHAPIRO: Okay. When was the
20 public --

21 MR. O'BRIEN: They can make a referral
22 to us.

23 CHAIRMAN SHAPIRO: Okay.

24 When was the public comment period
25 over?

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 MR. O'BRIEN: What --

3 MR. HOESL: We opened and closed it at
4 the last hearing, which was March 20th.

5 MR. O'BRIEN: Right.

6 MR. HOESL: Yeah.

7 MR. O'BRIEN: And we sent it back to
8 them.

9 MR. HOESL: Yes.

10 MR. O'BRIEN: Okay.

11 Now, does the time -- does the time run
12 when we sent it back to -- if -- if the times
13 runs when we sent it back to them, we can put it
14 on the May 1st.

15 MR. HOESL: I believe so. I'd have
16 to --

17 MR. O'BRIEN: But -- but then we'd do
18 it without their input. So you -- you might want
19 to consider giving, you know, giving them a pass
20 and putting it on to May 29th. It's -- it's your
21 choice.

22 MR. HOESL: Yeah.

23 THIRD VICE-CHAIR LEWIS: I think if the
24 concern was about just this one, then maybe we'd
25 do that, because this looks like a fairly minor

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 item. But the next one is a more involved thing.

3 MR. O'BRIEN: Yeah.

4 THIRD VICE-CHAIR LEWIS: It's taken a
5 couple of years. I think we want to make sure
6 "OSPAC" takes a look at that, because that is an
7 open space resource.

8 MR. O'BRIEN: Yeah.

9 THIRD VICE-CHAIR LEWIS: That -- that
10 the County --

11 CHAIRMAN SHAPIRO: So the --

12 THIRD VICE-CHAIR LEWIS: -- cares
13 about --

14 CHAIRMAN SHAPIRO: -- rather -- rather
15 than --

16 THIRD VICE-CHAIR LEWIS: -- the aspect,
17 yeah.

18 CHAIRMAN SHAPIRO: -- yes.

19 THIRD VICE-CHAIR LEWIS: Yeah.

20 CHAIRMAN SHAPIRO: They didn't -- they
21 didn't have a quorum for the other one also, so
22 why don't we just adjourn both of them until the
23 May 29th meeting --

24 MR. O'BRIEN: And the -- and the -- and
25 the irony of it all is the Commission's member --

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 there is no Commission member right now. And I
3 know I think it doesn't --

4 CHAIRMAN SHAPIRO: Well, that's, you
5 know what, that's --

6 MR. O'BRIEN: -- that's -- that's --

7 VICE-CHAIR GREENFIELD: Yeah, we got to
8 address that in a minute.

9 CHAIRMAN SHAPIRO: -- you're going to
10 have to address that today.

11 MR. O'BRIEN: That was -- that was the
12 point I was going to make.

13 CHAIRMAN SHAPIRO: Okay.

14 MR. O'BRIEN: Not only do you allow for
15 a quorum to be there, but the -- the -- the
16 Commission gets their appointed member on -- on
17 the "OSPAC."

18 CHAIRMAN SHAPIRO: Okay.

19 VICE-CHAIR GREENFIELD: Yes.

20 CHAIRMAN SHAPIRO: I'd like to move
21 forward.

22 VICE-CHAIR GREENFIELD: Yes, we know
23 something about quorum problems.

24 Next item.

25 MR. O'BRIEN: Yeah.

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 THIRD VICE-CHAIR LEWIS: Chairman, do
3 you --

4 MR. O'BRIEN: No, so I would -- so I --
5 I -- I --

6 THIRD VICE-CHAIR LEWIS: -- May 29th.

7 So Mr. Chairman, I'd -- I'd like to
8 make a motion on this one that we adjourn "OSPAC"
9 No. 2-2025 and also --

10 CHAIRMAN SHAPIRO: Well, "1" and "2."

11 MR. O'BRIEN: No -- no --

12 THIRD VICE-CHAIR LEWIS: "OSPAC" 2 --

13 MR. O'BRIEN: -- two is -- one is two
14 and two is three.

15 THIRD VICE-CHAIR LEWIS: Yeah.

16 (Laughter.)

17 THIRD VICE-CHAIR LEWIS: "OSPAC's No.
18 2" and "OSPAC No. 3-2025," both items, that they
19 be held until the May 29th of the Board -- of our
20 Commission, so to allow "OSPAC" another
21 opportunity to have a meeting to discuss these
22 items.

23 MR. HOESL: Thank you.

24 CHAIRMAN SHAPIRO: Is there a second?

25 COMMISSIONER DURSO: I'll second.

1 NCPC OSPAC File Nos. 2-2025 & 3-2025

2 CHAIRMAN SHAPIRO: All in favor?

3 (Chorus of "ayes.")

4 CHAIRMAN SHAPIRO: Any opposed?

5 (No response.)

6 CHAIRMAN SHAPIRO: The motion carries.

7 MR. HOESL: Thank you.

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1 NCPC Minor Sub. File No. 6-2025

2 CHAIRMAN SHAPIRO: Okay, Minor
3 Subdivisions.

4 (Stepping up.)

5 MR. WREN: All right, good morning.

6 Next up we have NCPC File 6-2025. This
7 is a two-parcel minor subdivision.

8 The 12,000 square foot subject property
9 is situated on the south side of 5th Street in
10 the Hamlet of East Meadow, Town of Hempstead's
11 Residential "B" Zoning District. Application
12 proposes to subdivide the property, which
13 currently has 120 feet of frontage on 5th Street
14 into two equal parcels.

15 Proposed Lots "A" and "B" will both
16 have 60 feet of frontage by 100 feet and both be
17 6,000 square foot.

18 The Town of Hempstead's Department of
19 Buildings has issued a "letter of zoning
20 compliance" for the subdivision.

21 And I ask the applicant to step up.

22 (Stepping up.)

23 MS. FRANZI: Good morning.

24 THIRD VICE-CHAIR LEWIS: Good morning.

25 Name -- name and address for the

1 NCPC Minor Sub. File No. 6-2025

2 record.

3 MS. SANDERSON: Heather Sanderson.

4 The address also?

5 THIRD VICE-CHAIR LEWIS: Yes.

6 MS. SANDERSON: 180 Gloria Boulevard,
7 Hauppauge, New York 11788.

8 THIRD VICE-CHAIR LEWIS: And are you
9 the applicant?

10 MS. SANDERSON: Yes, I'm the applicant
11 here with the owners.

12 VICE-CHAIR GREENFIELD: Are you an --
13 are you an attorney?

14 MS. SANDERSON: No, I'm their
15 expediter.

16 VICE-CHAIR GREENFIELD: Oh, expediter?

17 MS. SANDERSON: Yes.

18 VICE-CHAIR GREENFIELD: Okay.

19 THIRD VICE-CHAIR LEWIS: No problem
20 with that.

21 VICE-CHAIR GREENFIELD: Okay.

22 THIRD VICE-CHAIR LEWIS: Welcome --
23 welcome.

24 VICE-CHAIR GREENFIELD: Well, we --
25 we --

1 NCPC Minor Sub. File No. 6-2025

2 THIRD VICE-CHAIR LEWIS: We haven't
3 seen you here before.

4 VICE-CHAIR GREENFIELD: Yeah.

5 (Laughter.)

6 MS. SANDERSON: Thank you.

7 (Laughter.)

8 THIRD VICE-CHAIR LEWIS: So 60 by 100,
9 I don't have too many questions. This is -- this
10 is, you know, pretty much exactly what the code
11 calls for. You're -- you're meeting it exactly.

12 Were there any issues that you've had
13 to address at the Town level?

14 MS. SANDERSON: No, they -- they were
15 fine with everything. No variances either.

16 THIRD VICE-CHAIR LEWIS: Okay.

17 And there's been a demolition of
18 whatever was there previously? I saw one of the
19 pictures. It looked like there was already the
20 fence up, but --

21 MS. SANDERSON: Yes.

22 MR. WREN: Yeah.

23 THIRD VICE-CHAIR LEWIS: Yeah.

24 Okay. But you didn't start work on the
25 project --

1 NCPC Minor Sub. File No. 6-2025

2 MS. SANDERSON: No.

3 THIRD VICE-CHAIR LEWIS: -- until you
4 get your approval.

5 Very good. And you got your sign,
6 so --

7 CHAIRMAN SHAPIRO: Commissioners, any
8 other questions?

9 (No response.)

10 CHAIRMAN SHAPIRO: Is there anybody in
11 the public that wishes to be heard?

12 (No response.)

13 MR. WREN: Excuse me.

14 (Stepping up.)

15 MR. WREN: I did receive one e-mail
16 from one of the residents that couldn't be here
17 today. They asked me to read it on the record.

18 This is from John Adamo.

19 Hello. We've received a notice
20 regarding -- in regards to the subdivision of
21 land. My address is 2129 5th Street in
22 East Meadow. I've lived here for over 50 years
23 on this block. My home is directly across the
24 street from 2136 5th Street.

25 We do not give permission to subdivide

1 NCPC Minor Sub. File No. 6-2025

2 one parcel into two. The reason for the
3 objection is due to the fact that this street is
4 a very busy street with a lot of traffic. There
5 are multiple businesses on Front Street and all
6 customers and employees park on the block causing
7 more traffic. It's hard to find a spot as it is.
8 The block is overly crowded.

9 There was always one house on the lot
10 for over 50 years and it should stay that way.
11 Two houses will only cause more issues.

12 CHAIRMAN SHAPIRO: Thank you.

13 Let the -- let the record state that
14 the Town of Hempstead Department of Buildings has
15 issued a "letter of zoning compliance," which
16 means this is a matter of right, okay. So --

17 THIRD VICE-CHAIR LEWIS: And -- and
18 normally there's going -- maybe we could ask the
19 applicant, we're going to have off-street parking
20 provided for --

21 (Stepping up.)

22 MS. SANDERSON: Yes.

23 THIRD VICE-CHAIR LEWIS: -- by --

24 MS. SANDERSON: Both houses -- both
25 houses will have a driveway.

1 NCPC Minor Sub. File No. 6-2025

2 THIRD VICE-CHAIR LEWIS: And he -- and
3 yeah, so -- so the driveway would at least handle
4 one car, usually probably two cars; right?

5 MS. SANDERSON: Yes.

6 THIRD VICE-CHAIR LEWIS: Okay, yeah --
7 yeah.

8 CHAIRMAN SHAPIRO: Thank you.

9 Is there anybody in the public that
10 wishes to be heard?

11 (No response.)

12 CHAIRMAN SHAPIRO: Not hearing any, I
13 will take a motion.

14 VICE-CHAIR GREENFIELD: Just -- just
15 one comment to staff. Tim, write back to the
16 gentleman and tell them it was "as-of-right" from
17 the Town, okay, so he knows.

18 MR. WREN: Yeah, I -- I -- I have -- I
19 have spoken with this gentleman and informed him
20 of that. But I have a call in with him for
21 tomorrow, so --

22 VICE-CHAIR GREENFIELD: Okay, thank
23 you.

24 CHAIRMAN SHAPIRO: Is there a motion?

25 COMMISSIONER DURSO: I'd like to make a

1 NCPC Minor Sub. File No. 6-2025
2 motion to approve NCPC File No. 6-2025 with a
3 "Negative Declaration."

4 CHAIRMAN SHAPIRO: Is there a second?

5 COMMISSIONER SAKOWICH: Second.

6 VICE-CHAIR GREENFIELD: Second.

7 CHAIRMAN SHAPIRO: All in favor?

8 (Chorus of "ayes.")

9 CHAIRMAN SHAPIRO: Any opposed?

10 (No response.)

11 CHAIRMAN SHAPIRO: Motion carries.

12 Before we go on, we're going to skip --

13 MS. SANDERSON: Thank you.

14 CHAIRMAN SHAPIRO: You're welcome.

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1 NCPC Minor Sub. File No. 11-2025

2 CHAIRMAN SHAPIRO: We're going to skip
3 to NCPC Minor Subdivision 11-2025.

4 At this time, Commissioners, we need to
5 make a motion that this is going to be a Minor
6 Subdivision and we will put it on our calendar
7 for May 1st.

8 Do I have that motion?

9 THIRD VICE-CHAIR LEWIS: I make a
10 motion.

11 VICE-CHAIR GREENFIELD: Second.

12 CHAIRMAN SHAPIRO: All in favor?

13 (Chorus of "ayes.")

14 CHAIRMAN SHAPIRO: Motion carries and
15 we will see this back on May 1st as a "Minor."

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1 NCPC Minor Sub. File No. 7-2025

2 (Stepping up.)

3 MR. WREN: Okay.

4 CHAIRMAN SHAPIRO: Let's proceed with
5 the next one.

6 MR. WREN: All right. Next up we have
7 NCPC File 7-2025. This is another two-parcel
8 minor subdivision.

9 The 11,000 square foot subject property
10 is situated on the southeast corner of
11 Beech Street and Miller Avenue in the Village of
12 Floral Park's "R-1" Zoning District. Application
13 proposes to subdivide the property which
14 currently has 100 feet of frontage on
15 Beech Street into two separate parcels.

16 "Proposed Lot A" will have 100 feet of
17 frontage by 66 feet on Beech Street and be a
18 total of 6,600 square foot.

19 "Proposed Lot B" will have 44 feet of
20 frontage by 100 feet on Miller Avenue and be a
21 total of 4,400 square feet.

22 The Village of Floral Park's Board of
23 Architectural and Preliminary Site Plan Review
24 has issued a "letter of zoning compliance" for
25 the proposed subdivision. The Incorporated

1 NCPC Minor Sub. File No. 7-2025

2 Village of South Floral Park has issued a "waiver
3 of jurisdiction" for this subdivision.

4 Now, I'd like the attorney to please
5 step up.

6 CHAIRMAN SHAPIRO: Good morning,
7 counselor.

8 (Stepping up.)

9 MR. MIGATZ: Good morning.

10 For the applicant, Bruce W. Migatz,
11 law firm, Albanese and Albanese, 1050 Franklin
12 Avenue, Garden City, New York.

13 We're here for the "trifecta." This is
14 the third board to -- to act upon this. It is an
15 "as-of-right" subdivision. The existing house
16 will be maintained. There will be some
17 alterations to that, to comply with side-yard
18 setback. But the existing house as modified
19 slightly will remain and a new house will be
20 built. And it does comply with zoning. It is
21 "as-of-right."

22 THIRD VICE-CHAIR LEWIS: It complies
23 with zoning, because it was a variance was given?
24 Are you saying --

25 MR. MIGATZ: No. Well --

1 NCPC Minor Sub. File No. 7-2025

2 THIRD VICE-CHAIR LEWIS: -- the
3 zoning --

4 MR. MIGATZ: -- well, no --

5 THIRD VICE-CHAIR LEWIS: -- actually
6 allows 4,000 --

7 MR. MIGATZ: -- 4,000 square foot lots
8 in the Village of Floral Park.

9 THIRD VICE-CHAIR LEWIS: I didn't -- I
10 did notice there's others around it that are
11 4,000, but I didn't think there was --

12 MR. MIGATZ: Yeah, it's -- it's -- it's
13 a -- it's a mixed neighborhood there, some 4,000
14 square foot lots. There's some large -- larger
15 lots. These -- these lots fit into the character
16 of the community, which is very mixed.

17 MR. O'BRIEN: Yeah, Floral Park has a
18 lot of 40s in the Villages, right on the border.

19 COMMISSIONER SAKOWICH: 40s and 50s.

20 MR. O'BRIEN: Yeah.

21 CHAIRMAN SHAPIRO: And it also went
22 through the architectural site plan review and
23 also in both Villages, so --

24 MR. MIGATZ: Yeah.

25 CHAIRMAN SHAPIRO: Good luck.

1 NCPC Minor Sub. File No. 7-2025

2 VICE-CHAIR GREENFIELD: I -- I got a
3 kick out of your terminology "trifecta."

4 (Laughter.)

5 VICE-CHAIR GREENFIELD: And would
6 "FanDuel" will take action on this?

7 (Laughter.)

8 VICE-CHAIR GREENFIELD: They're looking
9 for newer things for people to bet on.

10 THIRD VICE-CHAIR LEWIS: You lot -- you
11 lost him on that one, but all right.

12 CHAIRMAN SHAPIRO: Commissioners, any
13 other questions?

14 (No response.)

15 CHAIRMAN SHAPIRO: Is there anybody in
16 the public wishing to be heard on this?

17 (No response.)

18 CHAIRMAN SHAPIRO: Not seeing any, I'll
19 take a motion.

20 COMMISSIONER SAKOWICH: Motion on NCPC
21 File 7-2025 with a "Neg. Dec."

22 VICE-CHAIR GREENFIELD: Second.

23 CHAIRMAN SHAPIRO: All those in favor?

24 (Chorus of "ayes.")

25 MR. MIGATZ: Thank you.

1 NCPC Minor Sub. File No. 7-2025

2 CHAIRMAN SHAPIRO: Any opposed?

3 (No response.)

4 CHAIRMAN SHAPIRO: The motion carries.

5 MR. MIGATZ: Thank you. Have a good

6 day.

7 MR. O'BRIEN: You too.

8 CHAIRMAN SHAPIRO: You too.

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1 NCPC Minor Sub. File No. 8-2025

2 (Stepping up.)

3 MR. WREN: Okay. Next up is NCPC File
4 8-2025. It's a two-parcel minor subdivision.

5 The 9,056.6 square foot subject
6 property is situated on the north side of
7 Front Street in the Village of Hempstead, Town of
8 Hempstead's Residential "B" Zoning District.
9 Application proposes to subdivide the property,
10 which has 81.86 feet of frontage on Front Street
11 into two separate parcels.

12 "Proposed Lot A" will be 40.94 feet of
13 frontage by a 121.83 feet on Front Street and be
14 a total of 4,701.2 square foot.

15 "Proposed Lot B" will have 40.92 feet
16 of frontage by 113.22 feet on Front Street and be
17 a total of 4,355.4 square foot.

18 The Incorporated Village of Hempstead's
19 Planning Board has approved this subdivision.

20 I'll ask Mr. Mike Gregory to step up.

21 (Stepping up.)

22 MR. GREGORY: Good morning. Michael
23 Gregory, Permits-R-Us, LLC, 204 Westbury Avenue,
24 Carle Place, 11514.

25 Good morning, Commissioners.

1 NCPC Minor Sub. File No. 8-2025

2 THIRD VICE-CHAIR LEWIS: Good morning.

3 MR. GREGORY: I'm here representing
4 Marti Homes, who wishes to subdivide the proposed
5 parcel. As Mr. Wren had stated, this application
6 was approved by the Incorporated Village of
7 Planning Board on January 28th, 2025. And I gave
8 a copy of the decision in the record.

9 This property is located in a
10 Residence "B" Zone, where 4,000 square feet is
11 recommended and we are in excess of that.

12 VICE-CHAIR GREENFIELD: Neal?

13 MR. GREGORY: Both lots --

14 THIRD VICE-CHAIR LEWIS: Is that the --
15 is that the code for the Village?

16 MR. GREGORY: For this -- for in a
17 Residence "B" Zone, yes.

18 THIRD VICE-CHAIR LEWIS: Okay.

19 MR. GREGORY: No variances were -- were
20 required to subdivide this property. Both lots
21 are zoning compliant. We are here to subdivide
22 the property along the existing lot lines between
23 Lots "18" and "19" to record the deeds.

24 THIRD VICE-CHAIR LEWIS: I was going to
25 say, so what's already there then? This was a --

1 NCPC Minor Sub. File No. 8-2025

2 MR. GREGORY: Well, it -- it currently
3 exists on one deed. So we have --

4 THIRD VICE-CHAIR LEWIS: Oh, okay.

5 MR. GREGORY: -- to subdivide it, so --

6 THIRD VICE-CHAIR LEWIS: So there's two
7 homes on the one deed?

8 MR. GREGORY: There -- there's --
9 there's only -- there's one home on one deed.

10 THIRD VICE-CHAIR LEWIS: All right.

11 MR. GREGORY: It --

12 THIRD VICE-CHAIR LEWIS: It's just the
13 angle of the camerawork here (indicating), it
14 kind of --

15 MR. GREGORY: Yeah, you see that
16 (indicating) little extension?

17 THIRD VICE-CHAIR LEWIS: Okay.

18 MR. GREGORY: The existing house is
19 still over the property line, so the existing
20 house has to be demolished.

21 THIRD VICE-CHAIR LEWIS: Oh.

22 MR. GREGORY: Yes.

23 THIRD VICE-CHAIR LEWIS: Okay.

24 All right. So you've done work like
25 this before --

1 NCPC Minor Sub. File No. 8-2025

2 MR. GREGORY: Yes.

3 THIRD VICE-CHAIR LEWIS: -- because it
4 seems like the Village, Hempstead is one of the
5 places that you seem to be focused on.

6 MR. GREGORY: This still had
7 subdivision approved before the moratorium.

8 (Laughter.)

9 MR. GREGORY: Time was of the essence
10 on this --

11 MR. O'BRIEN: Yes.

12 MR. GREGORY: -- one.

13 THIRD VICE-CHAIR LEWIS: Interesting.
14 Okay.

15 VICE-CHAIR GREENFIELD: So where is
16 Marti from Marti Homes?

17 MR. GREGORY: He is not present.

18 VICE-CHAIR GREENFIELD: I was looking
19 forward to meeting the man behind the name.

20 MR. GREGORY: Oh, you still haven't met
21 him yet?

22 VICE-CHAIR GREENFIELD: No, but I'd
23 like him to come to the meeting.

24 CHAIRMAN SHAPIRO: He escapes us.

25 MR. O'BRIEN: Well, the son, who is --

1 NCPC Minor Sub. File No. 8-2025

2 who is partners --

3 MR. GREGORY: His son.

4 MR. O'BRIEN: -- is usually -- is

5 usually here. I will say --

6 VICE-CHAIR GREENFIELD: Oh, the son.

7 MR. O'BRIEN: -- he's usually very good

8 like that.

9 VICE-CHAIR GREENFIELD: Okay, that's --
10 but we never met Marti, okay.

11 MR. GREGORY: There's Dennis Marti and
12 Dennis Marti, Junior.

13 MR. O'BRIEN: Yeah.

14 VICE-CHAIR GREENFIELD: Okay.

15 MR. GREGORY: Both these homes will be
16 single-family homes composed of four bedrooms,
17 two and-a-half baths, with the no basement
18 entrances allowed in the Village of Hempstead
19 for --

20 THIRD VICE-CHAIR LEWIS: I -- I
21 understand the reason the Village does that.

22 MR. GREGORY: Yeah.

23 THIRD VICE-CHAIR LEWIS: But I'm just
24 always one that feels a little uncomfortable
25 about that. I think you should be able to get in

1 NCPC Minor Sub. File No. 8-2025

2 and out of a basement, if that's an option.

3 MR. GREGORY: Well, there -- there --
4 there -- there is an egress window on the plans,
5 God forbid there's an emergency.

6 THIRD VICE-CHAIR LEWIS: There has to
7 be. I was going to say there has to be a --

8 MR. GREGORY: That's a part of the
9 State Code.

10 THIRD VICE-CHAIR LEWIS: And not a tiny
11 window; right?

12 MR. GREGORY: No -- no -- no. It's a
13 relatively larger window that you would see on a
14 first floor in a bedroom.

15 THIRD VICE-CHAIR LEWIS: Yeah, that's a
16 good one.

17 MR. GREGORY: Now, the property is
18 going to house I believe four cars on each lot,
19 where only two is required.

20 THIRD VICE-CHAIR LEWIS: Okay.

21 MR. GREGORY: And that's it, if the
22 Board has any other questions.

23 CHAIRMAN SHAPIRO: Commissioners, any
24 other questions?

25 COMMISSIONER DURSO: Nope.

1 NCPC Minor Sub. File No. 8-2025

2 CHAIRMAN SHAPIRO: Is there anybody in
3 the public that wishes to be heard?

4 (No response.)

5 CHAIRMAN SHAPIRO: Not seeing any, I
6 will take a motion.

7 COMMISSIONER DURSO: I'd like to make a
8 motion to approve NCPC File No. 8-2025 with a
9 "Negative Declaration."

10 VICE-CHAIR GREENFIELD: Second.

11 CHAIRMAN SHAPIRO: All those in favor?

12 (Chorus of "ayes.")

13 CHAIRMAN SHAPIRO: Any opposed?

14 (No response.)

15 CHAIRMAN SHAPIRO: The motion carries.

16 MR. GREGORY: Thank you.

17 THIRD VICE-CHAIR LEWIS: Thank you.

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1 NCPC Minor Sub. File No. 9-2025

2 CHAIRMAN SHAPIRO: Next.

3 (Stepping up.)

4 MR. WREN: Okay. Next up is NCPC
5 File 9-2025, I would like to ask the Commission
6 to please adjourn this case to May 1st. There
7 was a problem when the notices were sent out.
8 The applicant has gotten the new notice for
9 May 1st and that has been properly noticed.

10 CHAIRMAN SHAPIRO: Okay.
11 Commissioners, I'll take a motion to adjourn to
12 May 1st.

13 COMMISSIONER SAKOWICH: I'll make a
14 motion.

15 CHAIRMAN SHAPIRO: Is there a second?

16 COMMISSIONER DURSO: Second.

17 CHAIRMAN SHAPIRO: All in favor?

18 (Chorus of "ayes.")

19 CHAIRMAN SHAPIRO: Any opposed?

20 (No response.)

21 CHAIRMAN SHAPIRO: The motion carries.

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1 NCPC Minor Sub. File No. 10-2025

2 (Stepping up.)

3 MR. WREN: Okay. Next up then is NCPC
4 File 10-2025. It's a two-parcel -- two-parcel
5 minor subdivision.

6 The 14,616.71 square foot subject
7 property is situated on the west side of
8 West Street in the Hamlet of Hicksville, Town of
9 Oyster Bay's "R1-7" and Business "G" Zoning
10 District. Application proposes to subdivide the
11 property, which currently has 143.01 feet of
12 frontage on West Street into two separate
13 parcels.

14 "Proposed Lot A" will have 70 feet of
15 frontage by 104.23 feet on West Street and a
16 total of 7,269.1 square feet.

17 "Proposed Lot B" will have 73.01 feet
18 of frontage by 102.25 feet on West Street and be
19 a total of 7,465.27 square foot.

20 The Town of Oyster Bay's Board of
21 Appeals has issued the same variance for both
22 lots "A" and "B," and that is a variance to
23 construct new dwelling on subdivided lot in
24 General Business Zoning District.

25 I'd like the attorney to come up.

1 NCPC Minor Sub. File No. 10-2025

2 MR. EDWARDS: (Handing.)

3 MR. WREN: (Receiving.)

4 Thanks.

5 (Stepping up.)

6 MR. EDWARDS: Good morning,

7 Mr. Chair -- Chairman and members of the Board.

8 For the record, my name is Wayne Edwards,

9 Sahn Ward, 333 Earle Ovington Boulevard,

10 Uniondale, New York. It's a pleasure to be

11 before you today. I represent the applicant.

12 Like was said, we -- my client

13 purchased this property. The corner property is

14 in the General Business Zone.

15 (Commissioner Sakowich exits the

16 meeting.)

17 MR. EDWARDS: The intent was generally

18 to build a commercial property on -- a commercial

19 building on it. In that area, they really don't

20 need any more commercial buildings on -- on

21 Woodbury Road in that area. This is the

22 entranceway into a very nice sub -- subdivided

23 area with single-family homes. So we switched

24 the plans and he wants to build two houses.

25 There was originally a house on the

1 NCPC Minor Sub. File No. 10-2025
2 General Business Zoned property that was in a
3 state of disrepair. That was removed. And we
4 put an application in with the Town of Oyster Bay
5 to create two 7,000, over 7,000 square foot lots
6 in an "R1-7" District, which adjoins it. And the
7 houses that are going to be built will be
8 two-story colonials, with a single-car garage,
9 have driveways which would provide parking and
10 comply with the zoning requirements of the Town
11 of Oyster Bay's bulk and height requirements.

12 THIRD VICE-CHAIR LEWIS: So I guess the
13 only real question for you was the fact that it
14 was a Business -- Business Zoned property?

15 MR. EDWARDS: Yes.

16 THIRD VICE-CHAIR LEWIS: But your point
17 is that there's residences all around it?

18 MR. EDWARDS: Residences all around it
19 and a parking lot that we would have built on the
20 corner, a taxpayer. The parking lot, we would
21 have needed a variance to park in the Residential
22 Zone.

23 THIRD VICE-CHAIR LEWIS: Ah.

24 MR. EDWARDS: So looking at it --

25 VICE-CHAIR GREENFIELD: It sounds like

1 NCPC Minor Sub. File No. 10-2025

2 an upgrade for the neighbors.

3 And welcome back Mr. Edwards, we
4 haven't seen you in awhile.

5 MR. EDWARDS: Well, welcome back. I
6 don't come here very often.

7 (Laughter.)

8 VICE-CHAIR GREENFIELD: I know. I
9 haven't seen you in a long time.

10 CHAIRMAN SHAPIRO: Last time we saw
11 you, we both didn't have gray hair.

12 (Laughter.)

13 MR. EDWARDS: I -- I -- I told Bob, I
14 said it looks like a senior citizen mob.

15 (Laughter.)

16 MR. O'BRIEN: We -- we go back a bit,
17 Wayne.

18 (Laughter.)

19 MR. EDWARDS: It's always a pleasure to
20 be here.

21 VICE-CHAIR GREENFIELD: You don't have
22 to have gray hair.

23 (Laughter.)

24 VICE-CHAIR GREENFIELD: I got a good
25 barber.

1 NCPC Minor Sub. File No. 10-2025

2 (Laughter.)

3 MR. EDWARDS: So that's basically it.
4 That's why the Board felt that it was an upgrade
5 for the area.

6 THIRD VICE-CHAIR LEWIS: Yeah.

7 MR. EDWARDS: And the neighbors are
8 very happy with it.

9 THIRD VICE-CHAIR LEWIS: Yeah.

10 (Laughter.)

11 CHAIRMAN SHAPIRO: Thank you.

12 Commissioners, any questions?

13 (No response.)

14 CHAIRMAN SHAPIRO: Is there anybody in
15 the public that wishes to be heard?

16 (No response.)

17 CHAIRMAN SHAPIRO: We're going to have
18 to hold on a minute.

19 (Commissioner Sakowich enters the
20 meeting.)

21 COMMISSIONER SAKOWICH: No, I'm good.

22 (Laughter.)

23 THIRD VICE-CHAIR LEWIS: He's back --
24 he's back.

25 CHAIRMAN SHAPIRO: Not seeing any, I'll

1 NCPC Minor Sub. File No. 10-2025

2 take a motion.

3 COMMISSIONER DURSO: I'd like to make a
4 motion to approve NCPC File No. 10-2025 with a
5 "Negative Declaration."

6 CHAIRMAN SHAPIRO: Is there a second?

7 THIRD VICE-CHAIR LEWIS: I'll second
8 it.

9 CHAIRMAN SHAPIRO: All those in favor?

10 (Chorus of "ayes.")

11 CHAIRMAN SHAPIRO: Any opposed?

12 (No response.)

13 CHAIRMAN SHAPIRO: The motion carries.

14 MR. EDWARDS: Thank you very much.

15 CHAIRMAN SHAPIRO: Good to see you.

16 MR. EDWARDS: Good seeing you.

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1 Proceedings

2 CHAIRMAN SHAPIRO: Okay. Marty,
3 here's -- here's what we're going to do.

4 (Mr. Katz stepping up.)

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1 NCPC Minor Sub. File No. 11-2025

2 MR. O'BRIEN: We have -- we still have
3 one Minor you know?

4 CHAIRMAN SHAPIRO: Oh, we do?

5 MR. O'BRIEN: No, you -- we have to --

6 CHAIRMAN SHAPIRO: No, we adjourned
7 it.

8 COMMISSIONER DURSO: Oh, that was 11.

9 CHAIRMAN SHAPIRO: All right. No --
10 no -- no, we -- we --

11 MR. O'BRIEN: Case 11 --

12 CHAIRMAN SHAPIRO: -- had decided to --

13 MR. O'BRIEN: -- Case 11, did you --
14 did you make --

15 VICE-CHAIR GREENFIELD: No, we
16 adjourned it to May 1st.

17 CHAIRMAN SHAPIRO: May 1st and it's
18 going to be a Minor.

19 MR. O'BRIEN: Okay. Then, they'll --
20 they'll --

21 VICE-CHAIR GREENFIELD: You were in a
22 conference.

23 MR. O'BRIEN: Thank you.

24 CHAIRMAN SHAPIRO: Yeah.

25 * * *

1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: Okay. So --

3 MR. KATZ: Chair -- Chairman, I'd just
4 like to say, Item No. 4 I'd like to add a letter
5 for affordable housing [sic]. It wasn't --

6 CHAIRMAN SHAPIRO: Okay. Let's do
7 the --

8 MR. O'BRIEN: Workforce housing?

9 MR. KATZ: Yeah, workforce housing.

10 CHAIRMAN SHAPIRO: Okay.
11 Commissioners?

12 * * *

13 MR. KATZ: And No. 3 didn't have
14 a recommendation, but that would be a
15 "Modification," because we got the -- we got
16 the revised site plan today from the applicant's
17 attorney. So it has to be referred to us by the
18 Town and we'll -- we'll issue -- we'll -- staff
19 recommends that we would issue the "Modification"
20 that conforms to that new and better site plan,
21 for that new -- for the --

22 CHAIRMAN SHAPIRO: Well, then we'd be
23 holding this until the next meeting or are we --

24 VICE-CHAIR GREENFIELD: You're
25 confusing us, Marty.

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2 MR. KATZ: No -- no -- no. We would --
3 and we -- we would issue a "Modification" and the
4 Town -- with -- with the -- the corrections that
5 are -- that were indicated on the site plan that
6 came in today, because that's what we asked when
7 we got it, but not through the Town.

8 So we still -- you know, it's -- it's
9 not a -- it wasn't a referral from the Town. So
10 we're going to get that referral with the new --
11 with the new site plan. After we issue this
12 "Modification," we're going to get that, so we
13 can get what we asked for.

14 CHAIRMAN SHAPIRO: You lost me.

15 (Laughter.)

16 THIRD VICE-CHAIR LEWIS: Marty, you're
17 confusing me.

18 (Laughter.)

19 CHAIRMAN SHAPIRO: I think you lost all
20 of us.

21 VICE-CHAIR GREENFIELD: You lost all of
22 us. The song, you can't always get what you
23 want. I'm lost here.

24 MR. KATZ: And I'm -- and I'm the
25 one --

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2 (Laughter.)

3 THIRD VICE-CHAIR LEWIS: Why don't you
4 go through the case folder?

5 COMMISSIONER SAKOWICH: Are we -- are
6 we --

7 MR. KATZ: Staff is -- staff recommends
8 for the Elmont Car Wash, a "Modification."
9 That's it.

10 VICE-CHAIR GREENFIELD: Oh, and -- and
11 they --

12 COMMISSIONER SAKOWICH: But we have to
13 vote on it?

14 MR. KATZ: Right, but we'll get to that
15 you know?

16 CHAIRMAN SHAPIRO: Wait. The Elmont
17 Car Wash is which number?

18 COMMISSIONER SAKOWICH: No. 3.

19 CHAIRMAN SHAPIRO: No. 3.

20 VICE-CHAIR GREENFIELD: So it's going
21 to be "LDL." We're going to switch that to
22 "LDL."

23 (Laughter.)

24 MR. O'BRIEN: No.

25 MR. KATZ: No, that would be a

1 Zoning Referral Review

2 "Modification."

3 VICE-CHAIR GREENFIELD: Oh, okay.

4 We'll switch that.

5 CHAIRMAN SHAPIRO: So why don't we do

6 the "LDs"? -

7 MR. KATZ: It'll be clarified --

8 CHAIRMAN SHAPIRO: Let's --

9 MR. KATZ: -- when I read it.

10 MR. O'BRIEN: Yeah.

11 CHAIRMAN SHAPIRO: -- do the "LDs"

12 first.

13 MR. O'BRIEN: Let's get --

14 MR. KATZ: Oh, okay.

15 MR. O'BRIEN: -- this noted.

16 CHAIRMAN SHAPIRO: Yeah, let's clarify

17 that.

18 MR. KATZ: Okay.

19 * * *

20 CHAIRMAN SHAPIRO: First of all,

21 Commissioners, do you have any questions on:

22 1;

23 2;

24 5;

25 6;

1 Zoning Referral Review

2 9;

3 10;

4 Or 13, because I want to --

5 COMMISSIONER SAKOWICH: The -- the only

6 one --

7 THIRD VICE-CHAIR LEWIS: Well --

8 CHAIRMAN SHAPIRO: Eleven, we're going

9 to -- we're going to do separately.

10 THIRD VICE-CHAIR LEWIS: Yeah.

11 CHAIRMAN SHAPIRO: And 12, I'd like

12 Marty to go over.

13 THIRD VICE-CHAIR LEWIS: Two --

14 * * *

15 VICE-CHAIR GREENFIELD: Okay. I --

16 CHAIRMAN SHAPIRO: So -- so it's an

17 "LD" for:

18 1;

19 2;

20 5;

21 6;

22 9;

23 10;

24 And 13.

25 VICE-CHAIR GREENFIELD: So moved.

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2 CHAIRMAN SHAPIRO: Is there a second?

3 (No response.)

4 * * *

5 COMMISSIONER DURSO: Do we have to

6 do -- I just want to make sure.

7 Two will be -- the moratorium we're

8 good?

9 CHAIRMAN SHAPIRO: The moratorium is

10 11.

11 VICE-CHAIR GREENFIELD: That's why

12 we're doing the 11 separate.

13 CHAIRMAN SHAPIRO: We're going to do 11

14 and 12 separately. 11 is Town of Oyster Bay.

15 COMMISSIONER DURSO: Oh, okay.

16 * * *

17 COMMISSIONER DURSO: What about 2?

18 CHAIRMAN SHAPIRO: Two, we're going to

19 go over that.

20 COMMISSIONER DURSO: The Long Beach?

21 VICE-CHAIR GREENFIELD: Yeah.

22 CHAIRMAN SHAPIRO: The Long Beach,

23 we're going to leave it at a year.

24 COMMISSIONER DURSO: Right, okay.

25 CHAIRMAN SHAPIRO: Okay?

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2 COMMISSIONER DURSO: I just want to
3 make sure. Okay.

4 CHAIRMAN SHAPIRO: So -- so --

5 VICE-CHAIR GREENFIELD: And because of
6 that precedent --

7 COMMISSIONER DURSO: Yeah -- yeah --

8 VICE-CHAIR GREENFIELD: -- for that,
9 we'll leave it on for a year.

10 CHAIRMAN SHAPIRO: Yeah.

11 COMMISSIONER DURSO: Yeah, that's what
12 I wanted to make sure of.

13 CHAIRMAN SHAPIRO: So --

14 THIRD VICE-CHAIR LEWIS: No, I'm not on
15 board with a year, so we're going to have to vote
16 on the Long Beach.

17 VICE-CHAIR GREENFIELD: Then we can't
18 vote today.

19 MR. O'BRIEN: You can vote -- you can
20 vote and when -- when the vote --

21 CHAIRMAN SHAPIRO: No -- no, they're
22 asking for a year.

23 MR. O'BRIEN: -- when the vote fails --

24 CHAIRMAN SHAPIRO: Yeah.

25 MR. O'BRIEN: -- it becomes an "LD."

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2 VICE-CHAIR GREENFIELD: It's a default.

3 CHAIRMAN SHAPIRO: Long Beach is asking
4 for a year moratorium.

5 THIRD VICE-CHAIR LEWIS: From today?

6 CHAIRMAN SHAPIRO: Yeah.

7 VICE-CHAIR GREENFIELD: So if you don't
8 go along with it, it becomes a default "LD"
9 anyhow.

10 CHAIRMAN SHAPIRO: It will be an "LD"
11 anyway.

12 MR. O'BRIEN: Yeah.

13 VICE-CHAIR GREENFIELD: Yeah.

14 CHAIRMAN SHAPIRO: Okay.

15 Are you going to feel the same way
16 about Oyster Bay?

17 THIRD VICE-CHAIR LEWIS: They're asked
18 for six months.

19 CHAIRMAN SHAPIRO: No. No, we're going
20 to -- I -- I'd -- I'd like to change it to a
21 year.

22 MR. O'BRIEN: You can't --

23 VICE-CHAIR GREENFIELD: I want to --

24 CHAIRMAN SHAPIRO: After sitting and
25 talking to the fire --

1 Zoning Referral Review

2 MR. O'BRIEN: -- I -- I don't know that
3 you can do it. The -- the referral is the
4 referral.

5 CHAIRMAN SHAPIRO: I would do an "LDL."

6 MR. O'BRIEN: You would have to do a
7 "Mod."

8 CHAIRMAN SHAPIRO: Then do a
9 "Modification."

10 MR. O'BRIEN: We don't have the votes.
11 (Laughter.)

12 CHAIRMAN SHAPIRO: The fire marshal
13 just came in and had a conversation --

14 MR. O'BRIEN: I --

15 CHAIRMAN SHAPIRO: -- with us.

16 VICE-CHAIR GREENFIELD: They made it
17 very clear that it --

18 CHAIRMAN SHAPIRO: They made it very
19 clear.

20 VICE-CHAIR GREENFIELD: The State Code
21 isn't ready yet.

22 MR. O'BRIEN: I know. I was -- I was
23 there. No, I -- I -- I understand what you're
24 saying. I'm just talking about a process. The
25 process would be --

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2 CHAIRMAN SHAPIRO: Okay.

3 MR. O'BRIEN: -- a "Mod."

4 CHAIRMAN SHAPIRO: Okay. Then I would
5 do a "Mod."

6 MR. O'BRIEN: But you -- but you would
7 need five votes for the "Mod."

8 CHAIRMAN SHAPIRO: Well, then it won't
9 pass and --

10 MR. O'BRIEN: Okay. Just so you're
11 aware.

12 CHAIRMAN SHAPIRO: I mean, we, you
13 know --

14 VICE-CHAIR GREENFIELD: All right, so
15 let me --

16 CHAIRMAN SHAPIRO: -- wait a minute.
17 We -- we turn around, and we have a fire marshal
18 come in and have a conversation with us.

19 MR. O'BRIEN: I'm only talking process.

20 CHAIRMAN SHAPIRO: And making
21 recommendations to --

22 MR. O'BRIEN: Yes.

23 CHAIRMAN SHAPIRO: -- us, and we're
24 going to turn around and we're only going to do
25 it for six months? We'll be back here in six

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2 months again. That's ridiculous.

3 MR. O'BRIEN: It's only -- I'm only --

4 CHAIRMAN SHAPIRO: -- I -- I think it
5 should be --

6 MR. O'BRIEN: -- I'm only addressing
7 the process, Chair.

8 VICE-CHAIR GREENFIELD: I -- I -- I --

9 CHAIRMAN SHAPIRO: I understand that.

10 VICE-CHAIR GREENFIELD: I understand
11 that, but I want to follow what Lenny says.

12 MR. O'BRIEN: Yes.

13 VICE-CHAIR GREENFIELD: We had two
14 professionals, captain, longtime guy that's in
15 charge of codes for the fire marshal. He tells
16 us that the State Code is not ready yet. And
17 what's also important, once the State Code is
18 ready, then the County's going to issue a
19 Local Law on that.

20 So out of respect for that and the
21 professionals telling us that, we have to give
22 some time for the process to work its way through
23 both systems.

24 THIRD VICE-CHAIR LEWIS: So -- so it's
25 interesting, we could all be in the same meeting

1 Zoning Referral Review

2 and reach different conclusions, even on what
3 we -- even -- even on what we heard.

4 (Laughter.)

5 THIRD VICE-CHAIR LEWIS: The -- the
6 State went through a process where a working
7 group came up with a series of recommendations.
8 That was July. And -- and I can kind of agree
9 with the Supervisor from the Town of Brookhaven
10 who wrote "Op Ed" on this last week, saying the
11 State -- the State is dragging their feet and
12 they should have adopted the revised fire code
13 that was recommended by that working group.

14 So there's a recommendation on the
15 table for a revised building code [sic] -- fire
16 code that the State has not acted on and the
17 expectations is that it will in the coming
18 months. So I don't understand why a year would
19 be needed, if we're only a couple months away --

20 COMMISSIONER DURSO: The State is --

21 THIRD VICE-CHAIR LEWIS: -- from the
22 new fire code.

23 VICE-CHAIR GREENFIELD: The State is
24 not moving quickly. Let me --

25 COMMISSIONER DURSO: The State is -- is

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2 so behind.

3 VICE-CHAIR GREENFIELD: I -- I -- no,
4 besides the Leg., I was in a meeting yesterday in
5 Albany for the insurance industry. And we have
6 issues with their proposals. And in addition, I
7 read in the "FASNY," Fire Association State of
8 New York Magazine, they have some issues also.

9 So there's major rewrite having nothing
10 to do with your issue, our issue before us of
11 battery storage. The way they made such radical
12 proposed changes in the code, it is causing a
13 great deal of debate across the State for many
14 different issues.

15 So it's not that they're dragging their
16 feet, they created too much undercurrent with
17 what they were proposing. And it has to work
18 through the process for them to resolve it.

19 COMMISSIONER SAKOWICH: I think there's
20 a bigger issue. That -- that -- that's an issue
21 that's going to go on forever and it's -- it's --
22 it's just one person against another person. I
23 think that we need to look into the safety of the
24 firefighters --

25 VICE-CHAIR GREENFIELD: Yes.

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2 COMMISSIONER SAKOWICH: -- that, you
3 know, they -- they -- they could write these
4 codes and they're all good. And at some point
5 this is going to work, I'm sure, okay. But if
6 they enact it to tomorrow, there's not a single
7 training facility on Long Island that is --
8 and -- and prepared to train to put these things
9 out or do anything.

10 Do you -- do you know -- do -- do you
11 know what one -- one of the -- the -- the -- I
12 read an article about in -- what they -- what
13 they did about it in Germany. They put 60-yard
14 dumpsters, and they filled them with water, and
15 made them swimming pools. And they pull up, and
16 take a crane and they -- they submerge these
17 batteries in the 60-yard dumpsters that are on
18 back of trucks, no fire trucks, no nothing.

19 That -- that's -- that's like --
20 there's not a fire department on Long Island owns
21 a 60-yard dumpster truck yet, you know what I
22 mean? So I think that we have to look at it one
23 step further.

24 I actually had a conversation with the
25 chief fire marshal and I showed him all of this.

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2 The -- that's his concern. You know, these walls
3 are going to come down. They're -- they're --
4 they're going -- they're going to be upgraded by
5 Nassau County to another level, because they're
6 allowed to do that. But we're not looking at it
7 even further on, when something burns. And
8 that's the big problem here is -- is -- is
9 that -- that -- that's the biggest problem is how
10 do you extinguish these? How do you put them
11 out? How do --

12 CHAIRMAN SHAPIRO: I -- I -- I have a
13 solution to this.

14 Okay. First of all, the one for
15 Long Beach, we have to vote on today. So they're
16 asking for a year. If we don't vote in favor of
17 it, then it's a default "LD."

18 MR. O'BRIEN: Right.

19 CHAIRMAN SHAPIRO: Okay.

20 With Town of Oyster Bay, we received it
21 on April 1st. I want to call Town of Oyster Bay.
22 I want to go back to the Town of Oyster Bay, and
23 have them redo their zoning recommendation to us
24 and send it back to us --

25 VICE-CHAIR GREENFIELD: A new referral.

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2 CHAIRMAN SHAPIRO: -- with a new
3 referral --

4 VICE-CHAIR GREENFIELD: A new referral.

5 CHAIRMAN SHAPIRO: -- for a one-year
6 moratorium. And we will vote on it on May 1st,
7 because we only received it on April 1st. We
8 have 30 days to act. Our next meeting is
9 May 1st.

10 MR. O'BRIEN: Correct.

11 VICE-CHAIR GREENFIELD: We normally
12 don't allow comment, but I see the attorney from
13 the Town anxious to tell us it's okay?

14 (Stepping up.)

15 MS. FAUGHNAN: Thank you, sir.

16 Elizabeth Ann Faughnan, Deputy Town
17 Attorney, Town of Oyster Bay.

18 I'd like to point out two things.
19 Number one, we did hold our hearing regarding the
20 Local Law this past Tuesday, April 8th. A
21 representative of "Calpine Corporation," who had
22 submitted an application for a 44-megawatt
23 facility in Bethpage prior to the implementation
24 of the initial moratorium, the representative of
25 "Calpine" did attend the hearing and did make a

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2 public comment that "Calpine" does not object to
3 the Town's extension of the moratorium.

4 So that just happened 48 hours ago, so
5 I did not have the opportunity to let you know
6 that prior to now.

7 Number two, my other point is that the
8 Town of Oyster Bay's moratorium currently expires
9 on April 30th. So if the --

10 CHAIRMAN SHAPIRO: No, we can't --

11 MS. FAUGHNAN: -- Commission did not
12 issue a decision, we would in fact have a lapse
13 if it was referred to the May 1 meeting. And we
14 would prefer not to have a lapse in the moratorium.

15 COMMISSIONER SAKOWICH: All we're
16 trying to do is go from six months to a year out.

17 MS. FAUGHNAN: And --

18 COMMISSIONER SAKOWICH: So just to try
19 to make the moratorium.

20 THIRD VICE-CHAIR LEWIS: You can always
21 come back for the --

22 COMMISSIONER SAKOWICH: But they'll
23 there's -- there's a lot. They -- they --
24 they're going to -- there's going to be a lapse,
25 so they're going to have to do the six months.

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2 THIRD VICE-CHAIR LEWIS: So just to be
3 clear --

4 VICE-CHAIR GREENFIELD: So --

5 THIRD VICE-CHAIR LEWIS: -- the --
6 the -- the developer that -- that -- that has an
7 applications put on the record that they do not
8 object to a six-month moratorium?

9 MS. FAUGHNAN: Correct, that's what the
10 hearing was for. It was for a six-month
11 moratorium.

12 THIRD VICE-CHAIR LEWIS: It's six
13 months from April 30th?

14 MS. FAUGHNAN: Correct.

15 THIRD VICE-CHAIR LEWIS: And --

16 MS. FAUGHNAN: Correct.

17 THIRD VICE-CHAIR LEWIS: And I don't
18 know if you got into the details of why, but
19 that -- I think that it's because by then, the
20 expectation is the new fire code will have been
21 adopted.

22 MS. FAUGHNAN: I don't know that
23 anybody has an expectation --

24 (Laughter.)

25 MS. FAUGHNAN: -- that there will be a

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2 New York State and a Nassau County fire code with
3 respect to, again, battery energy storage, which
4 we're talking 44 megawatt, 275 megawatt, to allow
5 the Town to create its own code with respect to
6 these facilities.

7 THIRD VICE-CHAIR LEWIS: Well, the
8 proposal for a Town Code just says that you would
9 have a special permit application process.

10 CHAIRMAN SHAPIRO: So --

11 THIRD VICE-CHAIR LEWIS: So I --

12 CHAIRMAN SHAPIRO: -- I have -- I have
13 a solution for this, Beth.

14 MS. FAUGHNAN: Sure. Okay.

15 CHAIRMAN SHAPIRO: We'll go forward
16 with today's motion and I would send a referral
17 to us to go onto our next meeting for an
18 additional six months.

19 MS. FAUGHNAN: Okay.

20 CHAIRMAN SHAPIRO: This way it'll give
21 it a year.

22 COMMISSIONER DURSO: Yup.

23 MS. FAUGHNAN: Thank you very much.

24 CHAIRMAN SHAPIRO: Okay?

25 MS. FAUGHNAN: Thank you very much.

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2 CHAIRMAN SHAPIRO: And then this way
3 we'll vote on it at the time and --

4 MR. O'BRIEN: Right.

5 CHAIRMAN SHAPIRO: -- see what happens.

6 MS. FAUGHNAN: Okay.

7 CHAIRMAN SHAPIRO: Okay?

8 MS. FAUGHNAN: Yes, thank you very
9 much, Chairman.

10 VICE-CHAIR GREENFIELD: Great solution,
11 Mr. Chairman. That's why you get the big bucks.

12 (Laughter.)

13 (Audience participation.)

14 MS. FAUGHNAN: Thank you -- thank you.

15 CHAIRMAN SHAPIRO: Okay. So now
16 let's -- let's go back to this.

17 (Laughter.)

18 CHAIRMAN SHAPIRO: No, No. 4 is going
19 to be -- wait a minute. Long Beach is going --
20 we're going to take that separately.

21 VICE-CHAIR GREENFIELD: We should take
22 it separately.

23 CHAIRMAN SHAPIRO: Okay, so 2 is
24 separate.

25 * * *

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2 CHAIRMAN SHAPIRO: So we have:

3 1;

4 4;

5 5;

6 6;

7 9;

8 10;

9 And then we'll add --

10 VICE-CHAIR GREENFIELD: 13.

11 CHAIRMAN SHAPIRO: -- we'll add 11 to
12 it.

13 COMMISSIONER DURSO: Right.

14 CHAIRMAN SHAPIRO: -- because that's
15 six months;

16 And 13.

17 VICE-CHAIR GREENFIELD: So moved.

18 CHAIRMAN SHAPIRO: Is there a second?

19 COMMISSIONER DURSO: Second.

20 CHAIRMAN SHAPIRO: All those in favor?

21 VICE-CHAIR GREENFIELD: Aye.

22 CHAIRMAN SHAPIRO: Aye.

23 COMMISSIONER DURSO: Aye.

24 VICE-CHAIR GREENFIELD: Reid?

25 COMMISSIONER SAKOWICH: Yes, I'm good.

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2 VICE-CHAIR GREENFIELD: You're in
3 favor? Say it.

4 THIRD VICE-CHAIR LEWIS: Aye.

5 COMMISSIONER SAKOWICH: Aye.

6 CHAIRMAN SHAPIRO: Okay. Motion
7 carries.

8 * * *

9 CHAIRMAN SHAPIRO: Now, let's take
10 No. 2. No. 2 is a motion for an "LD" on
11 Local Law to enact one-year moratorium on
12 establishing battery energy storage systems
13 within the City.

14 Is there a motion for an "LD?"

15 COMMISSIONER DURSO: I'll make a
16 motion.

17 CHAIRMAN SHAPIRO: Is there a second?

18 COMMISSIONER SAKOWICH: Second.

19 CHAIRMAN SHAPIRO: All those in favor?

20 COMMISSIONER SAKOWICH: Aye.

21 VICE-CHAIR GREENFIELD: Aye.

22 COMMISSIONER DURSO: Aye.

23 CHAIRMAN SHAPIRO: Any opposed?

24 THIRD VICE-CHAIR LEWIS: Opposed.

25 CHAIRMAN SHAPIRO: Okay. So --

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2 THIRD VICE-CHAIR LEWIS: So I think we
3 should be talking about six months. It seems to
4 me that 6 months after, that'll bring us up to
5 something like 14 months from the date of the
6 working group's recommendations where they
7 basically put a lot of effort into addressing all
8 these issues. I don't understand why it's going
9 to take another --

10 VICE-CHAIR GREENFIELD: I think --

11 THIRD VICE-CHAIR LEWIS: -- another
12 year before --

13 VICE-CHAIR GREENFIELD: -- well, I
14 think counsel will explain to you, we have to
15 vote on what they asked for.

16 CHAIRMAN SHAPIRO: We already voted --

17 THIRD VICE-CHAIR LEWIS: Right.

18 CHAIRMAN SHAPIRO: -- what's in front
19 of us.

20 THIRD VICE-CHAIR LEWIS: No.

21 CHAIRMAN SHAPIRO: It was not approved.
22 So either that's going to be a --

23 MR. O'BRIEN: A default "LD."

24 CHAIRMAN SHAPIRO: -- a default "LD,"
25 or if somebody wants -- if Neal wants to make a

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2 motion on a "Modification."

3 COMMISSIONER SAKOWICH: But why do
4 that? It's a default "LD." It's going to go to
5 a year because they -- they requested it, so it's
6 over.

7 CHAIRMAN SHAPIRO: Right.

8 Well -- well, counsel?

9 MR. O'BRIEN: Well, no -- no. He can
10 make a motion, it becomes an "LD" and then it's
11 up to the municipality to vote on it. For all we
12 know, they'll turn it down.

13 COMMISSIONER SAKOWICH: Yeah, but they
14 put the request in for it, so why would they turn
15 it down?

16 MR. O'BRIEN: No -- no. It was a --
17 a -- somebody made a referral to us. Just
18 because it's referred to us doesn't mean that
19 the -- the City Council will vote for it.
20 Chances are, they will. I mean that but --

21 COMMISSIONER SAKOWICH: But the
22 City Council asked for a year.

23 MR. O'BRIEN: The -- I -- do we get the
24 referral -- who do we get the referral from?

25 COMMISSIONER SAKOWICH: It says

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2 City Council.

3 MR. O'BRIEN: We get it through the
4 Corp. Council's office?

5 COMMISSIONER SAKOWICH: The applicants
6 are City Council, so --

7 MR. O'BRIEN: No, we get the -- we --
8 we get it through the Corp. Council's office.

9 MR. KATZ: I -- I got it from the
10 City's Corporate, yeah, Corp. Council.

11 MR. O'BRIEN: And sometimes you have
12 split boards.

13 MR. KATZ: Yeah, okay.

14 MR. O'BRIEN: You -- you have split
15 boards.

16 COMMISSIONER SAKOWICH: So they didn't
17 vote on this already?

18 CHAIRMAN SHAPIRO: No.

19 THIRD VICE-CHAIR LEWIS: No -- no.

20 CHAIRMAN SHAPIRO: No.

21 THIRD VICE-CHAIR LEWIS: They waited
22 for our referral.

23 CHAIRMAN SHAPIRO: So --

24 VICE-CHAIR GREENFIELD: They have to
25 wait for our referral.

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2 CHAIRMAN SHAPIRO: Then you have a
3 default --

4 THIRD VICE-CHAIR LEWIS: Okay.

5 CHAIRMAN SHAPIRO: -- referral and let
6 them do what they want --

7 MR. O'BRIEN: Yup.

8 COMMISSIONER SAKOWICH: Okay.

9 CHAIRMAN SHAPIRO: -- at that point.

10 VICE-CHAIR GREENFIELD: Do we need to
11 take a roll call, counselor?

12 MR. O'BRIEN: No.

13 CHAIRMAN SHAPIRO: No.

14 VICE-CHAIR GREENFIELD: Okay.

15 CHAIRMAN SHAPIRO: It's plain and
16 simple.

17 * * *

18 CHAIRMAN SHAPIRO: Okay. So --

19 VICE-CHAIR GREENFIELD: Next item.

20 CHAIRMAN SHAPIRO: Now we have
21 Item No. 12.

22 * * *

23 MR. O'BRIEN: Are we doing 3?

24 COMMISSIONER DURSO: How about 3?

25 CHAIRMAN SHAPIRO: Not yet.

1 Zoning Referral Review

2 VICE-CHAIR GREENFIELD: Not yet, right.

3 * * *

4 CHAIRMAN SHAPIRO: Okay, let's go over

5 No. 12.

6 MR. KATZ: Okay. Hold on.

7 CHAIRMAN SHAPIRO: That's Breslin

8 Realty.

9 MR. KATZ: Okay. Item No. 12 is

10 NCPC Case No. 44125. This is Town of Hempstead,

11 Hamlet of Baldwin and it's for site plan review,

12 or as the Town -- Hempstead calls it a

13 "305 Review" which is their version of site plan

14 review.

15 This is a proposed development of a

16 five-story mixed-use "TOD," Transit-Oriented

17 Development consisting of 215 units, about

18 4500 square feet of ground floor, commercial

19 slash restaurant, 1900 square feet of open slash

20 green space, fitness center, co-working office

21 space for residence on a 1.65-acre property, that

22 is currently an open, unpaved area. The project

23 will provide about 250 parking spaces, including

24 surface parking and one level below-grade

25 parking.

1 Zoning Referral Review

2 The site is located on the south --
3 south -- on the south side of Sunrise Highway,
4 across from -- essentially across from the
5 Long Island Railroad Baldwin Station. The old
6 bank building directly on the southeast corner of
7 Sunrise Highway and Grand Avenue is an
8 "outparcel" and -- and will remain.

9 This subject property is a short
10 distance to the north of the 54-unit
11 multifamily project that is Zoning Case 9
12 on the Zoning Agenda.

13 There will be a 10 percent affordable
14 housing set aside on this project.

15 The case was previously before the
16 Nassau County Planning Commission on 11/17/2022,
17 for inclusion in the "Baldwin Mixed-Use Zoning
18 District "TOD." The Planning Commission issued
19 an "L" -- issued a "Local Determination" on that.
20 The Town subsequently issued a special permit for
21 inclusion in said district. The current site
22 plan for site plan review that is before you is
23 essentially the same as the previous one.

24 All the consistency, and assessment,
25 and "FEAF" were prepared and is summarized. I

1 Zoning Referral Review

2 don't want to bore you with the details of this.

3 It was already read on the record when we heard

4 it initially for a --

5 THIRD VICE-CHAIR LEWIS: And -- and,

6 your notes also point out that this is a project

7 that's a product of -- of the local planning

8 effort --

9 MR. KATZ: Right.

10 THIRD VICE-CHAIR LEWIS: -- that's been

11 going on in Baldwin, where people are engaged and

12 talking about their future. And that's why I

13 think if you look at the details, it's -- it's a

14 really good proposal for --

15 MR. KATZ: Right.

16 THIRD VICE-CHAIR LEWIS: --

17 Transit-Oriented Development.

18 COMMISSIONER SAKOWICH: And this

19 actually was going to be used for something else.

20 MR. KATZ: And I just want to say that

21 there is a -- you know, to get to the Railroad

22 Station, there are court [sic] -- crosswalks and

23 fully-activated pedestrian traffic signals.

24 So I mean you don't necessarily want to cross

25 Sunrise Highway. A pedestrian doesn't want to do

1 Zoning Referral Review

2 that. But it is engineered to facilitate
3 pedestrian crossing of --

4 VICE-CHAIR GREENFIELD: Yeah, well,
5 this is long past due there, good use there. The
6 only question I have, the Baldwin Coach Diner
7 that's closing there, did they buy that site
8 also?

9 (No response.)

10 VICE-CHAIR GREENFIELD: We can't afford
11 to lose another diner on Long Island.

12 (Laughter.)

13 CHAIRMAN SHAPIRO: We just -- we just
14 lost one in Huntington.

15 VICE-CHAIR GREENFIELD: Two -- two.

16 Marty, are you aware of that?

17 MR. KATZ: Am I aware of that?

18 VICE-CHAIR GREENFIELD: Are now they're
19 buying the diner?

20 (Laughter.)

21 MR. KATZ: Where -- where is the diner?

22 VICE-CHAIR GREENFIELD: Right next to
23 it. It's on Sunrise Highway right next to it.

24 Okay -- okay.

25 (Laughter.)

1 Zoning Referral Review

2 VICE-CHAIR GREENFIELD: If you find out
3 about the diner's future, you let me know.

4 CHAIRMAN SHAPIRO: Is there -- is
5 there -- is there a motion to "LD?"

6 COMMISSIONER SAKOWICH: I think you
7 should skip the diners.

8 (Laughter.)

9 CHAIRMAN SHAPIRO: No. 12.

10 (Laughter.)

11 VICE-CHAIR GREENFIELD: That's what my
12 wife says.

13 THIRD VICE-CHAIR LEWIS: I make a
14 motion to "LD" No. 12 on our Zoning --

15 CHAIRMAN SHAPIRO: Is there a second?

16 COMMISSIONER SAKOWICH: I second it.

17 CHAIRMAN SHAPIRO: All those in favor?

18 (Chorus of "ayes.")

19 CHAIRMAN SHAPIRO: The motion carries.

20 VICE-CHAIR GREENFIELD: I wish I had a
21 diner in Florida.

22 * * *

23 CHAIRMAN SHAPIRO: Okay. Let's go to
24 No. 3.

25 MR. KATZ: Okay, yeah.

1 Zoning Referral Review

2 No. 3 is NCPC Case No. 111125. This is
3 Town of Hempstead, Hamlet -- Hamlet of Elmont and
4 this is for a special exception.

5 This is a proposed car wash with detail
6 center and accessory retail use convenience
7 store, on an 11,222 square foot lot. This will
8 be -- this will all be housing in a single
9 newly-constructed structure.

10 The business will not engage in any
11 type of auto repairs. The detailing service will
12 not have any outdoors component.

13 The vacant gas station/garage that's
14 currently on the site will be demolished. The
15 project is zoning and parking compliant.

16 To -- to the south are homes. To
17 the west is a carpet store. To the north
18 across New York 24 Hempstead Turnpike is the
19 Elmont Library. To the east is a 7-Eleven
20 convenience store and -- and dwelling.

21 New York State 24 has five lanes,
22 including an exclusive eastbound left-turn lane.
23 The intersection of New York 24 Hempstead and --
24 and Belmont Avenue is signalized. Parking
25 is prohibited along this stretch of

1 Zoning Referral Review

2 Hempstead Turnpike.

3 The curb cut side -- serving the site
4 are generally unrestricted and are currently not
5 designed to acceptable engineering standards.

6 The site plan currently before the
7 Commission does not indicate that the existing
8 curb cuts currently serving the site will be
9 replaced and redesigned on New York 24 or on
10 Belmont Avenue. Also, entrance and exit are
11 shown are -- are -- are entrance and exiting
12 traffic is not -- is not shown on the site plan.

13 This was previously before the
14 Planning Commission on 1/30/25. At that time,
15 additional information was requested with an
16 enhanced site plan that better showed vehicle
17 ingress and egress, and redesigned curb cuts.
18 Queuing for cars queuing for the car wash and the
19 existing curb cuts were not designed to proper
20 specifications, and this should be -- the -- the
21 revised site plan should show this.

22 Staff is recommending a "Modification"
23 that indicates that improvements to an -- an
24 enhanced site plan should be provided that
25 includes:

1 Zoning Referral Review

2 Proper ingress and egress;

3 Queuing;

4 And better internal -- and showing
5 better internal circulation.

6 CHAIRMAN SHAPIRO: Marty, I don't
7 agree. We went through a whole dissertation
8 with -- with Bill Bonesso.

9 MR. KATZ: Yeah.

10 CHAIRMAN SHAPIRO: And this is a better
11 plan.

12 MR. KATZ: Right, but we -- but that
13 is -- what we have, that's the plan that came to
14 us.

15 VICE-CHAIR GREENFIELD: What are you
16 modifying?

17 MR. KATZ: The --

18 CHAIRMAN SHAPIRO: The new revised site
19 plan?

20 (Laughter.)

21 MR. O'BRIEN: Let's let --

22 MR. KATZ: I -- I tried --

23 MR. O'BRIEN: -- Marty answer.

24 MR. KATZ: -- I tried to explain --
25 excuse me. I tried to explain that Bill gave us

1 Zoning Referral Review

2 a revised site plan, but it doesn't constitute a
3 referral, because it doesn't come from the Town.
4 He's going to take that good enhanced site plan,
5 submit it to the Town and that new site plan is
6 going to come us. It hasn't come to us yet.

7 COMMISSIONER SAKOWICH: But we --

8 MR. KATZ: So we'll --

9 COMMISSIONER SAKOWICH: -- but we
10 already went through this, didn't we?

11 MR. KATZ: Okay, whatever the
12 Commission wants.

13 MR. O'BRIEN: Whoa -- whoa -- whoa.

14 MR. KATZ: Whatever the Commission
15 wants is --

16 MR. O'BRIEN: Let's -- whoa -- whoa --
17 whoa. Let's start out, can we recommend a
18 "Modification" based upon the revised site plan
19 that was presented to -- to the Commission today?

20 COMMISSIONER SAKOWICH: And the other
21 question, is if they're --

22 MR. KATZ: We're recommending
23 "Modification" --

24 VICE-CHAIR GREENFIELD: Oh --

25 MR. KATZ: -- of that site plan to

1 Zoning Referral Review

2 the -- to -- to what --

3 CHAIRMAN SHAPIRO: But he's coming to
4 us --

5 VICE-CHAIR GREENFIELD: He is coming
6 back --

7 CHAIRMAN SHAPIRO: -- with a whole new
8 one.

9 VICE-CHAIR LEWIS: -- he made it clear
10 that he's coming back to us.

11 THIRD VICE-CHAIR LEWIS: Well, but then
12 the item shouldn't be on --

13 MR. KATZ: I -- I just want to say,
14 Bill also recommended we handle via a
15 "Modification," but -- but whatever the
16 Commission --

17 MR. O'BRIEN: I --

18 MR. KATZ: -- wants --

19 VICE-CHAIR GREENFIELD: Oh, he did?
20 I -- I didn't even --

21 MR. KATZ: -- because it's --

22 MR. O'BRIEN: I -- what -- I -- I think
23 what they're really looking to do is move it over
24 to the Town Board.

25 MR. KATZ: Right.

1 Zoning Referral Review

2 MR. O'BRIEN: It will come back to us.

3 So what I would -- I would --

4 MR. KATZ: Yeah --

5 MR. O'BRIEN: -- suggest --

6 MR. KATZ: -- yeah --

7 MR. O'BRIEN: -- to the Board is --

8 MR. KATZ: -- and then we'll "LD" it.

9 MR. O'BRIEN: -- could -- you could
10 vote in favor of "Modification" along the site
11 plan that was presented to the -- to the
12 Commission by Mr. Bonesso in the pre-meeting.

13 MR. KATZ: Which wasn't a referral. It
14 was just --

15 MR. O'BRIEN: Right.

16 MR. KATZ: -- it came last night.

17 MR. O'BRIEN: But -- but --

18 MR. KATZ: Yeah.

19 VICE-CHAIR GREENFIELD: It was a
20 conversation. I understand.

21 MR. O'BRIEN: But that's fine -- but
22 that's fine, because you're recommending a
23 "Modification" based upon that.

24 MR. KATZ: See, when it comes back to
25 us with the revised plan --

1 Zoning Referral Review

2 COMMISSIONER SAKOWICH: What I'm
3 saying, I -- I wasn't A part of the -- so this --
4 this here --

5 CHAIRMAN SHAPIRO: They redid site
6 plan.

7 VICE-CHAIR GREENFIELD: They --

8 MR. O'BRIEN: They totally redid the
9 site plan.

10 COMMISSIONER SAKOWICH: Stop for a
11 second.

12 I don't understand what you're getting
13 so upset about.

14 MR. KATZ: I'm not -- I'm not getting
15 upset, because this --

16 COMMISSIONER SAKOWICH: You're walking
17 around like you're --

18 MR. KATZ: -- it's all process --

19 COMMISSIONER SAKOWICH: You are.

20 MR. KATZ: -- that's all.

21 COMMISSIONER SAKOWICH: Okay.

22 MR. KATZ: It's just the process.

23 COMMISSIONER SAKOWICH: It's a question
24 that I'm going to ask.

25 MR. O'BRIEN: Process.

1 Zoning Referral Review

2 MR. KATZ: Yeah.

3 COMMISSIONER SAKOWICH: What we're
4 looking here on the screen --

5 MR. KATZ: Yes --

6 COMMISSIONER SAKOWICH: -- is something
7 that was submitted back in January.

8 MR. KATZ: -- right. And that's the
9 bad -- that's the -- the one --

10 MR. O'BRIEN: That's the bad site.

11 MR. KATZ: -- we want to see enhanced.

12 COMMISSIONER SAKOWICH: So that's all
13 I'm asking. So --

14 MR. KATZ: Right.

15 COMMISSIONER SAKOWICH: -- this -- this
16 is not what we're -- we're voting on today is --
17 is --

18 MR. KATZ: This is what we're voting on
19 today, but what we're going to vote --

20 MR. O'BRIEN: We're voting -- the vote
21 would be to -- to -- to recommend the
22 "Modification" based upon the updated site plan
23 that was -- that was submitted to the --

24 CHAIRMAN SHAPIRO: He submitted it to
25 us today.

1 Zoning Referral Review

2 MR. O'BRIEN: -- the Commission in --
3 in -- in the work session.

4 MR. KATZ: Right.

5 CHAIRMAN SHAPIRO: But we're going to
6 recommend the "Modification" to have the --

7 MR. O'BRIEN: You want -- you want the
8 new -- you want the new, improved formula.

9 CHAIRMAN SHAPIRO: And he's going to go
10 back to the Town, and give them the new one and
11 then they're going to refer it to --

12 MR. KATZ: Yes, so then we'll -- then
13 we'll have no problems with it.

14 MR. O'BRIEN: Right.

15 COMMISSIONER DURSO: Right -- right --
16 right.

17 MR. KATZ: That's all I'm saying.

18 COMMISSIONER SAKOWICH: Yeah, right.

19 MR. KATZ: But now, this is what we're
20 acting on, this old site.

21 CHAIRMAN SHAPIRO: We're acting on a
22 "Modification" --

23 MR. O'BRIEN: Marty is correct. You
24 want to --

25 COMMISSIONER SAKOWICH: I'm -- I'm --

1 Zoning Referral Review

2 MR. O'BRIEN: -- modify what's before
3 us.

4 COMMISSIONER SAKOWICH: -- I'm just
5 confused here.

6 MR. KATZ: Yeah, it's confusing. I --

7 DEPUTY COMMISSIONER NIMMO: There's a
8 stenographer here.

9 VICE-CHAIR GREENFIELD: I'm -- I'm
10 voting confused. Do we have a motion for a
11 confused?

12 CHAIRMAN SHAPIRO: Okay, here's --
13 here's the -- here's the deal -- here's the deal.

14 VICE-CHAIR GREENFIELD: I'm just --

15 CHAIRMAN SHAPIRO: Here's the deal. I
16 think I got this under control; okay?

17 MR. O'BRIEN: I -- I --

18 THIRD VICE-CHAIR LEWIS: Okay.

19 MR. O'BRIEN: -- gotcha.

20 CHAIRMAN SHAPIRO: Okay. We're going
21 to vote on a "Modification" on this site plan --

22 MR. KATZ: Right.

23 CHAIRMAN SHAPIRO: -- to use the new
24 site plan --

25 MR. KATZ: Right. Essentially --

1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: -- which is
3 recommended to us?

4 MR. KATZ: -- right.

5 CHAIRMAN SHAPIRO: Okay?

6 MR. O'BRIEN: That was --

7 MR. KATZ: And that's -- that's what we
8 want -- that's what we wanted --

9 CHAIRMAN SHAPIRO: In the
10 pre-meeting --

11 MR. KATZ: -- anyhow --

12 CHAIRMAN SHAPIRO: Okay --

13 MR. KATZ -- initially, yes.

14 COMMISSIONER SAKOWICH: Right. But
15 what I didn't get was that I thought you did that
16 in January.

17 MR. O'BRIEN: No.

18 CHAIRMAN SHAPIRO: No. No, we didn't.

19 VICE-CHAIR GREENFIELD: See what
20 happens when you miss a meeting, Reid?

21 (Laughter.)

22 CHAIRMAN SHAPIRO: Give him a break.

23 MR. O'BRIEN: Very -- very simple
24 reason, what we -- what we have here,
25 Commissioner, is we have a site plan that we'll

1 Zoning Referral Review

2 call it is -- is deficient.

3 COMMISSIONER SAKOWICH: Right.

4 VICE-CHAIR GREENFIELD: Right.

5 MR. KATZ: Right.

6 MR. O'BRIEN: That -- that -- that
7 probably if this site plan went forward, I'm not
8 putting, you know, how -- how you vote is your
9 own business. It could very well be a denial.

10 COMMISSIONER SAKOWICH: Right.

11 MR. O'BRIEN: What the applicant is --
12 that we -- we invited him to the pre-meeting, the
13 applicant came and said we have a new improved
14 site --

15 COMMISSIONER SAKOWICH: Okay.

16 MR. O'BRIEN: -- plan, which -- which
17 I --

18 CHAIRMAN SHAPIRO: So we're going to --

19 MR. O'BRIEN: -- which I believe the
20 Commissioners sought that said --

21 CHAIRMAN SHAPIRO: -- vote on modifying
22 the site plan to show the new site plan that he
23 recommend to us.

24 COMMISSIONER SAKOWICH: I gotcha. I'm
25 just confused on the -- they were here on

1 Zoning Referral Review

2 January 20th of 2025.

3 MR. KATZ: Right, and this is --

4 COMMISSIONER SAKOWICH: Why --

5 MR. KATZ: Okay.

6 COMMISSIONER SAKOWICH: -- why, only
7 today did they come? Not your fault. Why only
8 was that here today?

9 MR. O'BRIEN: It -- it came back to
10 us because of the new, improved site plan.

11 MR. KATZ: Okay.

12 COMMISSIONER SAKOWICH: You don't
13 understand.

14 MR. KATZ: Okay, what we voted for then
15 was --

16 MR. O'BRIEN: The bad site plan.

17 MR. KATZ: -- we wanted a better site
18 plan at that time, and we submitted that back to
19 the Town. It never came to us, so we put it back
20 on the agenda.

21 CHAIRMAN SHAPIRO: Okay, that's fine.

22 MR. KATZ: It came to us now --

23 CHAIRMAN SHAPIRO: Zip it.

24 MR. KATZ: -- but not from the Town --

25 (Laughter.)

1 Zoning Referral Review

2 MR. KATZ: -- from the applicant.

3 CHAIRMAN SHAPIRO: Enough.

4 MR. KATZ: So that's it.

5 CHAIRMAN SHAPIRO: Okay.

6 Do I have a motion for a --

7 MR. KATZ: Let's go.

8 CHAIRMAN SHAPIRO: -- "Modification" of
9 the site plan --

10 THIRD VICE-CHAIR LEWIS: Yes. On
11 Case No. 3 on our Zoning Agenda, I'd like to make
12 a motion for a "Modification" to be sent back to
13 the Village. And the "Modification" would be
14 that there be --

15 CHAIRMAN SHAPIRO: To the Town.

16 THIRD VICE-CHAIR LEWIS: -- better
17 ingress and egress --

18 MR. KATZ: Right.

19 THIRD VICE-CHAIR LEWIS: -- and a
20 redesign of the curb cuts --

21 MR. KATZ: And queuing.

22 THIRD VICE-CHAIR LEWIS: -- and the
23 queuing.

24 MR. KATZ: Show queuing.

25 MR. O'BRIEN: And as per the --

1 Zoning Referral Review

2 THIRD VICE-CHAIR LEWIS: Well, I don't
3 know if it's as per what we saw --

4 MR. O'BRIEN: Okay, fair enough.

5 THIRD VICE-CHAIR LEWIS: -- because
6 what we saw --

7 MR. KATZ: Yeah, right. 'Cause
8 that's --

9 VICE-CHAIR GREENFIELD: I'll -- I'll --

10 CHAIRMAN SHAPIRO: What was represented
11 to us.

12 MR. O'BRIEN: Represented.

13 VICE-CHAIR GREENFIELD: I'm sorry,
14 we're going to have to vote.

15 MR. O'BRIEN: -- right.

16 MR. O'BRIEN: I -- I agree with what
17 Commissioner Lewis, if I can --

18 VICE-CHAIR GREENFIELD: I'll second.

19 CHAIRMAN SHAPIRO: Commissioner Lewis --

20 CHAIRMAN SHAPIRO: Yes.

21 VICE-CHAIR GREENFIELD: -- laid it out
22 clearly for me, because I would have voted --

23 MR. O'BRIEN: Yes.

24 VICE-CHAIR GREENFIELD: -- for a
25 confusion before.

1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: Okay.

3 (Laughter.)

4 CHAIRMAN SHAPIRO: You're seconding
5 it?

6 VICE-CHAIR GREENFIELD: Yes, I second
7 it.

8 CHAIRMAN SHAPIRO: Okay. All those
9 in --

10 MR. KATZ: Thank you.

11 CHAIRMAN SHAPIRO: -- all in favor?

12 (Chorus of "ayes.")

13 CHAIRMAN SHAPIRO: Any opposed?

14 (No response.)

15 CHAIRMAN SHAPIRO: The motion carries.
16 Next.

17 MR. O'BRIEN: Thank God.

18 * * *

19 CHAIRMAN SHAPIRO: No. 7.

20 DEPUTY CHAIR NIMMO: And let's
21 remember, we have a stenographer who's trying to
22 record five people yelling.

23 (Laughter.)

24 CHAIRMAN SHAPIRO: Stephanie, sorry.

25 * * *

1 Zoning Referral Review

2 MR. KATZ: I think we do 4. Did we do
3 4 now? I think we added an -- an affordable
4 housing component letter to No. 4.

5 CHAIRMAN SHAPIRO: Okay. So we're
6 going to take a motion on NCPC File Agenda
7 Item No. 4 and we want to add an affordable
8 housing component to it.

9 Do I have a motion?

10 (No response.)

11 CHAIRMAN SHAPIRO: Just say yes.

12 VICE-CHAIR GREENFIELD: Yes, so moved.

13 CHAIRMAN SHAPIRO: Is there a second?

14 (Laughter.)

15 COMMISSIONER DURSO: Second.

16 CHAIRMAN SHAPIRO: All those in favor?

17 (Chorus of "ayes.")

18 CHAIRMAN SHAPIRO: Motion carries.

19 VICE-CHAIR GREENFIELD: The last one I
20 have the voted oy.

21 CHAIRMAN SHAPIRO: Oy.

22 (Laughter.)

23 * * *

24 CHAIRMAN SHAPIRO: No. 7.

25 Okay.

1 Zoning Referral Review

2 VICE-CHAIR GREENFIELD: No. 7 and --

3 MR. KATZ: Okay. No. 7 is NCPC

4 Case No. 325 --

5 CHAIRMAN SHAPIRO: Abridged edition

6 please.

7 MR. KATZ: Yeah.

8 VICE-CHAIR GREENFIELD: Reader's

9 Digest.

10 MR. KATZ: This is abridged.

11 (Laughter.)

12 MR. KATZ: NCPC Case No. 325125. This
13 is the Town of Hempstead near Island Park, as the
14 Town calls it. And it's for area, dimensional
15 variances.

16 This is a proposed substandard two-lot
17 subdivision. The existing dwelling will be
18 maintained on a lesser lot, 30 by 100 and a
19 new dwelling will be built on a new lot, 30 by
20 100.

21 The Res. "B" Zoning District requires a
22 minimum lot frontage of 55 feet and a minimum lot
23 area of 6,000 square feet. The site is occupied
24 by a small cottage -- cottage-type dwelling and
25 wide driveway. The dwelling will remain.

1 Zoning Referral Review

2 The area is characterized by a mix of
3 dwelling types, and lot sizes and -- and
4 lot sizes in a non -- in a non-subdivision
5 setting.

6 There are three 30-foot lots and two
7 40-foot lots along Delaware -- Delaware Avenue,
8 within a 200-foot radius of the subject property.
9 There are five properties that -- that are
10 60-foot lots and two 80-foot lots along
11 Delaware Avenue within a 200-foot radius. And
12 there are also there are several:

13 100;

14 80 foot;

15 60 foot;

16 And 50 foot lots as well, along on
17 other nearby streets within a 200-foot radius.

18 Staff is recommending "Denial,"
19 approval -- as approval may establish a precedent
20 to subdivide other 60-foot properties in the
21 neighborhood into 30-foot properties, similar to
22 the subject application. Also, the proposed
23 subdivision is a substantial departure from the
24 standard of the zoning code in terms of a lot
25 frontage, and lot area and is generally out of

1 Zoning Referral Review

2 character with the neighborhood.

3 CHAIRMAN SHAPIRO: Okay.

4 Do I have a motion for a "Denial" on
5 NCPC Agenda Item No. 7?

6 VICE-CHAIR GREENFIELD: So moved.

7 COMMISSIONER SAKOWICH: Seven.

8 CHAIRMAN SHAPIRO: Seven.

9 VICE-CHAIR GREENFIELD: So moved.

10 COMMISSIONER SAKOWICH: Second.

11 CHAIRMAN SHAPIRO: All those in favor?

12 (Chorus of "ayes.")

13 CHAIRMAN SHAPIRO: The motion carries.

14 * * *

15 CHAIRMAN SHAPIRO: Okay.

16 MR. KATZ: Okay. Zoning Case --

17 CHAIRMAN SHAPIRO: This is what we're
18 going to do for 8 --

19 MR. KATZ: -- Number --

20 CHAIRMAN SHAPIRO: -- because it's
21 pretty much the same thing --

22 VICE-CHAIR GREENFIELD: And we need a
23 great 8.

24 CHAIRMAN SHAPIRO: And it's -- it's --
25 it's a shoehorned subdivision and it's out of

1 Zoning Referral Review

2 character for the neighborhood. So I will ask
3 for a "Denial" on NCPC Zoning Agenda Item No. 8.

4 COMMISSIONER SAKOWICH: I make a motion.

5 CHAIRMAN SHAPIRO: Is there a second?

6 COMMISSIONER DURSO: Second.

7 CHAIRMAN SHAPIRO: All those in favor?

8 (Chorus of "ayes.")

9 CHAIRMAN SHAPIRO: The motion carries.

10 * * *

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1 Proceedings

2 CHAIRMAN SHAPIRO: Now, the new
3 business. It has come to our attention we
4 received a letter from the Secretary of
5 "OSPAC" requesting that we appoint a new member.
6 Dan Casella has been ill and unable to make
7 numerous meetings.

8 And our recommendation for the new
9 member is Samantha E. Setter (phonetic). She's
10 got a great background and she would be an asset
11 for "OSPAC." So I would like to have a motion to
12 appoint Samantha E. Setter for the "OSPAC"
13 Committee.

14 VICE-CHAIR GREENFIELD: So moved.

15 CHAIRMAN SHAPIRO: Is there a second?

16 COMMISSIONER SAKOWICH: Second.

17 CHAIRMAN SHAPIRO: All those in favor?

18 (Chorus of "ayes.")

19 CHAIRMAN SHAPIRO: Any opposed?

20 (No response.)

21 CHAIRMAN SHAPIRO: The motion carries.

22 VICE-CHAIR GREENFIELD: Yay.

23 What else do we have?

24 MR. O'BRIEN: That's it.

25 VICE-CHAIR GREENFIELD: I guess -- is

1 Proceedings

2 it a full moon out today?

3 (Laughter.)

4 VICE-CHAIR GREENFIELD: I want the
5 record to reflect that 11:22 -- my goal was 11:30
6 and I didn't hold it up today.

7 COMMISSIONER DURSO: That doesn't mean
8 keep talking.

9 VICE-CHAIR GREENFIELD: I didn't hold
10 it up.

11 COMMISSIONER SAKOWICH: Yeah, he'll
12 talk for the entire --

13 (Laughter.)

14 MR. O'BRIEN: You only have eight
15 minutes.

16 VICE-CHAIR GREENFIELD: No last item.

17 (Laughter.)

18 VICE-CHAIR GREENFIELD: Happy Passover,
19 Happy Easter to everyone.

20 COMMISSIONER DURSO: Thank you.

21 VICE-CHAIR GREENFIELD: And happy day
22 on May 1st.

23 (Discussion held among Commissioners
24 off the record.)

25 COMMISSIONER DURSO: Meeting adjourned.

1 Proceedings

2 CHAIRMAN SHAPIRO: Meeting adjourned.

3 (The meeting was concluded at

4 11:20 a.m.)

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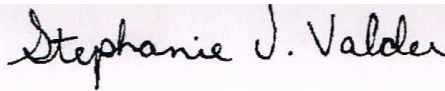
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C E R T I F I C A T I O N

I, STEPHANIE J. VALDER, do
hereby certify that the within transcript is
a true, accurate and complete transcript of
the proceedings which took place in the above
matter.

A handwritten signature in black ink that reads "Stephanie J. Valder". The signature is written in a cursive style and is positioned above a horizontal line.

STEPHANIE J. VALDER,

Stenographer

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