

REGULAR MEETING
of the
NASSAU COUNTY PLANNING COMMISSION

Thursday, February 27, 2025

10:00 a.m. - 10:56 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:

3 LEONARD H. SHAPIRO, Chair
(10:00 a.m. - 10:42 a.m.)

4

JEFFREY H. GREENFIELD, Vice-Chair

5

NEAL LEWIS, Third Vice-Chair

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DANA DURSO,

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MURRAY FORMAN,

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KHANDAN KALATY,

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REID SAKOWICH,

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Commissioners

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12 WILLIAM NIMMO, Deputy Commissioner

13 ROBERT O'BRIEN, Esq., Counsel

14 PATRICK GALLAGHER, Esq., Counsel

15 Staff:

16 GREGORY J. HOESL

17 MARTY KATZ

18 JOHN PERRAKIS

19 TIMOTHY WREN

20

Also Present:

21

STEPHANIE J. VALDER, Stenographer

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23

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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 February 27th meeting of the
5 Nassau County Planning Commission.

6 Al D'Agostino, would you please lead us
7 in the Pledge in honor of your up and coming
8 birthday.

9 MR. D'AGOSTINO: Thank you.

10 (Pledge of Allegiance recited in a
11 body.)

12 CHAIRMAN SHAPIRO: Play ball.

13 VICE-CHAIR GREENFIELD: Play ball, yes.
14 Yes, good move.

15 CHAIRMAN SHAPIRO: Yes.

16 Good morning.

17 Staff, roll call.

18 (Stepping up.)

19 MR. HOESL: Good morning, Commission.

20 I'll start with a roll call.

21 Commissioner Sakowich?

22 COMMISSIONER SAKOWICH: Here.

23 MR. HOESL: Commissioner Kalaty?

24 COMMISSIONER KALATY: Here.

25 MR. HOESL: Commissioner Gold?

1 Proceedings

2 CHAIRMAN SHAPIRO: Excused.

3 MR. HOESL: Commissioner Forman?

4 COMMISSIONER FORMAN: Present.

5 MR. HOESL: Commissioner Ellerbe?

6 CHAIRMAN SHAPIRO: Excused.

7 MR. HOESL: Commissioner Durso?

8 COMMISSIONER DURSO: Present.

9 MR. HOESL: Third Vice-Chair Lewis?

10 THIRD VICE-CHAIR LEWIS: Present.

11 MR. HOESL: Vice-Chair Greenfield?

12 VICE-CHAIR GREENFIELD: Present.

13 MR. HOESL: And Chairman Shapiro?

14 CHAIRMAN SHAPIRO: Here, present.

15 MR. HOESL: Can I have a motion to

16 acknowledge the receipt of transcript from the

17 January 30th Planning Commission hearing please?

18 VICE-CHAIR GREENFIELD: So moved.

19 COMMISSIONER DURSO: Second.

20 COMMISSIONER FORMAN: Second.

21 CHAIRMAN SHAPIRO: All in favor?

22 (Chorus of "ayes.")

23 CHAIRMAN SHAPIRO: The motion carries.

24 MR. HOESL: Thank you.

25 * * *

1 NCPC Minor Sub. File No. 32-2023

2 CHAIRMAN SHAPIRO: Let's go, "SEQRA."

3 MR. HOESL: Our first case today

4 on the agenda, Agenda Section "B" is a

5 "SEQRA" Recommendation for the acquisition

6 of real property. This is located at

7 115 New Hyde Park Road in the

8 Incorporated Village of New Hyde Park.

9 Nassau County Legislature is requesting

10 a "SEQRA" Determination, in order to acquire a

11 roughly 3,000 square foot parcel of land. The

12 parcel in question is the sidewalk of the

13 newly-constructed "Long Island Railroad Main Line

14 Expansion Project," underpass at the New Hyde

15 Park "LIRR" Station. There will be no new

16 construction of any sort, as the County is simply

17 acquiring title to the property.

18 This property in question was

19 previously part of the subdivision back in 2023,

20 where the "MTA" subdivided their municipal

21 parking lot at the train station and subsequently

22 deeded:

23 One lot to the Incorporated Village of

24 New Hyde Park, which was a right-hand turning

25 lane as part of the realigned Plaza Avenue;

1 NCPC Minor Sub. File No. 32-2023

2 And the other lot to Nassau County,
3 which is the sidewalk in question, seen in green
4 there on the aerial.

5 Planning Division staff recommends that
6 the acquisition of this real property be
7 classified as an "Unlisted Action" under "SEQRA"
8 with a "Negative Declaration" and be forwarded to
9 the Nassau County Legislature for final approval.

10 I was told we have representatives from
11 the "MTA" here who wish to speak on this.

12 MR. GALLAGHER: Let the record show
13 that I'm recusing myself from this matter,
14 because I'm doing the underlying legal work for
15 the Department of Real Estate Services.

16 (Mr. Gallagher exits the meeting.)

17 CHAIRMAN SHAPIRO: So noted.

18 (Discussion held off the record.)

19 MR. HOESL: Yeah.

20 CHAIRMAN SHAPIRO: All right. Do you
21 want to have the "MTA" person come up?

22 MR. HOESL: Is there someone?

23 MR. HOFFER: (Gesturing.)

24 MR. HOESL: Yeah.

25 CHAIRMAN SHAPIRO: Good morning. Name

1 NCPC Minor Sub. File No. 32-2023
2 and address for the record, as you approach.

3 (Stepping up.)

4 MARK HOFFER: Good morning, Chairman
5 and Commissioners. My name is Mark Hoffer.
6 I'm a Senior Advisor at MTA Construction
7 and Development. I worked on the
8 "Third Track Project" for the last seven or
9 eight years.

10 We're here today in support of the
11 issuance of a "SEQRA" Recommendation from the
12 Commission supporting this transfer of a small
13 sliver of land, at the corner of the intersection
14 of Plaza Avenue and New Hyde Park Road in
15 New Hyde Park.

16 This is, as previously mentioned,
17 something that was the subject of a minor
18 subdivision that was previously approved. The
19 transfer will be at no cost to the County. It is
20 intended to confer title to this land on the
21 County, so that the County can maintain a
22 sidewalk and a retaining wall that are there that
23 were built as part of the "Third Track Project,"
24 to allow for public access along New Hyde Park
25 Road and to help secure the property to keep the

1 NCPC Minor Sub. File No. 32-2023

2 underpass under the tracks open and safe.

3 We support the application, and
4 earnestly request approval and action by the
5 Commission. I'm joined today by Will Hillesheim,
6 who is the leader of the "Third Track Project"
7 team at "MTA," who are happy to answer any
8 questions that the Commission might have.

9 THIRD VICE-CHAIR LEWIS: So -- so thank
10 you.

11 The -- this project obviously is, you
12 know, I'm talking about the third track for the
13 10 miles or so, a little less than 10 miles on
14 the main line of the railroad is an incredibly
15 important project for Long Island. And it's a --
16 a great thing that it's -- that it's now
17 functioning and done.

18 So this sort of the clean up items, you
19 know, some of the last remaining details and
20 legal matters. It doesn't seem to be much more
21 than that. I just wanted to make sure we were
22 clear on the record of who's responsible for
23 what.

24 So if the County is going to, by this
25 action, take ownership of the property, we should

1 NCPC Minor Sub. File No. 32-2023
2 just make sure we're absolutely clear about who's
3 doing what in terms of maintenance. Do you want
4 to say anything more on that point though?

5 MR. HOFFER: They're -- thank you.
6 That's an excellent point.

7 We previously, several years ago,
8 entered into an agreement with the County, which
9 was approved by the County Legislature. And I
10 believe it went through the Commission as well,
11 to set out in detail who was going to be
12 responsible for owning what and maintaining what.
13 Because as you can imagine in a project in this
14 scope -- which I'm proud to say was completed on
15 time and under budget -- there were a variety of
16 improvements built. We obviously had:

17 No railroad tracks;
18 No railroad bridges;
19 Switches;
20 Improvements to stations;
21 Things of that sort.

22 But there were a lot of what I would
23 call local community infrastructure that was
24 built as well:

25 Sidewalks;

1 NCPC Minor Sub. File No. 32-2023

2 Railings;

3 Fences;

4 Traffic lights;

5 Drainage features;

6 Retaining walls;

7 Et cetera.

8 There's a table attached to that
9 agreement. And we have similar agreements with
10 the local municipalities, the villages and the
11 towns, and they all interlock together.

12 In terms of what you're asking about
13 at this particular location, the sidewalk will
14 be owned by the County, but maintenance
15 responsibility is allocated to the Village of
16 New Hyde Park.

17 (Laughter.)

18 MR. HOFFER: In the case of the
19 retaining wall, because we understand -- this was
20 after lengthy discussions with County "DPW" --
21 that the practice in the County is where a
22 sidewalk abuts a County road, which
23 New Hyde Park Road is, the County owns it, but
24 looks to the local village to maintain the
25 sidewalk. And that has been the formula that we

1 NCPC Minor Sub. File No. 32-2023

2 followed in all of these agreements.

3 The retaining wall will be owned by the
4 County and maintained by the County. That helps
5 keep the earth stable, and it protects the
6 adjacent property and it keeps the underpass
7 open.

8 And the underpass, as you mentioned, is
9 really one of the key accomplishments of the
10 project. We eliminated seven grade crossings.
11 Think about what that means. It means you
12 eliminate the delays in traffic from backups
13 during rush hour. You cut back on the air
14 pollution from idling automobiles. You reduce
15 accidents. Grade crossings are magnets,
16 unfortunately, for accidents.

17 I think one of the great positive
18 contributions of the project, in addition to
19 allowing for more flexibility on the railroad,
20 new service to Grand Central and for the first
21 time in decades true reverse commuting capability
22 from the City out to Long Island, one of the key
23 benefits has been getting rid of these at-grade
24 crossings.

25 So this will help in that regard. And

1 NCPC Minor Sub. File No. 32-2023
2 we want to help the County assume the
3 responsibilities that it agreed -- it agreed to
4 undertake in this improvements agreement, by
5 conferring full title to the land to the County.

6 And again, there's no consideration.
7 We will pay for any recording fees, or taxes or
8 things that like. There shouldn't be any. The
9 County is an exempt entity. The "MTA" is an
10 exempt entity.

11 But we obviously want to follow law and
12 practice, so we're here today to respectfully ask
13 for the Commission's approval.

14 (Laughter.)

15 THIRD VICE-CHAIR LEWIS: Thank you.

16 COMMISSIONER SAKOWICH: I -- I have one
17 question for you.

18 So I actually live 100 feet from this
19 project and I actually agree with the project.
20 But you have stated that the job is complete,
21 100 percent complete, and you've been out of the
22 communities. There are roads in New Hyde Park
23 that still have trenches down them, that
24 high tension wires were brought under them. And
25 it's been the -- brought to the attention of the

1 NCPC Minor Sub. File No. 32-2023
2 "MTA" probably two, three hundred times, there's
3 curbs missing on blocks that are -- have not been
4 repaired, from power lines that are -- that
5 are -- were run from. One of them happens to be
6 on South 6th Street between 1st Avenue and
7 2nd Avenue. There's curbs missing. The power
8 was run underground to feed the -- the 200 foot
9 telephone poles that nobody ever saw in the
10 original plans.

11 And then I believe after speaking to
12 the Mayor, because I've known of this coming up
13 last night, there are some things that aren't
14 done yet that were agreed upon by the "MTA," some
15 paving of roads and stuff. Is -- do you guys
16 have any knowledge of this?

17 MR. HOFFER: I'm not aware of an issue
18 with paving roads. I believe we made an
19 agreement with New Hyde Park to provide some
20 additional funding for road repaving.

21 What I would say to you is this, we're
22 still dealing with our contractor. The contract
23 has not been completely wrapped up. There's
24 still retainage on the table. If you have
25 knowledge of issues that you feel were not

1 NCPC Minor Sub. File No. 32-2023
2 properly addressed, I'll be happy to leave my
3 card and my number. If you'd be so kind just to
4 get in touch with me --

5 COMMISSIONER SAKOWICH: Sure.

6 MR. HOFFER: -- I will do what I can to
7 make sure that those issues are paid attention
8 to.

9 COMMISSIONER SAKOWICH: Okay.

10 MR. HOFFER: It's --

11 VICE-CHAIR GREENFIELD: So -- so
12 Commissioner, if you want to hold this 30 days,
13 make a motion.

14 COMMISSIONER SAKOWICH: Yeah, let's
15 hold it 30 days and --

16 VICE-CHAIR GREENFIELD: Pending this on
17 behalf of the Village.

18 COMMISSIONER SAKOWICH: The Village.

19 VICE-CHAIR GREENFIELD: Yeah.
20 Especially since I heard you're under budget, so
21 you have money to complete it.

22 I never read in Newsday that the "MTA"
23 was ever under budget on anything, so I'm -- I'm
24 happy to hear it.

25 You may want to issue a press release

1 NCPC Minor Sub. File No. 32-2023

2 with Newsday --

3 MR. HOFFER: We did.

4 VICE-CHAIR GREENFIELD: -- 'cause they
5 didn't print it.

6 So if you want to --

7 COMMISSIONER SAKOWICH: Yeah, let's
8 hold it and -- and I can -- we'll get in contact
9 and I'll have the "DPW," the building inspector,
10 the Building Department get in touch with you,
11 'cause there are several spots where they're not
12 complete. There are:

13 Sidewalks still missing;

14 Where there were telephone poles
15 missing;

16 They are 100 percent, you know --

17 MR. HOFFER: And I'm -- I'm willing to
18 help any way I can.

19 COMMISSIONER SAKOWICH: Perfect.

20 MR. HOFFER: My only -- my only concern
21 is that the subdivision, which under supports all
22 of this what we're talking about this morning,
23 will expire in late June.

24 COMMISSIONER SAKOWICH: So that's
25 the -- the -- so that -- that --

1 NCPC Minor Sub. File No. 32-2023

2 VICE-CHAIR GREENFIELD: All right. We
3 only asked for 30 days.

4 COMMISSIONER SAKOWICH: We asked for
5 30 days. That should --

6 VICE-CHAIR GREENFIELD: Okay, this
7 is --

8 MR. O'BRIEN: The only -- it's just a
9 "SEQRA" Recommendation, you know --

10 COMMISSIONER SAKOWICH: Yeah, but if --

11 MR. O'BRIEN: And to be honest, I mean
12 "SEQRA's" important. So I don't mean in that
13 "SEQRA" is minor.

14 CHAIRMAN SHAPIRO: Yeah, but if we go
15 ahead with "SEQRA," then it goes -- SEQRA, then
16 it goes to the Legislature.

17 MR. O'BRIEN: Right. Well, that --
18 that --

19 VICE-CHAIR GREENFIELD: We have time.

20 MR. O'BRIEN: But then it's the
21 Legislature --

22 VICE-CHAIR GREENFIELD: We still have
23 time.

24 MR. O'BRIEN: -- is the ultimate --

25 VICE-CHAIR GREENFIELD: When's our next

1 NCPC Minor Sub. File No. 32-2023

2 meeting?

3 MR. O'BRIEN: -- determiner anyhow.

4 COMMISSIONER SAKOWICH: Our next
5 meeting's in April -- March.

6 MR. KATZ: In March.

7 COMMISSIONER SAKOWICH: March.

8 MR. O'BRIEN: March.

9 COMMISSIONER DURSO: March 10th -- not,
10 it's March 20th.

11 COMMISSIONER FORMAN: I can't -- I
12 can't hear you.

13 COMMISSIONER DURSO: March 20th.

14 CHAIRMAN SHAPIRO: March 20th.

15 COMMISSIONER DURSO: March 20th.

16 CHAIRMAN SHAPIRO: March 20th.

17 VICE-CHAIR GREENFIELD: March 20th,
18 that's all I am asking.

19 Reid, is that okay?

20 THIRD VICE-CHAIR LEWIS: Yeah, I think
21 that --

22 DEPUTY COMMISSIONER NIMMO: But these
23 are Village issues they're not County issues.

24 VICE-CHAIR GREENFIELD: I understand.
25 But I -- I think they're still taxpayers of our

1 NCPC Minor Sub. File No. 32-2023
2 County. And public officials in the Village,
3 they should man up and finish up the project.

4 COMMISSIONER SAKOWICH: So we're
5 going -- I'm going to make a motion that we hold
6 it 30 days.

7 VICE-CHAIR GREENFIELD: Oh, good.
8 Do it to a date certain. Give the
9 date.

10 COMMISSIONER SAKOWICH: On March 28th,
11 I believe it is.

12 VICE-CHAIR GREENFIELD: No, March 20th.

13 CHAIRMAN SHAPIRO: 20th.

14 COMMISSIONER SAKOWICH: March 20th, I'm
15 sorry.

16 We're going to hold it to March 20th
17 and we can just -- just get in touch with these
18 gentlemen. We'll -- we'll -- we'll go over
19 what -- what is necessary and -- and with the
20 Village.

21 I -- I only got this call late last
22 night after they -- they needed an explanation
23 why it was back on, because this was already
24 taken care of back probably a year or two ago.

25 VICE-CHAIR GREENFIELD: All right.

1 NCPC Minor Sub. File No. 32-2023

2 Well, I'll second that motion.

3 COMMISSIONER SAKOWICH: Motion
4 just -- just to -- to -- to -- with 30 days to go
5 to March 20th.

6 And we'll get together with these
7 gentlemen with the Village and then they'll
8 clarify any of the -- of the things that are not
9 complete at this point. Because -- because once
10 it goes to the Legislature and they turn it over,
11 it's over.

12 COMMISSIONER FORMAN: All right.
13 Second.

14 All in -- vote?

15 CHAIRMAN SHAPIRO: All those in favor?
16 (Chorus of "ayes.")

17 CHAIRMAN SHAPIRO: Any opposed?

18 THIRD VICE-CHAIR LEWIS: Aye.

19 CHAIRMAN SHAPIRO: You're opposed?

20 THIRD VICE-CHAIR LEWIS: Yeah.

21 CHAIRMAN SHAPIRO: Okay.

22 Do you want to do a roll call.

23 COMMISSIONER DURSO: I don't think we
24 need it.

25 CHAIRMAN SHAPIRO: Bob, do we need it?

1 NCPC Minor Sub. File No. 32-2023

2 No, not really.

3 COMMISSIONER DURSO: No.

4 MR. O'BRIEN: It's an adjournment. I
5 don't have a problem --

6 CHAIRMAN SHAPIRO: Okay.

7 MR. O'BRIEN: -- without a roll call.

8 CHAIRMAN SHAPIRO: All right.

9 VICE-CHAIR GREENFIELD: Good.

10 CHAIRMAN SHAPIRO: The motion carries.

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1 NCPC OSPAC File No. 1-2025

2 CHAIRMAN SHAPIRO: Greg, let's go.

3 (Stepping up.)

4 MR. HOESL: Moving on to Agenda

5 Section "C," this is "OSPAC."

6 (Mr. Gallagher enters the meeting.)

7 MR. HOESL: May I have a motion to open
8 the public comment period for OSPAC 1-2025?

9 THIRD VICE-CHAIR LEWIS: Mr. Chairman,
10 I'd to like make a motion on NCPC File No. 1-2025
11 and the motion is to open the public hearing.

12 CHAIRMAN SHAPIRO: Is there a second?

13 COMMISSIONER DURSO: I'll second.

14 CHAIRMAN SHAPIRO: All those in favor?

15 (Chorus of "ayes.")

16 CHAIRMAN SHAPIRO: The motion carries.

17 The hearing's open.

18 MR. HOESL: Thank you.

19 Nassau County is requesting permission
20 to sell the above County-owned subject property,
21 which is lot 749D and 749E to the Town of
22 Oyster Bay. The property in question is located
23 south of Old Country Road.

24 The Town of Oyster Bay is looking to
25 provide access to adjacent soccer fields, which

1 NCPC OSPAC File No. 1-2025
2 you can see on the map there (indicating), that
3 are part of "Peter C. Collins Soccer Park."
4 Nassau County "DPW" approves of the request,
5 without condition.

6 The plan from Town of Oyster Bay calls
7 for the construction of new baseball fields
8 and the possible clearing of woodlands where
9 Nassau County owns property.

10 Surrounding lots are owned by:

11 The United States Postal Service, which
12 I believe the Town of Oyster Bay is in the
13 process of acquiring those lots from the
14 Postal Service;

15 Beechwood;

16 And Nassau County.

17 Application was introduced at the
18 February 18th "OSPAC" meeting and has
19 subsequently been forwarded to the
20 Planning Commission today for the opening of the
21 public comment period.

22 THIRD VICE-CHAIR LEWIS: Let me -- let
23 me -- let me just clarify. So it's -- it's
24 OSPAC No. 1-2025, but didn't we already see this?
25 So --

1 NCPC OSPAC File No. 1-2025

2 MR. HOESL: Oh, you saw it in 2022 as
3 OSPAC 4-2022, where that was a different
4 application, where they were just looking for an
5 easement over the access road. Now --

6 THIRD VICE-CHAIR LEWIS: Okay.

7 MR. HOESL: -- now the County's looking
8 to sell the entire lot to the Town of Oyster Bay.

9 (Commissioner Sakowich exits the
10 meeting.)

11 THIRD VICE-CHAIR LEWIS: Okay. I
12 just-- sometimes it -- it just kind of throws me
13 a little, I -- I just realized like. And when
14 you change the name of a project, it kind of --
15 so that we have the full record, like we're
16 talking about this for a couple of years and now
17 it's sort of like, oh no, it was a new
18 proposal --

19 MR. HOESL: It's a new proposal.

20 THIRD VICE-CHAIR LEWIS: -- a fresh
21 new --

22 MR. HOESL: Yeah --

23 THIRD VICE-CHAIR LEWIS: -- proposal.
24 It has a new number and we're starting fresh on
25 this kind of thing.

1 NCPC OSPAC File No. 1-2025

2 MR. HOESL: -- correct.

3 THIRD VICE-CHAIR LEWIS: But there's a
4 couple years history.

5 MR. HOESL: Correct, yes.

6 THIRD VICE-CHAIR LEWIS: Okay.

7 MR. HOESL: Okay. I do believe we may
8 have the -- the attorney from Town of Oyster Bay
9 here if -- to ask him questions.

10 MR. GALLAGHER: Let the record show
11 that I'm recusing myself from this matter,
12 because I'm doing the underlying legal work on
13 this.

14 (Mr. Gallagher exits the meeting.)

15 (Stepping up.)

16 MR. CURCIO: Good morning.

17 Anthony Curcio, Deputy Town Attorney at the
18 Town of Oyster Bay.

19 I'd be happy to answer any questions
20 the Board may have.

21 THIRD VICE-CHAIR LEWIS: I'm just
22 trying to remember that we had Town
23 representatives previously on this item. Were
24 you here for the other hearings that this
25 was --

1 NCPC OSPAC File No. 1-2025

2 MR. CURCIO: This is my first time here
3 on this matter.

4 THIRD VICE-CHAIR LEWIS: I thought so.
5 I didn't -- I didn't recognize you.

6 Okay. So you're fully familiar with
7 it. Can you just explain what the Town's
8 interest are your -- your goal and why you want
9 to purchase the property?

10 MR. CURCIO: We're looking to:

11 Purchase the United States Postal
12 Service property;

13 And in addition to that, the strip of
14 land from the County.

15 Surrounding that is land that's been
16 dedicated to the Town as part of the development
17 of "Country Pointe." That's going to become a --
18 we're basically trying to incorporate all the
19 land to -- to make it soccer fields and baseball
20 fields at this point.

21 So that strip of land really, it would
22 just be dividing up the property and it would be
23 left open as green space, whether it'd be
24 incorporated as part of the playing fields and
25 just be open as grass.

1 NCPC OSPAC File No. 1-2025

2 THIRD VICE-CHAIR LEWIS: So it -- it
3 seems like it's different than what you were
4 looking at doing a couple years ago, 'cause then
5 there was a lot of representations that it was,
6 you know, just an easement. It was just a --
7 just a -- an access road. But now you got
8 a -- it sounds like you got a much bigger plan at
9 the Town in terms of what you want to do at the
10 site.

11 MR. CURCIO: We -- we're still open to
12 an -- an easement. But at this point, we'd
13 rather just purchase it I think of the -- for the
14 overall scheme of what we're looking to do.

15 THIRD VICE-CHAIR LEWIS: I guess I'm --
16 I'm just speaking to the overall -- yeah, I --
17 I --

18 MR. CURCIO: I can't speak to what was
19 said before. I wasn't here --

20 THIRD VICE-CHAIR LEWIS: Okay.

21 MR. CURCIO: -- for that, yeah.

22 THIRD VICE-CHAIR LEWIS: So but what is
23 the bigger plan? So it was -- is it written up
24 as a plan, or is it something you're still like
25 investigating and discussing or --

1 NCPC OSPAC File No. 1-2025

2 MR. CURCIO: It's still proposed at
3 this point, because until we are able to acquire
4 the land from the Postal Service, we really -- we
5 can't do much with it.

6 THIRD VICE-CHAIR LEWIS: So I guess
7 what I'm not clear about is whether the
8 access road to the site that we see up on the
9 screen here --

10 MR. CURCIO: Uh-huh.

11 THIRD VICE-CHAIR LEWIS: -- that the
12 County owns that the Town would purchase, whether
13 that is for the purpose of the -- of the fields
14 that already exist that the Town has authority
15 over, or whether it's part of a larger plan that
16 hasn't been fully hashed out yet.

17 MR. CURCIO: The access -- the access
18 road we're trying to buy I think is left over
19 from -- from when the County sold the land prior.
20 That was a piece that was not conveyed.

21 The access road we'd be using is
22 where -- the -- the diagram doesn't show up
23 there. There's a color diagram that breaks it
24 up a little easier. There's a triangle piece
25 that -- right, that piece right there

1 NCPC OSPAC File No. 1-2025

2 (indicating), that would be the -- that's how we
3 would access the property.

4 At the last meeting of "OSPAC," we're
5 not sure it would be an easement now, because it
6 might be a "right-of-way." That's still being
7 investigated, so.

8 VICE-CHAIR GREENFIELD: I'm sure you'll
9 move quicker than the Postal Service.

10 MR. CURCIO: It's -- it's been going --
11 it's ongoing, I'll say that.

12 (Laughter.)

13 VICE-CHAIR GREENFIELD: They -- they
14 deliver the mail with the same speed.

15 MR. CURCIO: Yeah, absolutely.

16 THIRD VICE-CHAIR LEWIS: Should you
17 be coming to us after you purchase the land from
18 the Post Office? Shouldn't that be completed
19 first?

20 MR. CURCIO: I think the -- what the
21 determination of what's being done with that
22 easement is going to kind of --

23 VICE-CHAIR GREENFIELD: Yeah.

24 MR. CURCIO: -- lean on what we're
25 doing with the Postal Service property, because

1 NCPC OSPAC File No. 1-2025

2 then we can kind of figure out how we're going to
3 develop it.

4 THIRD VICE-CHAIR LEWIS: I guess I just
5 don't know whether we're providing access to
6 existing ball fields, or whether we're selling a
7 piece of property as part of a much larger
8 development project that we're not really clear
9 about yet.

10 MR. CURCIO: You're not providing that.
11 There's no ball fields there yet. So you're --
12 it's really -- there's access to nothing at this
13 point.

14 VICE-CHAIR GREENFIELD: It's -- it's
15 access to "T.B.D."

16 MR. CURCIO: Exactly.

17 (Laughter.)

18 CHAIRMAN SHAPIRO: Okay. Any other
19 questions?

20 VICE-CHAIR GREENFIELD: So you're not
21 over budget.

22 MR. CURCIO: I can't speak to that.

23 (Laughter.)

24 VICE-CHAIR GREENFIELD: Okay.

25 CHAIRMAN SHAPIRO: Thank you.

1 NCPC OSPAC File No. 1-2025

2 Mr. Walsh, do you have any comments?

3 (Stepping up.)

4 MR. WALSH: Good morning,
5 Commissioners. Kevin Walsh, from the Office of
6 Real Estate Services.

7 Now Anthony did a good job --

8 VICE-CHAIR GREENFIELD: Put the mic.
9 on. Kev?

10 MR. WALSH: Am I on?

11 COMMISSIONER DURSO: No.

12 CHAIRMAN SHAPIRO: No. Nope. Press
13 the button.

14 MR. WALSH: Sorry. I'm sorry.

15 Kevin Walsh, Office of Real Estate
16 Services.

17 And just to, you know, reiterate what
18 Anthony is saying, they are seeking -- they
19 seeked [sic], in a formal letter to the County,
20 access to this narrow 37 foot strip. A couple of
21 years ago as I recall, it was only going to be an
22 easement over the narrow area.

23 The County has no use. I think
24 initially that strip was going to be used by the
25 County for an access way when the County owned

1 NCPC OSPAC File No. 1-2025
2 that parcel. The County no longer owns property
3 there, so it serves really no purpose for the
4 County.

5 And regardless if it goes as an
6 easement or a conveyance, it would benefit a Town
7 project. The Town is looking for this only and
8 would restrict it in the deed for entrance to
9 whether the playing fields were possibly part of
10 the field. So this would be a conveyance for
11 that recreational purpose only.

12 VICE-CHAIR GREENFIELD: I'm happy to
13 hear you're going to memorialize it in the deed.
14 It all sounds good.

15 MR. WALSH: Okay. Thank you.

16 MR. CURCIO: Thank you.

17 VICE-CHAIR GREENFIELD: In Kevin, we
18 trust, by the way.

19 (Laughter.)

20 MR. CURCIO: Me too.

21 (Laughter.)

22 CHAIRMAN SHAPIRO: Is there anybody in
23 the public that wishes to be heard on this?

24 (No response.)

25 VICE-CHAIR GREENFIELD: No one signed

1 NCPC OSPAC File No. 1-2025

2 up on it?

3 CHAIRMAN SHAPIRO: No.

4 VICE-CHAIR GREENFIELD: Sign up sheets,
5 raise your hand.

6 MR. WREN: (Gesturing.)

7 VICE-CHAIR GREENFIELD: On any -- any
8 item, if you want to speak.

9 CHAIRMAN SHAPIRO: I'd like to take a
10 motion to close the public comment.

11 THIRD VICE-CHAIR LEWIS: And
12 Mr. Chairman, so I'd like to make a motion that
13 we close public comments, send the item to
14 "OSPAC." "OSPAC" will have a -- a very important
15 meeting on this discussion.

16 So the motion is to send it to "OSPAC"
17 and close the hearing.

18 COMMISSIONER FORMAN: Second.

19 COMMISSIONER DURSO: Second.

20 CHAIRMAN SHAPIRO: All those in favor?

21 (Chorus of "ayes.")

22 CHAIRMAN SHAPIRO: Any opposed?

23 (No response.)

24 CHAIRMAN SHAPIRO: The motion carries.

25 MR. WALSH: Thank you.

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NCPC OSPAC File No. 1-2025

CHAIRMAN SHAPIRO: Okay.

MR. CURCIO: Thank you very much.

* * *

1 Proceedings

2 (Mr. Gallagher enters the meeting.)

3 CHAIRMAN SHAPIRO: Staff?

4 (Stepping up.)

5 MR. HOESL: John?

6 (No response.)

7 MR. O'BRIEN: I don't know where he
8 went.

9 CHAIRMAN SHAPIRO: John?

10 (No response.)

11 MR. KATZ: He might be talking to
12 Sakowich.

13 MR. O'BRIEN: You want to move ahead
14 with the minors while we're waiting for him?

15 VICE-CHAIR GREENFIELD: John is
16 outside.

17 MR. O'BRIEN: No.

18 You want move ahead with the minors and
19 come back to it?

20 CHAIRMAN SHAPIRO: Let's do it.

21 VICE-CHAIR GREENFIELD: You guys got to
22 move it.

23 * * *

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1 NCPC Minor Sub. File No. 4-2025

2 (Stepping up.)

3 MR. WREN: Okay. So I guess we'll just
4 jump to minor subdivisions then. Good morning.

5 We'll start off with Case 4-2025. This
6 is a two-parcel minor subdivision.

7 The 16,651 square foot subject property
8 is situated on the west side of Yale Place, in
9 the Hamlet of Baldwin Harbor, Town of Hempstead's
10 Residential "B" Zoning District. Application
11 proposes to subdivide the property, which
12 currently has 150 feet of frontage on Yale Place
13 into two separate parcels.

14 "Proposed Lot A" will have 75 feet of
15 frontage by 104.53 and be a total of
16 8,071 square foot.

17 "Proposed Lot B" will have a frontage
18 of 75 feet by 118.14 and be a total of 8,580
19 square feet.

20 Town of Hempstead Department of
21 Buildings issued a "letter of zoning compliance"
22 for this.

23 I'd like the attorney to come up now.

24 (Stepping up.)

25 MR. LUCCARELLI: Good morning,

1 NCPC Minor Sub. File No. 4-2025
2 everyone. Mark Luccarelli, L-u-c-c-a-r-e-l-l-i,
3 1122 Franklin Avenue, Garden City, New York
4 standing in for the attorney of record,
5 Christian Browne.

6 I'll note for the record that the
7 applicant, John, is in the back of the room
8 (indicating). As -- and again from everything
9 mentioned by -- by the members of staff, this is
10 an "as-of-right" minor subdivision that has
11 already been approved by the Town.

12 I can read the Town's approval into the
13 record to the extent that it's already -- not
14 already in your possession, but I believe it is.
15 I've been informed by staff that it is.

16 And then to the extent that anyone has
17 any questions regarding the subdivision, which is
18 essentially as -- as close to a cut in half
19 subdivision as possible, I'm happy to take any
20 questions.

21 VICE-CHAIR GREENFIELD: Is Mr. Browne
22 still with your firm?

23 MR. LUCCARELLI: He is, yes.

24 VICE-CHAIR GREENFIELD: Oh.

25 On a non-NCPC matter, tell him to call

1 NCPC Minor Sub. File No. 4-2025

2 me please.

3 MR. LUCCARELLI: You got it. No
4 problem at all.

5 (Laughter.)

6 CHAIRMAN SHAPIRO: Commissioners, any
7 questions?

8 (No response.)

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

11 (No response.)

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

14 COMMISSIONER DURSO: I'd like to make a
15 motion to approve NCPC File No. 4-2025 with a
16 "Negative Declaration."

17 COMMISSIONER KALATY: Second.

18 CHAIRMAN SHAPIRO: All those in favor?

19 MR. LUCCARELLI: Thank you, everyone.

20 (Chorus of "ayes.")

21 CHAIRMAN SHAPIRO: The motion carries.

22 * * *

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1 NCPC Minor Sub. File No. 17-2023

2 (Stepping up.)

3 MR. WREN: Okay. Next up we have
4 NCPC File 17-2023. We originally heard this case
5 on March 7th, 2023, at which point the Commission
6 did approve it, but the deeds were filed
7 incorrectly and the time had expired to have that
8 corrected, so we're rehearing this case now.

9 VICE-CHAIR GREENFIELD: Later.

10 MR. WREN: The 14,000 square foot
11 subject property was situated on the west side of
12 Bedford Avenue, in the Hamlet of Uniondale,
13 Town of Hempstead's Residential "B" Zoning
14 District. Application proposes to subdivide the
15 property, which had 140 feet of frontage on
16 Bedford Avenue into two equal parcels.

17 Proposed Lots "A" and "B" are both
18 70 -- 7 -- both have 70 feet of frontage by
19 100 feet and are both a total of 7,000
20 square feet.

21 The Town of Hempstead's Department of
22 Buildings has issued a "letter of zoning
23 compliance" for the application.

24 I would have the applicant come up now.

25 VICE-CHAIR GREENFIELD: Come up.

1 NCPC Minor Sub. File No. 17-2023

2 (Stepping up.)

3 MR. BARRERA: Good morning. My name is
4 Juan, Juan Barrera. We bought these properties
5 like last year.

6 And then, you know, the -- my title guy
7 who did the closing, he forgot to index one of
8 the lots, so that's why we came here today to fix
9 that.

10 THIRD VICE-CHAIR LEWIS: Okay.

11 CHAIRMAN SHAPIRO: Thank you.

12 THIRD VICE-CHAIR LEWIS: Unless there
13 was some dramatic change --

14 MR. BARRERA: No, like I say --

15 THIRD VICE-CHAIR LEWIS: -- there would
16 be really no reason for us to not approve it
17 again.

18 (Deputy Commissioner Nimmo exits the
19 meeting.)

20 THIRD VICE-CHAIR LEWIS: So we're
21 seeing the finished work here, is that --

22 MR. WREN: Yes.

23 THIRD VICE-CHAIR LEWIS: -- is that
24 what we're seeing?

25 MR. BARRERA: Yeah, it's all --

1 NCPC Minor Sub. File No. 17-2023

2 THIRD VICE-CHAIR LEWIS: And -- and it
3 all came out good?

4 MR. BARRERA: Yeah, all -- all is done.
5 You know, we bought this properties like, you
6 know, all finished.

7 THIRD VICE-CHAIR LEWIS: Okay.

8 MR. BARRERA: But when they recorded --

9 THIRD VICE-CHAIR LEWIS: Well, let's --
10 let's make it legal.

11 (Laughter.)

12 MR. BARRERA: Yeah.

13 CHAIRMAN SHAPIRO: That's a good --

14 VICE-CHAIR GREENFIELD: Who's your
15 attorney now that's going to do all this now for
16 you?

17 MR. WREN: They're doing it themselves.

18 (Laughter.)

19 VICE-CHAIR GREENFIELD: They're doing
20 it themselves?

21 MR. WREN: Yes.

22 VICE-CHAIR GREENFIELD: They gave up on
23 attorneys?

24 MR. O'BRIEN: Don't ask.

25 VICE-CHAIR GREENFIELD: Okay.

1 NCPC Minor Sub. File No. 17-2023

2 CHAIRMAN SHAPIRO: Don't ask -- don't
3 ask.

4 VICE-CHAIR GREENFIELD: Okay.

5 THIRD VICE-CHAIR LEWIS: They're the
6 ones who made the mess.

7 CHAIRMAN SHAPIRO: Okay.

8 VICE-CHAIR GREENFIELD: Just make it
9 kosher.

10 (Laughter.)

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

13 (No response.)

14 CHAIRMAN SHAPIRO: Not seeing any, I
15 will take a motion Commissioners.

16 COMMISSIONER KALATY: Motion to approve
17 NCPC File 17-2023 with a "Negative Declaration."

18 COMMISSIONER DURSO: Second.

19 CHAIRMAN SHAPIRO: All those in favor?

20 (Chorus of "ayes.")

21 CHAIRMAN SHAPIRO: Any opposed?

22 (No response.)

23 CHAIRMAN SHAPIRO: The motion carries.

24 MR. BARRERA: Thank you.

25 * * *

1 Proceedings

2 CHAIRMAN SHAPIRO: Okay. Where is
3 John?

4 (No response.)

5 CHAIRMAN SHAPIRO: Still?

6 COMMISSIONER SAKOWICH: He's involved
7 meeting with the guys from the "MTA for me."

8 (Laughter.)

9 VICE-CHAIR GREENFIELD: Tell him to get
10 him. John?

11 MR. O'BRIEN: Well, we can do Zoning.

12 VICE-CHAIR GREENFIELD: John?

13 (No response.)

14 COMMISSIONER DURSO: Zoning.

15 MR. O'BRIEN: We can do Zoning and come
16 back.

17 VICE-CHAIR GREENFIELD: Oh.

18 (Discussion held among Commissioners
19 off the record.)

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1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: Okay, let's go for
3 the Zoning. Marty?

4 (Mr. Katz stepping up.)

5 CHAIRMAN SHAPIRO: Marty, in an effort
6 to save some time, we are going to take all the
7 "LDs" at once and --

8 VICE-CHAIR GREENFIELD: Short form.

9 CHAIRMAN SHAPIRO: -- short form vote
10 on them.

11 (Deputy Commissioner Nimmo enters the
12 meeting.)

13 CHAIRMAN SHAPIRO: I will take a
14 motion -- Bill?

15 (No response.)

16 CHAIRMAN SHAPIRO: Okay. I will take a
17 motion on NCPC Zoning Agenda Items No.:

18 1;

19 2;

20 3;

21 5;

22 7;

23 9;

24 And 10.

25 * * *

1 Zoning Referral Review

2 MR. KATZ: The six is not included in this?

3 CHAIRMAN SHAPIRO: And the Six is not
4 included with this.

5 MR. KATZ: Okay.

6 * * *

7 VICE-CHAIR GREENFIELD: I'll make --

8 CHAIRMAN SHAPIRO: Is there a second?

9 VICE-CHAIR GREENFIELD: I'll second. I
10 was just going to make a motion.

11 CHAIRMAN SHAPIRO: Make a motion.

12 VICE-CHAIR GREENFIELD: I make a motion
13 that we "LD:"

14 1;

15 2;

16 3;

17 5;

18 7;

19 8 [sic] -- 7;

20 9;

21 10.

22 COMMISSIONER KALATY: Second.

23 CHAIRMAN SHAPIRO: All those in favor?

24 (Chorus of "ayes.")

25 CHAIRMAN SHAPIRO: Any opposed?

1 Zoning Referral Review

2 (No response.)

3 CHAIRMAN SHAPIRO: Okay. The motion
4 carries.

5 * * *

6 CHAIRMAN SHAPIRO: Okay. Now let's go
7 to No. 6.

8 VICE-CHAIR GREENFIELD: So what's the
9 issue on 6?

10 THIRD VICE-CHAIR LEWIS: So on -- on
11 No. 6, I understand staff recommends
12 "Local Determination." We've had a discussion
13 about this previously with the Town of North
14 Hempstead for example, so I understand the
15 Commission's -- I also understand the concerned
16 members of the public and various elected
17 officials that are voting for these moratoriums.

18 There is -- I -- I -- I feel that as a
19 Commission, I just feel we have insufficient
20 information to act on this and so I'm going to
21 vote against the moratorium.

22 I believe that battery storage can be
23 done safely. It is absolutely consistent with,
24 you know, types of systems that can be put into
25 various parts of Long Island. It seems to be

1 Zoning Referral Review

2 kind of a bandwagon thing, where everybody's up
3 in arms about it. The State did drop the ball in
4 terms of presenting changes in the codes that
5 would have helped this process.

6 So I really do think the State should
7 do be doing more to provide information. And I
8 do think, you know, as a Commission, we also
9 should perhaps, you know, ask for a
10 recommendation from the Fire Marshal, as -- as we
11 learned about his very important role in the
12 County at our recent trainings, or we could do
13 other things to get more information.

14 I think a one-paragraph statement from
15 the Town that they're going to, you know, ban
16 battery storage is just insufficient information,
17 so that's why I'm going to vote no.

18 (Deputy Commissioner Nimmo exits the
19 meeting.)

20 VICE-CHAIR GREENFIELD: Commissioner
21 Lewis, I'm not voting for or against battery
22 storage, but I'm voting for a moratorium, so they
23 can provide us with more information and study.

24 It's a -- it's a -- it's a -- a serious
25 problem for firefighters and it's a serious

1 Zoning Referral Review

2 problem that, and I agree with you, the State
3 needs to address. It shouldn't just be a Local
4 issue. But it -- it can be benefit to it, if
5 it's done safely and not expose a neighborhood to
6 it.

7 So I -- I just want to listen and learn
8 more. I've read all the Newsday articles on the
9 subject, and in other towns. And yes, it is an
10 election year, so I'm sure that motivated doing
11 it. But it makes sense to do it until we know
12 more about it.

13 MR. KATZ: I'll take a roll call.

14 MR. O'BRIEN: It's not a motion.

15 Nobody made a motion yet.

16 MR. KATZ: Oh, okay.

17 THIRD VICE-CHAIR LEWIS: I'd like to
18 make a motion on this.

19 CHAIRMAN SHAPIRO: I'll take a motion
20 for an "LD" on NCPC Item No. 6.

21 VICE-CHAIR GREENFIELD: So moved.

22 CHAIRMAN SHAPIRO: Is there a second?

23 COMMISSIONER SAKOWICH: I second.

24 COMMISSIONER FORMAN: He's (indicating)
25 the second.

1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: Do a roll call,
3 Marty.

4 MR. KATZ: Okay.

5 Commissioner Sakowich?

6 COMMISSIONER SAKOWICH: In favor of the
7 moratorium.

8 MR. KATZ: Commissioner Kalaty?

9 COMMISSIONER KALATY: Also in favor of
10 the moratorium.

11 MR. KATZ: Commissioner Forman?

12 COMMISSIONER FORMAN: In favor of the
13 moratorium.

14 MR. KATZ: Commissioner Durso?

15 COMMISSIONER DURSO: In favor as well.
16 I'd like some more information.

17 MR. KATZ: Well, is that in -- in favor
18 or the moratorium?

19 COMMISSIONER DURSO: I'm sorry. I'm in
20 favor of the moratorium. I'm looking forward to
21 more information.

22 MR. KATZ: Okay, thanks.

23 Third Vice-Chair Lewis?

24 THIRD VICE-CHAIR LEWIS: My vote is no
25 on the "LD."

1 Zoning Referral Review

2 MR. KATZ: Okay.

3 Vice-Chair -- First Vice-Chair

4 Greenfield?

5 VICE-CHAIR GREENFIELD: As the maker of
6 the motion, I vote yes on "LD."

7 MR. KATZ: And Chairman Shapiro?

8 CHAIRMAN SHAPIRO: Yes, on "LD."

9 MR. KATZ: All right. It --

10 CHAIRMAN SHAPIRO: The motion carries.

11 MR. KATZ: Motion carried.

12 (Audience participation.)

13 * * *

14 CHAIRMAN SHAPIRO: Okay. Now let's --

15 Marty, let's go to Item No. 4.

16 MR. KATZ: Okay.

17 * * *

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1 Proceedings

2 CHAIRMAN SHAPIRO: In fact, where's
3 John?

4 (No response.)

5 CHAIRMAN SHAPIRO: John, are you back
6 in here?

7 MR. O'BRIEN: Yeah, John's right here
8 (indicating).

9 CHAIRMAN SHAPIRO: Let's hold off on
10 the rest of these and go back to the extension --

11 MR. KATZ: Sure.

12 CHAIRMAN SHAPIRO: -- of time.

13 MR. KATZ: Okay.

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1 NCPC File No. 2001-F-1

2 CHAIRMAN SHAPIRO: Okay.

3 (Stepping up.)

4 MR. PERRAKIS: Good morning.

5 We have Item Case "D," extension of
6 time to file resolution for major subdivision
7 application for NCPC File No. 2001-F-1,
8 "Map of Enclave at Country Pointe in Plainview,"
9 formerly known as "Country Pointe Golden Age at
10 Plainview" in Old Bethpage, Town of Oyster Bay,
11 southwest corner of Country Pointe Drive and
12 Old Country Road, Plainview, New York 11803,
13 section 47, block E, lots 753A and B.

14 This application received preliminary
15 and final subdivision approval on March 25th of
16 '21 and March 21st of '24, respectively, of a
17 3.72-acre parcel into ninety age-restricted units
18 in nine buildings, and a clubhouse common area to
19 be owned and maintained by a condominium owner --
20 a condominium owner association.

21 According to the applicant's attorney,
22 the applicant has been delaying the filing of the
23 map for "The Enclave at Country Pointe in
24 Plainview," due to the fact that the Town of
25 Oyster Bay is a party to litigation with the

1 NCPC File No. 2001-F-1
2 US Department of Justice regarding the sale of
3 affordable senior housing with a preference to
4 Oyster Bay residents, which will impact the
5 applicant's ability to sell the units within the
6 subject matter development.

7 The applicant prefers to file the map
8 closer to the units being ready to be closed to
9 ensure there will be no inconsistencies to the
10 architect's floor plan or statements to the
11 applicant's offering plan. However, due to the
12 ongoing litigation the Town of Oyster Bay is a
13 party to, the applicant has not begun the
14 construction, because the applicant does not want
15 to be named in the lawsuit and they do not want
16 to have vacant lots sitting for an indeterminable
17 amounts of time. As such, applicant is
18 respectfully requesting an extension of time to
19 file subdivision [sic] -- subject map.

20 Our regulations allow for a six-month
21 extension. This was approved on March 21st of
22 2024, which would give the extension to
23 September 21st of 2025, six months after the
24 one-year original approval.

25 CHAIRMAN SHAPIRO: Commissioners, any

1 NCPC File No. 2001-F-1

2 questions?

3 (No response.)

4 MR. PERRAKIS: Paulina Giampietro is
5 here to speak --

6 CHAIRMAN SHAPIRO: Okay.

7 MR. PERRAKIS: -- to represent the
8 applicant.

9 (Laughter.)

10 VICE-CHAIR GREENFIELD: Okay.

11 (Stepping up.)

12 MS. GIAMPIETRO: Good morning,
13 Mr. Chairman, members of the Board. I'm
14 Paulina Giampietro representing the applicant,
15 Beechwood Plainview Golden Age, LLC with offices
16 located at 200 Robbins Lane, Suite D1, Jericho,
17 New York.

18 Mr. Perrakis did a nice job outlining
19 our application. We're requesting an extension
20 to file the maps, as John indicated.

21 My client hasn't begun the development
22 yet, because of the litigation that the Town of
23 Oyster Bay is a -- a party to with the US
24 Department of Justice, regarding the sale of
25 affordable house -- senior housing with a

1 NCPC File No. 2001-F-1

2 preference to Oyster Bay residents.

3 This will impact the sale. My -- my
4 client's ability to sell -- sell the units within
5 this subject matter development. And my client
6 does prefer to file the maps closer to the units
7 being ready, to ensure that the -- there's no
8 inconsistency with the floor plans and the
9 architect -- architect statement in the offering
10 plan.

11 My client does not want to be named as
12 a party to the lawsuit and they don't want the
13 units to be sitting for an undeterminable amount
14 of time, so we are requesting the extension. I
15 was hoping to get a year extension. But after
16 speaking with Mr. Perrakis, we'll go for the
17 six months and we may be back after the
18 six months.

19 COMMISSIONER SAKOWICH: I make a motion
20 to --

21 VICE-CHAIR GREENFIELD: Wait -- wait.

22 CHAIRMAN SHAPIRO: Wait.

23 VICE-CHAIR GREENFIELD: Wait -- wait --
24 wait. Wait, we got a question.

25 COMMISSIONER SAKOWICH: I'm sorry.

1 NCPC File No. 2001-F-1

2 CHAIRMAN SHAPIRO: Just -- just so you
3 understand, our regulations give us the -- the
4 wherewithal to do six-month approvals. So that's
5 why we have to do six months, and then you can
6 come back and get another six months.

7 MS. GIAMPIETRO: Understood. We're --
8 that's okay.

9 VICE-CHAIR GREENFIELD: So you have --

10 MS. GIAMPIETRO: No problem.

11 VICE-CHAIR GREENFIELD: -- six months --

12 MS. GIAMPIETRO: -- problem.

13 VICE-CHAIR GREENFIELD: -- you have
14 six months to get the Trump Justice Department to
15 abandon the litigation or --

16 (Laughter.)

17 MS. GIAMPIETRO: We're -- we're
18 hoping --

19 VICE-CHAIR GREENFIELD: -- or for him
20 to issue an Executive Order.

21 (Laughter.)

22 MS. GIAMPIETRO: We're hoping with a
23 new administration, there will be settling this
24 case, so --

25 VICE-CHAIR GREENFIELD: I -- I don't

1 NCPC File No. 2001-F-1

2 blame your principal for not wanting to be
3 involved in costly, unnecessary litigation.
4 "DOJ" has more important things to do, like
5 disclosing the people that flew on Epstein's
6 plane.

7 (Laughter.)

8 COMMISSIONER SAKOWICH: I -- I make a
9 motion for NCPC --

10 MR. O'BRIEN: I'm sorry.

11 CHAIRMAN SHAPIRO: Any other
12 Commissioners have questions?

13 (No response.)

14 MR. O'BRIEN: You can't help yourself,
15 can you?

16 (Laughter.)

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

19 (No response.)

20 CHAIRMAN SHAPIRO: You know,
21 protocol -- protocol.

22 (Laughter.)

23 CHAIRMAN SHAPIRO: Not seeing any, now
24 you can make a motion.

25 (Laughter.)

1 NCPC File No. 2001-F-1

2 COMMISSIONER SAKOWICH: I withdraw my
3 motion.

4 (Laughter.)

5 CHAIRMAN SHAPIRO: You insulted him.

6 COMMISSIONER SAKOWICH: I make a motion
7 to -- to approve the -- approve the six-month
8 extension on NCPC File No. 2001-F-1 for the
9 extension of -- of the --

10 CHAIRMAN SHAPIRO: To September 21st,
11 2025.

12 COMMISSIONER SAKOWICH: To
13 September 21st, 2025.

14 VICE-CHAIR GREENFIELD: I'll second
15 that motion.

16 CHAIRMAN SHAPIRO: All in favor?

17 (Chorus of "ayes.")

18 CHAIRMAN SHAPIRO: Any opposed?

19 (No response.)

20 CHAIRMAN SHAPIRO: The motion carries.

21 MS. GIAMPIETRO: Thank you very much.

22 CHAIRMAN SHAPIRO: Good luck.

23 MR. O'BRIEN: Thank you.

24 * * *

25

1 Zoning Referral Review

2 MR. O'BRIEN: We still have three
3 Zoning matters left.

4 COMMISSIONER DURSO: Yeah.

5 VICE-CHAIR GREENFIELD: Okay. On the
6 zoning matters, the Chairman is excusing himself
7 at this time.

8 CHAIRMAN SHAPIRO: Yes.

9 (Laughter.)

10 VICE-CHAIR GREENFIELD: And No. 4
11 and 8.

12 (Stepping up.)

13 MR. KATZ: Okay. 4 --

14 VICE-CHAIR GREENFIELD: No, do them one
15 at -- one at a time.

16 MR. O'BRIEN: And we have 11 I think
17 too, don't we?

18 VICE-CHAIR GREENFIELD: Well 11, I have
19 to recuse myself --

20 MR. O'BRIEN: Oh.

21 VICE-CHAIR GREENFIELD: -- and turn it
22 over.

23 MR. KATZ: Case No. 4 --

24 VICE-CHAIR GREENFIELD: Please fill out
25 the form for me, counselor.

1 Zoning Referral Review

2 MR. O'BRIEN: Yes.

3 MR. KATZ: -- NCPC Case No. 24125,
4 Town of Oyster Bay, Hamlet of Glen Head. It's
5 for area, dimensional variances.

6 This is a substandard two-lot
7 subdivision. "Proposed Parcel A" has a lot area
8 of 17,489 square feet, and a lot frontage of
9 154 feet on Kissam Lane which is a County Road,
10 and lot frontage of 116 feet on Waverly Street
11 which is a Town Road.

12 "Proposed Parcel B," which is L-shaped
13 has a lot area of 13,358 feet and a lot frontage
14 of 84 feet on Waverly Street and also 41 feet
15 frontage on Edgewood Avenue, thus front -- three
16 front road frontages.

17 "R1-7" Zoning District requires a
18 minimum -- minimum lot area of 7,000 square feet
19 and a minimum -- minimum lot frontage of 70 feet,
20 thus, the variance for the 41 foot frontage on
21 Edgewood Avenue "Proposed Parcel B."

22 The .7-acre vacant subject property
23 exhibits a significant slope upland from
24 Kissam Lane and Waverly Street, and is wooded and
25 is located across from the North Shore

1 Zoning Referral Review

2 Country Club on Kissam Avenue.

3 Access to each of the two -- of the
4 proposed two dwellings will be via driveways on
5 Waverly Avenue, which is a residential
6 side street. No access is proposed to
7 Kissam Lane --

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1 Proceedings

2 CHAIRMAN SHAPIRO: Marty, hold on one
3 second.

4 Before I leave, I'd like to
5 congratulate John on his up and coming wedding
6 this weekend.

7 MR. O'BRIEN: Ah.

8 (Applause.)

9 CHAIRMAN SHAPIRO: And congratulations.

10 (Applause.)

11 MR. PERRAKIS: Thank you.

12 CHAIRMAN SHAPIRO: That's the last
13 order of my business today.

14 VICE-CHAIR GREENFIELD: And there's one
15 other congratulations.

16 CHAIRMAN SHAPIRO: What?

17 VICE-CHAIR GREENFIELD: The birth of my
18 granddaughter.

19 CHAIRMAN SHAPIRO: Oh, congrats.

20 COMMISSIONER DURSO: Oh.

21 CHAIRMAN SHAPIRO: "Mazel Tov."

22 (Laughter.)

23 CHAIRMAN SHAPIRO: You know, just got
24 to get into the act.

25 (Laughter.)

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Proceedings

CHAIRMAN SHAPIRO: So all right you can
continue.

VICE-CHAIR GREENFIELD: I could come to
this meeting, 'cause I didn't have to stay for a
"bris."

(Laughter.)

* * *

1 Zoning Referral Review

2 MR. KATZ: If the variance is approved
3 by the Town, this subdivision will require
4 approval by the Planning Commission. It'll come
5 back to you guys.

6 If the slope -- if the slope of the
7 property is 25 percent or greater, the Planning
8 Commission would require the submission of a
9 "slope stabilization plan."

10 (Chairman Shapiro exits the meeting.)

11 MR. KATZ: I also think that the
12 Town of Oyster Bay has a slope regulations in
13 its -- in its code that it must comply with.

14 So staff is suggesting "LD with a
15 Letter" addressing the preparation of a slope
16 stable -- stabilization plan, in the event that
17 the slope of the property is 25 feet [sic] --
18 percent or greater. Such a plan would be
19 necessary, according to our rules and
20 regulations.

21 THIRD VICE-CHAIR LEWIS: All right.
22 I'll -- I'll jump in on that one. So we're on
23 Zoning Case No. 4 and my motion is for an "LD," a
24 "Local Determination with a Letter." And the
25 letter is to call attention to the possibility

1 Zoning Referral Review

2 that the slope stabilization plan would be
3 required, given that the property may -- it has
4 still yet to be determined, but the property may
5 still have the slopes that are in the 25 percent
6 or greater. So that would be included in the
7 letter, so "LD with a Letter."

8 COMMISSIONER SAKOWICH: I make a -- I
9 second it.

10 VICE-CHAIR GREENFIELD: Motion --
11 motion made and seconded.

12 All those in favor, so signify by
13 saying aye.

14 (Chorus of "ayes.")

15 VICE-CHAIR GREENFIELD: Motion carried.

16 * * *

17 VICE-CHAIR GREENFIELD: Next.

18 MR. KATZ: Okay. Case No. 8. This is
19 Town of Hempstead, Hamlet of Bellmore. It's for:
20 Special exception;
21 Area;
22 Dimensional variances;
23 Density variance;
24 Height variance.
25 This is a proposed three-story 23-unit

1 Zoning Referral Review

2 multifamily building with:

3 Ground floor retail of about 1700
4 square feet;

5 Two floors of residential units above
6 surface level, enclosed parking;

7 Also, open parking on -- on the subject
8 property.

9 The property is .55 acres and the
10 bedroom mix consists of 16 one-bedroom and two --
11 7 two-bedroom units. Variances are for the
12 following:

13 Height, 30 feet, two stories permitted,
14 three stories, 57.84 feet proposed;

15 Density, minimum 1,500 square feet for
16 each unit permitted, 1,060 square feet for each
17 unit proposed;

18 Parking variance, minimum
19 of 71 spaces required, 38 spaces proposed;

20 Front-yard setback, minimum 10 feet
21 required. It is .7 feet proposed on Bedford
22 Avenue and .4 feet proposed on Grand Avenue;

23 Rear-yard setback, minimum 25 feet
24 required, 0 provided.

25 The subject property is surrounded by

1 Zoning Referral Review

2 one and two-story storefronts to the east, north
3 and south. To the west along Grand Avenue is a
4 municipal parking lot.

5 Parking is permitted on the south side
6 of Grand Avenue, 90 minutes and two-hour parking
7 along Bedford Avenue. The property is located in
8 a downtown setting, less than a block from the
9 Bellmore Railroad Station and the -- I can
10 describe that as classic "TOD."

11 This was previous -- previously before
12 the Nassau County Planning Commission on 3/10/22
13 for a partial three- and four-story building and
14 27 units. The Commission, at that time,
15 recommended that the building be scaled back in
16 terms of a reduced height and a reduced number of
17 units, as well as the elimination of the curb cut
18 on Frederick Avenue, which is residential
19 side street.

20 The current plan reduces the height of
21 the building to a uniform three stories and a
22 reduction in the number of units to 23 -- 23,
23 as well as eliminating the curb cut on
24 Frederick Avenue. As far as I can see, the
25 height reduction is more in keeping with

1 Zoning Referral Review

2 character of the Bellmore -- Bellmore's Business
3 District.

4 Also, there was some concern regarding
5 the demolition of the bank building, which has
6 some historic quality that some neighbors wanted
7 maintained. The revised plan does maintain the
8 facade of the bank building that will be
9 incorporated into the project.

10 Also, the unit mix was modified with:
11 Three-bedroom units eliminated;
12 And a number of two-bedroom units
13 reduced;

14 And one-bedroom units increased, thus
15 reducing parking impact.

16 Also, the attorney for the project
17 stated that a ride-sharing feature will be
18 incorporated into the project by having a vehicle
19 on site reserved for those tenants who may not
20 chose to -- chose to have a car.

21 Initially, a traffic impact study was
22 prepared based on other project and --

23 THIRD VICE-CHAIR LEWIS: I never heard
24 that one.

25 (Laughter.)

1 Zoning Referral Review

2 MR. KATZ: -- and the -- and the
3 conclusion was that there was adequate parking
4 and it wouldn't create traffic impacts.

5 Staff is recommending "LD with a
6 Letter" addressing the provision of a
7 workforce housing set aside, particularly in lieu
8 of the Long Island Workforce Housing Act that
9 requires such a set aside, when a residential
10 density -- when a residential density of a
11 project exceeds maximum permitted density as this
12 one does.

13 VICE-CHAIR GREENFIELD: Okay.

14 THIRD VICE-CHAIR LEWIS: So this is
15 mostly a "good news" application, in the sense
16 that -- that concerns with previous proposals
17 have been more or less improved upon.

18 MR. KATZ: Right.

19 THIRD VICE-CHAIR LEWIS: So --

20 MR. KATZ: It's a better plan.

21 THIRD VICE-CHAIR LEWIS: It's a better
22 plan.

23 COMMISSIONER SAKOWICH: It's a nice
24 area too.

25 MR. KATZ: And -- and it's "Transit

1 Zoning Referral Review

2 Oriented Development."

3 THIRD VICE-CHAIR LEWIS: And going back
4 to your first point, it's -- it's "Transit
5 Oriented Development," which we do want to
6 encourage and the Planning Commission plays its
7 roll.

8 So make a motion for "LD with a
9 Letter." The letter is one that we've used for
10 many multifamily developments, where we just are
11 alerting the locality to the Long Island
12 Workforce Housing Law and its requirement for a
13 set aside. So "LD with a Letter" and this is for
14 Case No. 9 [sic] -- 8.

15 COMMISSIONER DURSO: Eight.

16 THIRD VICE-CHAIR LEWIS: Case 8, sorry.

17 MR. KATZ: Finally Case No. 11 --

18 COMMISSIONER SAKOWICH: I second it.

19 MR. KATZ: Oh, I'm sorry.

20 VICE-CHAIR GREENFIELD: We have to vote
21 first.

22 MR. KATZ: I'm sorry.

23 VICE-CHAIR GREENFIELD: Motion made and
24 seconded.

25 All those in favor?

1 Zoning Referral Review

2 (Chorus of "ayes.")

3 VICE-CHAIR GREENFIELD: Any opposed?

4 (No response.)

5 VICE-CHAIR GREENFIELD: So carried.

6 * * *

7 VICE-CHAIR GREENFIELD: Case No. 11,

8 I'm recusing myself and turning it over to

9 Third Vice-Chair Commissioner.

10 (Vice-Chair Greenfield exits the
11 meeting.)

12 THIRD VICE-CHAIR LEWIS: All right. We
13 go to --

14 MR. KATZ: Okay. Case No. 11,
15 NCPC Case No. 218125. It's within the Village of
16 Rockville Centre. And it's for area -- area,
17 slash, dimensional variance -- dimensional
18 variances and then parking variances.

19 This is a construction of a three-story
20 mixed-use building on a 5,379 square foot site --
21 the site. The first floor of the -- the first
22 floor and the roof will be utilized as a
23 restaurant. The second and third floors will be
24 utilized as medical offices. The restaurant
25 areas will have a floor area of 6,828 square feet

1 Zoning Referral Review

2 and the medical offices will have a total area of
3 9,636 square feet, for a total size of 16,464
4 square feet to the building.

5 The following variances are required:

6 Front-yard setback, minimum 10 feet
7 required, 0 provided;

8 Parking, 56 parking spaces required, 0
9 are provided.

10 The site is currently occupied by an
11 older, historic-looking 2.5-story framed
12 residential structure on a landscaped lot that
13 will be demolished and situated -- and is
14 situated between one-story storefronts. South
15 Park Avenue is characterized by one- and
16 two-story storefronts in a downtown setting.

17 There are municipal lots located west
18 and east of the subject property, accessible via
19 driveways on South Park Avenue and they're very
20 heavily utilized.

21 THIRD VICE-CHAIR LEWIS: You know
22 Marty, I -- you -- you look at the -- the image
23 there, if we can go back one to the image. And
24 you see, you know, a -- a downtown setting
25 where -- where, you know, you don't normally

1 Zoning Referral Review

2 expect to see a small residential home. At the
3 same time, it -- it's kind of, you know, its got
4 the white picket fence and its got the porch.

5 MR. KATZ: Yeah.

6 THIRD VICE-CHAIR LEWIS: And it really
7 does -- it seems like they did intend it to fit
8 in a, you know, like a walkable area. You know,
9 it's -- I guess it's just sort of a lost in time
10 kind of idea. But what they're proposing to
11 replace here, it seems pretty dramatic.

12 (Laughter.)

13 MR. KATZ: Yeah -- yeah. Well, let me
14 get to that. You're right about that.

15 And again, this has been -- it hasn't
16 been used as a residence for some time. I think
17 it was "speak easy bar" you know.

18 THIRD VICE-CHAIR LEWIS: Okay.

19 MR. KATZ: But in any case, a traffic
20 impact analysis was prepared. The study
21 evaluated the impact of the project on on-street
22 parking, municipal parking lots in the vicinity.
23 Observations indicated that there was adequate
24 capacity after the development of this project.

25 From a trip generation perspective,

1 Zoning Referral Review

2 also the report concluded that -- that it would
3 have a significant impact on traffic activity in
4 the vicinity of the site.

5 THIRD VICE-CHAIR LEWIS: Well, I --

6 MR. KATZ: Staff is recommending --

7 THIRD VICE-CHAIR LEWIS: -- on -- on
8 this image --

9 MR. KATZ: Yeah --

10 THIRD VICE-CHAIR LEWIS: -- Marty --

11 MR. KATZ: -- yeah -- yeah.

12 THIRD VICE-CHAIR LEWIS: -- speak to
13 the parking too. Is that the municipal lot
14 behind it, that -- that --

15 MR. KATZ: There's a municipal
16 parking lot behind --

17 THIRD VICE-CHAIR LEWIS: -- relatively
18 small --

19 MR. KATZ: Right.

20 THIRD VICE-CHAIR LEWIS: But it is kind
21 of -- you know, restaurants don't necessarily
22 need a lot, but --

23 MR. KATZ: It's medical offices also.
24 That's the thing.

25 THIRD VICE-CHAIR LEWIS: Yes, that's--

1 Zoning Referral Review

2 that's a big --

3 MR. KATZ: Let me get to that.

4 THIRD VICE-CHAIR LEWIS: -- part of
5 it.

6 MR. KATZ: Good point.

7 THIRD VICE-CHAIR LEWIS: Yeah.

8 MR. KATZ: Staff is recommending
9 "denial" as over-intensification of development
10 with a restaurant, and medical offices, and no
11 parking and no drop-off areas for the
12 medical offices. And it's going to be a quite
13 a -- a, you know, a -- a large medical office on
14 site. To me it's an -- an inappropriate site for
15 medical offices.

16 Municipal parking lots located nearby
17 appear to be heavily utilized and the three-story
18 character of the proposed building is out of
19 character with the area. And if the structure --
20 and you know, also, if the structure is to be
21 demolished, the design of a new structure may
22 want to consider the historic nature of the
23 existing structure and build something a little
24 less imposing on that site and a little more
25 historic looking.

1 Zoning Referral Review

2 But from my perspective, it's an
3 over-intensification of site and inappropriate
4 for medical offices.

5 COMMISSIONER SAKOWICH: Marty, so can
6 we -- or Mr. Chairman, can we write the max
7 saying that they need to pick what they want to
8 be, a medical office, a restaurant. I mean you
9 know that's --

10 THIRD VICE-CHAIR LEWIS: Well --
11 well -- well, your options before you are "LD"
12 where we say we passed the "Local Determination,"
13 or we can do a "modification" where we attempt to
14 change the intensification of a proposal.

15 In this case, if it was an effort to
16 say that it could be just a restaurant or it
17 could be just a -- a medical building. That
18 would be arguably a "modification" or you have
19 what was proposed by staff of -- of a "denial."
20 But you do --

21 MR. KATZ: I think that's appropriate.

22 THIRD VICE-CHAIR LEWIS: -- have
23 options.

24 MR. KATZ: I think this, they're --
25 they're so out of whack with this one, I -- I

1 Zoning Referral Review

2 think a denial may be -- may --

3 THIRD VICE-CHAIR LEWIS: Okay.

4 MR. KATZ: -- be appropriate from my
5 perspective.

6 THIRD VICE-CHAIR LEWIS: Other
7 Commissioners, any questions or comments?

8 COMMISSIONER DURSO: I don't know.
9 Nothing else.

10 THIRD VICE-CHAIR LEWIS: Yeah, it's an
11 interesting one.

12 MR. O'BRIEN: I -- I would just also
13 just tell the Commissioners that since we're down
14 to five members, if some -- if there's one person
15 who votes different than the other four, it will
16 be a "de facto LD," just so you consider that in
17 your vote.

18 THIRD VICE-CHAIR LEWIS: It would a
19 "de facto LD." Though I -- although I do --

20 MR. O'BRIEN: That's your decision.

21 THIRD VICE-CHAIR LEWIS: -- I do think
22 the letter should indicate to them that it was by
23 a failure of a -- of a full vote. You know,
24 normally our "LDs" are often --

25 MR. KATZ: Well, lets --

1 Zoning Referral Review

2 MR. O'BRIEN: I'm just letting you
3 know.

4 COMMISSIONER SAKOWICH: Let's take the
5 vote and see where we are.

6 MR. KATZ: Okay.

7 COMMISSIONER DURSO: I -- I -- I have a
8 question though.

9 Can we, with a letter, can we explain
10 like you had originally said about the mix use of
11 it?

12 MR. O'BRIEN: Microphone.

13 COMMISSIONER DURSO: Oh, I'm sorry.

14 Like you had originally said as far as
15 the -- the two different restaurant, slash,
16 medical offices, the 3 feet [sic] -- the three
17 stories, like can we go back with?

18 THIRD VICE-CHAIR LEWIS: So I think
19 it's a great -- great question. I do think the
20 "LD with a letter" works, when we envision the
21 project is going to go forward --

22 COMMISSIONER DURSO: Right.

23 THIRD VICE-CHAIR LEWIS: -- but we're
24 going to raise a concern that we want to see it
25 addressed as it goes forward.

1 Zoning Referral Review

2 So it's not usually a big change. It
3 could be like -- like a multifamily, we just want
4 to make sure there's going to be the 10 percent
5 set aside, or it's going to be something where
6 they're -- they're going to go forward.

7 COMMISSIONER SAKOWICH: Right.

8 COMMISSIONER FORMAN: They're got to go
9 back to the drawing board.

10 COMMISSIONER SAKOWICH: Right, they're
11 going back to the drawing board.

12 THIRD VICE-CHAIR LEWIS: Yeah. Here
13 we're kind of --

14 COMMISSIONER DURSO: Yeah.

15 THIRD VICE-CHAIR LEWIS: -- saying if
16 the letter says go back to the drawing board,
17 then it's really not a letter. Then it's either
18 a denial or a modification.

19 But, you know, I think it's an
20 interesting --

21 COMMISSIONER DURSO: Got it.

22 THIRD VICE-CHAIR LEWIS: -- question,
23 but yeah.

24 MR. O'BRIEN: Yeah.

25 COMMISSIONER SAKOWICH: Yeah, and

1 Zoning Referral Review

2 that's a tough Village, I mean, yeah, you know.

3 COMMISSIONER FORMAN: Right -- right.

4 THIRD VICE-CHAIR LEWIS: So would a
5 member of the Commission like to make a motion,
6 make either of the motions we discussed, the
7 staff recommendation.

8 COMMISSIONER FORMAN: Make -- make a
9 motion on NCPC Zoning Calendar No. 11 for a
10 "denial."

11 THIRD VICE-CHAIR LEWIS: Okay. We have
12 a motion for a "denial."

13 Do we have a second?

14 COMMISSIONER SAKOWICH: I second it.

15 THIRD VICE-CHAIR LEWIS: Motion is made
16 and seconded.

17 And I'll call a vote. All in favor of
18 the "denial," say yes.

19 COMMISSIONER SAKOWICH: Yes.

20 THIRD VICE-CHAIR LEWIS: Yes.

21 COMMISSIONER DURSO: Denied.

22 THIRD VICE-CHAIR LEWIS: All -- all
23 opposed, say no.

24 (No response.)

25 THIRD VICE-CHAIR LEWIS: Nobody voting

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Zoning Referral Review

in the "against." That means it's a five nothing
vote, which is sufficient for the "denial," so
please do send denial.

* * *

1 Proceedings

2 THIRD VICE-CHAIR LEWIS: And staff, I
3 would just raise a concern. Sometimes we do vote
4 on denials and modifications. And it would be
5 helpful to know if we could try and track -- you
6 know, I know that you don't always know what's
7 happening.

8 But, you know, a supermajority is
9 required, if they want to override a denial. We
10 should hear whether or not that -- that happens,
11 just so we know what happened in regards to our
12 action.

13 So I don't know if it's possible to
14 track that, but if i -- I just want to put that
15 out as a thought that perhaps it could be
16 tracked.

17 COMMISSIONER SAKOWICH: We -- we have a
18 member of the Board here. And here he comes,
19 walking in.

20 (Vice-Chair Greenfield enters the
21 meeting.)

22 VICE-CHAIR GREENFIELD: No -- no.

23 (Laughter.)

24 VICE-CHAIR GREENFIELD: So now that you
25 voted, Marty --

1 Proceedings

2 MR. KATZ: Yeah.

3 VICE-CHAIR GREENFIELD: -- I think
4 Commissioner Lewis makes a good point. They're
5 supposed to send us a memo --

6 MR. KATZ: Yeah, we -- we ask.

7 VICE-CHAIR GREENFIELD: -- when they
8 override our -- our denial.

9 MR. KATZ: We ask for their decision in
10 our resolutions.

11 VICE-CHAIR GREENFIELD: Go to the
12 microphone. Go to the mic. please.

13 THIRD VICE-CHAIR LEWIS: Well, that's a
14 good point.

15 MR. KATZ: Yeah.

16 VICE-CHAIR GREENFIELD: So --

17 THIRD VICE-CHAIR LEWIS: Staff is
18 saying that when, if we send them the resolution
19 that says we voted for a denial, it'll include
20 in it a statement of we would like to receive
21 the correspondence back of what action you
22 took.

23 MR. KATZ: I think they -- yeah, I -- I
24 have to look, because --

25 COMMISSIONER FORMAN: Turn the mic.

1 Proceedings

2 on.

3 VICE-CHAIR GREENFIELD: Al, tell him
4 what the answer is.

5 MR. KATZ: Now they're -- for now,
6 they're required to do it within 60 days. I mean
7 they know that, but we just --

8 VICE-CHAIR GREENFIELD: Well, no --
9 no -- no. They know nothing until you remind
10 them what they're supposed to do --

11 MR. KATZ: Yeah.

12 VICE-CHAIR GREENFIELD: -- so remind
13 them. Many times --

14 MR. KATZ: Sure.

15 VICE-CHAIR GREENFIELD: -- you know, we
16 don't do very often denials. So, please, in the
17 future remind them.

18 MR. KATZ: Sure.

19 VICE-CHAIR GREENFIELD: The staff
20 changes at the building departments. And
21 we haven't been invited to the "Nassau County
22 VOA."

23 So at this time, at almost 11 a.m.,
24 I'll entertain a motion to adjourn.

25 COMMISSIONER DURSO: Second.

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Proceedings

THIRD VICE-CHAIR LEWIS: Motion to
adjourn.

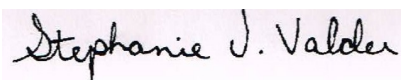
(TIME NOTED: 10:56 A.M.)

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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.

Handwritten signature of Stephanie J. Valder in cursive script, enclosed in a light pink rectangular box.

STEPHANIE J. VALDER,
Stenographer

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