

REGULAR MEETING  
of the  
NASSAU COUNTY PLANNING COMMISSION

Thursday, February 5, 2026

10:11 p.m. - 11:14 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, Chairman

4

JEFFREY H. GREENFIELD, Vice-Chair

5

NEAL LEWIS, Third Vice-Chair

6

DANA DURSO,

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MURRAY FORMAN,

8

DENISE GOLD,

9

KHANDAN KALATY,

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REID SAKOWICH,

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Commissioners

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13 WILLIAM NIMMO, Deputy Commissioner

14 ROBERT O'BRIEN, Esq., Counsel

15 PATRICK GALLAGHER, Esq., Counsel

16 (10:30 a.m. - 11:14 a.m.)

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18 Staff:

19

GREGORY J. HOESL

20

MARTIN KATZ

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JOHN PERRAKIS

22

CAMERON SANDS

23

TIMOTHY WREN

24 Also Present:

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STEPHANIE J. VALDER, Stenographer

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

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CHAIRMAN SHAPIRO: Staff, you ready?

5

(No response.)

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CHAIRMAN SHAPIRO: Marty?

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MR. KATZ: Yeah.

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CHAIRMAN SHAPIRO: Okay.

9

Good morning, ladies and gentlemen.

10 Welcome to the Nassau County Planning Commission,  
11 February 5th meeting.

12 If you would all rise for the  
13 Pledge of Allegiance. And I'd like to ask  
14 Commissioner Kalaty to lead us in the Pledge of  
15 Allegiance.

16 Go ahead, yup.

17 (Pledge of Allegiance recited in a  
18 body.)

19 VICE-CHAIR GREENFIELD: Play ball.

20 CHAIRMAN SHAPIRO: Play ball.

21 Roll call.

22 (Stepping up.)

23 MR. KATZ: Yeah.

24 Chairman Shapiro?

25 CHAIRMAN SHAPIRO: Here.

1 Proceedings

2 MR. KATZ: Vice-Chair --

3 First Vice-Chair Greenfield?

4 VICE-CHAIR GREENFIELD: Present.

5 MR. KATZ: Third Vice-Chair Lewis?

6 THIRD VICE-CHAIR LEWIS: Present.

7 MR. KATZ: Commissioner Durso?

8 COMMISSIONER DURSO: Present.

9 MR. KATZ: Commissioner Ellerbe?

10 CHAIRMAN SHAPIRO: Excused.

11 MR. KATZ: Commissioner Forman?

12 COMMISSIONER FORMAN: Present.

13 MR. KATZ: Commissioner Gold?

14 COMMISSIONER GOLD: Present.

15 MR. KATZ: Commissioner Kalaty?

16 COMMISSIONER KALATY: Present.

17 MR. KATZ: Commissioner Sakowich?

18 COMMISSIONER SAKOWICH: Present.

19 MR. KATZ: We have a quorum.

20 And just acknowledge the receipt of the

21 transcripts --

22 CHAIRMAN SHAPIRO: Thank you, Marty.

23 MR. KATZ: -- for January --

24 CHAIRMAN SHAPIRO: Let me just stop you

25 there --

1 Proceedings

2 MR. KATZ: Right.

3 CHAIRMAN SHAPIRO: -- and we'll come  
4 back to this.

5 I'd like to first say a few words about  
6 Commissioner Kalaty, who's been with us for a  
7 number of years. She's going to be retiring from  
8 the Planning Commission. And at this point, I'd  
9 like to ask Legislator Pilip to please come up.

10 (Stepping up.)

11 LEGISLATOR PILIP: Good morning, all.  
12 Thank you so much for having me here.

13 Yes, my dear friend Commissioner Kalaty,  
14 you are leaving the -- the Planning Board [sic].  
15 And I want to thank you for everything you did as  
16 a Commissioner in the last four years, but most  
17 importantly as a leader of our community in my  
18 district, the Tenth District. I don't know --

19 (Audience participation.)

20 LEGISLATOR PILIP: -- I don't know how  
21 much of you really knows Commissioner Kalaty.  
22 She is absolutely a gift for our community. She  
23 had been involved for many years, way before  
24 my -- way before I joined politics. And she --  
25 she gave her heart, her sole to our community for

1 Proceedings

2 many, many, many, many years. I had the honor to  
3 get to know her even better in the last five  
4 years.

5 She had been a good friend, a sister, a  
6 family member really, who have been with me  
7 throughout this journey being elected officials.

8 And one quick story I will tell you and  
9 I will be finishing this. You know, when I  
10 joined politics, it was a new environment for me.  
11 I didn't know a lot and nobody knew me. And I  
12 was campaigning with my five children and  
13 pregnant with my twins girls. I didn't tell  
14 Khandan, Commissioner Kalaty that I was carrying  
15 twins. I didn't want to freak out nobody.

16 I said, you know what, I will do it.  
17 But she knows I'm pregnant, I can't hide that  
18 fact. However, I was campaigning and, you know,  
19 going from place to place, from synagogue to  
20 synagogue, from park to park. And this was  
21 high-risk pregnancy. And she felt me as a  
22 sister, as a mom, when I felt uncomfortable. I  
23 would be time I will say I can't walk now. And  
24 she will tell me, okay, have a sit and she will  
25 massage my back. And I have tears. And you went

1 Proceedings

2 with me until I give birth. And I was able to  
3 stand up and continue to campaign and to bring  
4 victory as well.

5 So from my -- from my -- from the  
6 bottom of my heart, my dear friend, Khandan  
7 Kalaty, thank you. Thank you for everything you  
8 have done. We love you.

9 (Audience participation.)

10 LEGISLATOR PILIP: And you are not  
11 going anywhere. By the way, you have a lot of  
12 work to do. Thank you.

13 I have a citation (indicating). I  
14 would like to give it to you.

15 Thank you, guys.

16 Can I come there (indicating)?

17 CHAIRMAN SHAPIRO: Absolutely.

18 VICE-CHAIR GREENFIELD: Come up  
19 (gesturing).

20 LEGISLATOR PILIP: Okay.

21 VICE-CHAIR GREENFIELD: It's your  
22 Chamber. We're just subtenants here.

23 (Laughter.)

24 (Audience participation.)

25 LEGISLATOR PILIP: (Handing.)

1 Proceedings

2 COMMISSIONER KALATY: (Receiving.)

3 (Discussion held off the record.)

4 (Discussion held among Commissioners  
5 off the record.)

6 COMMISSIONER KALATY: This was a shock  
7 to me. I wasn't expecting this.

8 I just want to say it was a privilege  
9 to serve on this Board, with such an amazing  
10 group of people who really have the best interest  
11 of the community. And they are -- they go above  
12 and beyond to make sure that the communities are  
13 safe and are taken care of. It was really an  
14 honor to be here with you.

15 Thank you.

16 CHAIRMAN SHAPIRO: You're welcome.

17 (Audience participation.)

18 CHAIRMAN SHAPIRO: It's an honor to  
19 have you with us for all these years.

20 Okay, staff, shall we proceed?

21 Just a little housekeeping. The  
22 agendas are to my left (indicating), your right  
23 (indicating). Speaker registration forms are  
24 over there (indicating) also. Attorneys or  
25 representatives will have 10 minutes and speakers

1 Proceedings

2 will have 3 minutes.

3 Okay, Marty, it's up to you.

4 (Stepping up.)

5 MR. KATZ: Okay. The first case on the  
6 agenda is --

7 CHAIRMAN SHAPIRO: Well, wait.

8 MR. KATZ: Yeah.

9 CHAIRMAN SHAPIRO: Can I have a motion  
10 for receipt of the transcript from January 8th?

11 COMMISSIONER FORMAN: So moved.

12 THIRD VICE-CHAIR LEWIS: Second.

13 CHAIRMAN SHAPIRO: All in favor?

14 (Chorus of "ayes.")

15 CHAIRMAN SHAPIRO: Any opposed?

16 (No response.)

17 CHAIRMAN SHAPIRO: Motion carries.

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1 NCPC File No. 1977-F-2

2 CHAIRMAN SHAPIRO: Now we can go.

3 MR. KATZ: Okay. It's an application  
4 for release of surety bond and cash escrow for  
5 NC -- NCPC File No. 1977-F-2, Map of Kensington  
6 Estates, located in the Hamlet of the Woodbury in  
7 the Town of Oyster Bay.

8 The applicant is requesting a release  
9 of surety bond in the amount of \$665,383.96 and  
10 cash escrow in -- in the amount of \$22,640.76  
11 for the subdivision known as the Map of  
12 Kensington Estates, like I said, located in the  
13 Hamlet, Woodbury, Town of Oyster Bay,  
14 Nassau County.

15 Final map subdivision approval was  
16 granted March 9th, 2017.

17 The entire Map of Kensington Estates  
18 subdivision comprises 18.655 acres [sic] and  
19 88 restricted multifamily townhouses, located in  
20 the southeast corner of Jericho Turnpike and  
21 Plainview Road. The subject property is located  
22 both in the Town of Oyster Bay, 5.10 -- 5.1  
23 acres, and the Town of Huntington, 13 --

24 CHAIRMAN SHAPIRO: Marty talk into the  
25 mic.

1 NCPC File No. 1977-F-2

2 MR. KATZ: And yeah, sorry.

3 Town of Huntington, 13.55 acres. That  
4 portion of the subdivision that is located within  
5 the Hamlet of Woodbury, Town of Oyster Bay,  
6 includes 14 condominium units located in two  
7 buildings, as well as three single-family  
8 residential lots located along Plainview Road.  
9 Also included in the Town of Oyster Bay portion  
10 is an -- a -- Woodbury portion is an open space  
11 recreation area and an active recreation area.  
12 That includes a recreation building of:

13 About 2800 square feet;

14 Swimming pool;

15 Tennis court;

16 And gatehouse.

17 That portion of the subdivision located  
18 in Town of Huntington, which includes 15  
19 condominium buildings and other public  
20 improvements is not included in this bond escrow  
21 release, as it is wholly located in  
22 Nassau County, Town of Huntington.

23 A final inspection of the bonded  
24 public improvements for the Map of  
25 Kensington Estates, Woodbury portion was

1 NCPC File No. 1977-F-2  
2 performed on December 9th, 2025 by Nassau County  
3 "DPW" subdivision inspection staff, who indicated  
4 through a memo, a report that all work had been  
5 completed in compliance with the schedule of  
6 improvements with the bond and deemed -- deemed  
7 accept -- acceptable for release.

8 The bond escrow release was properly  
9 noticed by the applicant. An affidavit of  
10 publication in the New York Post and certified  
11 mail receipts returned for effective resident --  
12 returned and was then sent out to effective  
13 resident -- affected residents, and of the -- of  
14 the subdivision and neighboring properties.

15 And staff recommends approval to the  
16 Nassau County Legislator [sic] -- Legislature to  
17 release bond and escrow in the amount as stated  
18 above.

19 We have the attorney for this project,  
20 Judy Simoncic to talk about it and answer any  
21 questions that the Commission might have.

22 (Stepping up.)

23 MS. SIMONCIC: Good morning,  
24 Mr. Chairman, members of the Commission.  
25 Judy Simoncic, with the firm of Forchelli Deegan

1 NCPC File No. 1977-F-2  
2 Terrana, offices at 333 Ovington Boulevard in  
3 Uniondale. I'm appearing on -- on behalf of  
4 Triangle Equities. And we're here today as Marty  
5 indicated, seeking a release of a bond and the  
6 remaining cash escrow for the Map of Kensington  
7 at Woodbury.

8 Marty pretty much summed it up. We  
9 have completed all the public improvements. The  
10 Inspector, Nassau County Inspector Henry Horn was  
11 at the site in December, December 9th of last  
12 year. And he confirmed that all the work has  
13 been performed in compliance with all the  
14 applicable codes, and he's recommended release of  
15 the bond and the remaining cash escrow.

16 I'm happy to answer any questions the  
17 Board may have, but that's our request today.

18 THIRD VICE-CHAIR LEWIS: I guess just  
19 in terms of process, was anything released up  
20 until now or -- or it's after everything is done,  
21 we're looking to get the full amount released?

22 MS. SIMONCIC: Yeah, there was no prior  
23 request to, you know, reduce the bond in any way  
24 previously. So this is the end of the  
25 construction, the end of the entire development

1 NCPC File No. 1977-F-2  
2 process. And this -- this is the final release  
3 of everything in one -- one application, one  
4 time.

5 And as Marty -- I would just note as  
6 Marty indicated, most of this project is in  
7 Suffolk County, so there were separate bonds on  
8 that side. But all of that work's been  
9 completed, all the units are fully occupied in  
10 Suffolk County and we're really at end the road  
11 on this project.

12 CHAIRMAN SHAPIRO: Thank you.

13 Commissioners, any questions?

14 (No response.)

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

17 (No response.)

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

20 COMMISSIONER SAKOWICH: I make a motion  
21 on NCPC --

22 CHAIRMAN SHAPIRO: Mic.

23 THIRD VICE-CHAIR LEWIS: Hit it again.

24 COMMISSIONER SAKOWICH: -- NCPC File  
25 1977-F-2, a release of bond --

1 NCPC File No. 1977-F-2

2 CHAIRMAN SHAPIRO: In the amount of?

3 COMMISSIONER SAKOWICH: -- in the

4 amount of 20 --

5 CHAIRMAN SHAPIRO: 665,383.96 and cash

6 escrow of 22,640.76.

7 COMMISSIONER SAKOWICH: Thank you.

8 VICE-CHAIR GREENFIELD: Second.

9 CHAIRMAN SHAPIRO: All in favor?

10 (Chorus of "ayes.")

11 CHAIRMAN SHAPIRO: Any opposed?

12 (No response.)

13 CHAIRMAN SHAPIRO: Motion carries.

14 MS. SIMONCIC: Thank you very much.

15 CHAIRMAN SHAPIRO: You're welcome.

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1 Proceedings

2 CHAIRMAN SHAPIRO: Before we go on,  
3 Marty?

4 MR. KATZ: Yeah.

5 VICE-CHAIR GREENFIELD: They're nice  
6 houses.

7 CHAIRMAN SHAPIRO: I'd like you to  
8 stand up.

9 MR. KATZ: (Stepping up.)

10 CHAIRMAN SHAPIRO: We were just  
11 informed this morning that after 44 years,  
12 Marty Katz is going to be retiring at the end of  
13 February. I have spent 27 years on this  
14 Commission and Marty's been here the, I guess  
15 pretty much close to the entire time. Right?

16 MR. KATZ: Yeah, pretty much.

17 VICE-CHAIR GREENFIELD: Mr. Chairman,  
18 do we have to take a vote if we're accepting his  
19 retirement?

20 (Laughter.)

21 CHAIRMAN SHAPIRO: I -- I don't think  
22 we have a choice.

23 VICE-CHAIR GREENFIELD: Oh, okay.

24 (Laughter.)

25 MS. SIMONCIC: You have good staff here.

1 Proceedings

2 THIRD VICE-CHAIR LEWIS: Marty, you  
3 just want -- you're just getting your stride.

4 CHAIRMAN SHAPIRO: Right.

5 But I -- I'd like to thank you for all  
6 your years of service.

7 (Audience participation.)

8 CHAIRMAN SHAPIRO: And I can tell you,  
9 Marty, you will be sorely missed. You've got --  
10 whoever follows you has big shoes to fill.

11 MR. WREN: Tell me about it.

12 CHAIRMAN SHAPIRO: You've always been  
13 thorough. Your heart has always been here at the  
14 job and we appreciate it. And I thank you for  
15 all those wonderful years.

16 MR. KATZ: Thank you.

17 CHAIRMAN SHAPIRO: You're welcome.

18 (Audience participation.)

19 MR. KATZ: It was a pleasure working  
20 for you.

21 CHAIRMAN SHAPIRO: Thank you.

22 MR. KATZ: You're great commissioners.  
23 Thank you.

24 CHAIRMAN SHAPIRO: Thank you.

25 \* \* \*

1 NCPC Minor Sub. File No. 5-2026

2 (Stepping up.)

3 MR. WREN: Okay. Good morning.

4 Next up we have minor subdivisions.

5 We're going to start off with NCPC File 5-2026.

6 This is a two-parcel minor subdivision.

7 The 14,000 foot square -- I'm sorry.

8 The 14,000 square foot subject property is  
9 situated on the south side of Chicago Avenue in  
10 the Hamlet of Massapequa, Town of Oyster Bay's  
11 "R1-7" Zoning District. Application currently  
12 has 140 feet of frontage on Chicago Avenue and  
13 they plan to split into two equal parcels.

14 Both lots "A" and "B" will both have a  
15 75 feet of frontage by 100 feet on Chicago Avenue  
16 and both parcels will be 7,000 square feet.

17 The Town of Oyster Bay's Department of  
18 Planning and Development has issued a letter of  
19 zoning compliance for this proposed subdivision.

20 (Commissioner Forman exits the  
21 meeting.)

22 MR. WREN: Now, I'd like the attorney  
23 to please step up.

24 (Stepping up.)

25 MS. SIMONCIC: Good morning, again.

1 NCPC Minor Sub. File No. 5-2026  
2 Judy Simoncic, firm of Forchelli Deegan Terrana,  
3 333 Earle Ovington Boulevard, Uniondale. I'm  
4 here this morning on behalf of Vanguard Homes.

5 We're seeking approval for a minor  
6 two-lot subdivision. As Tim indicated, we're  
7 proposing two fully-compliant parcels of 7,000  
8 square feet.

9 Town of Oyster Bay has issued a zoning  
10 compliance letter. And I guess it's worth noting  
11 though, on this one, there is an existing  
12 two-family dwelling on the property. So we're  
13 essentially going from two units to a two -- one  
14 two-family and creating two single-families. So  
15 in terms of density, it's essentially the same.  
16 We're going from two -- one two-family to two  
17 single-family homes.

18 And, you know, in terms of character of  
19 the neighborhood, even though this is fully  
20 compliant, there are lots between 6,000 and 8,000  
21 square feet. And the ones, as you can see on the  
22 radius map that are directly across the street  
23 are all 7,000 square foot lots, clearly in  
24 character with a neighborhood. And I'm happy to  
25 answer any questions the Board may have.

1 NCPC Minor Sub. File No. 5-2026

2 THIRD VICE-CHAIR LEWIS: Well, we  
3 know -- we know -- we know the zoning for the  
4 area is 70 by 100 and we do get applications that  
5 are smaller than that. It does raise concerns,  
6 because the character of the community are trying  
7 to keep this area at the 70 limit.

8 So you come in with a proposal that  
9 fits right with the rules, so makes it kind of  
10 easy, frankly. From our perspective, it's an  
11 "as-of" -- "as-of-right" development as we call  
12 it, yeah.

13 MS. SIMONCIC: Uh-huh.

14 CHAIRMAN SHAPIRO: Any other questions?

15 (No response.)

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

18 AUDIENCE MEMBER: (Gesturing.)

19 CHAIRMAN SHAPIRO: Come on up. Please  
20 fill out one of the speaker registration forms  
21 afterwards and just give it to staff, so we have  
22 it for the record.

23 MR. WREN: Come on up.

24 CHAIRMAN SHAPIRO: And name and address  
25 for the record as you approach.

1 NCPC Minor Sub. File No. 5-2026

2 (Stepping up.)

3 MS. HOLUB: Sure.

4 My name is Chris Holub. I live at  
5 21 Chicago Avenue. I'm right across the street.

6 I just wanted to -- this -- this is a  
7 lot of character for me, because I'm clearly not  
8 here in a suit. And we live in a very --  
9 probably one of the smallest houses directly  
10 adjacent to the new dwelling. And although I'm  
11 sure the letter of the law and the rules are  
12 being adhered to, to a tee, I do feel like this  
13 would change the character of the neighborhood,  
14 because we are in a residential wooded area that  
15 has seen many houses being knocked down over the  
16 last few years. So we've had a loss of canopy,  
17 we have additional traffic.

18 You know, the -- this particular plan  
19 is going to impact us, because where it is a  
20 quote, unquote, two-family dwelling across the  
21 street, it was a single -- single home with an  
22 upstairs and a downstairs. So to say that we  
23 are going from a two-family dwelling to two  
24 individual dwellings is actually a significant  
25 increase on the imprint of the land.

1 NCPC Minor Sub. File No. 5-2026

2 I know that that will increase the  
3 amount of light that I see out of my windows. It  
4 is going to increase [sic] -- or excuse me,  
5 decrease the amount of trees that we see, because  
6 they're going to knock them all down. It'll be  
7 more cars on the street. It is just, in general,  
8 I -- I think we -- the area that we've gone in,  
9 change is inevitable, yes. But it has been  
10 significantly different from a number of years  
11 ago with the amount of subdivisions and things  
12 like that. So I think to not consider the  
13 neighbors and what we will be looking at, and how  
14 high the houses will be and the variances that'll  
15 go -- be involved is -- is not really fair.

16 So I wanted to just come up as a person  
17 directly affected by this project to see a one  
18 home on a, quote, unquote, 140 foot lot in the  
19 middle is significantly different than putting  
20 two houses on a 70 foot wide house, that will  
21 probably go edge to edge and potentially block  
22 the sun in my unofficial opinion. So that's  
23 my -- I -- I wish that we could consider a single  
24 home on a double lot being something that's  
25 desirable in a neighborhood, because where I live

1 NCPC Minor Sub. File No. 5-2026

2 and how things look do matter to me, even if we  
3 do live in a small house across the street.

4 CHAIRMAN SHAPIRO: Thank you.

5 Just a couple of items, so you  
6 understand.

7 MS. HOLUB: Sure.

8 CHAIRMAN SHAPIRO: Number one, there  
9 are:

10 Rear yard;

11 Side yard;

12 Front-yard setbacks that the developer  
13 has to adhere to. That's number one.

14 MS. HOLUB: Okay.

15 (Commissioner Sakowich exits the  
16 meeting.)

17 CHAIRMAN SHAPIRO: Number two, there  
18 are no variances for this. It's a matter of  
19 right. So they can only put so much of a home on  
20 so much of a footprint in front of you.

21 If we were to turnaround and we were to  
22 deny this, they can go to court, sue us with an  
23 "Article 78." We will lose. The only thing I  
24 can tell you is that maybe you could talk to the  
25 developer or the developer's attorney with your

1 NCPC Minor Sub. File No. 5-2026  
2 concerns afterwards and hopefully they can, you  
3 know, help you in any way possible. Also, there  
4 are tree ordinances, so they cannot remove  
5 certain trees around the property.

6 (Mr. Gallagher enters the meeting.)

7 CHAIRMAN SHAPIRO: I think it's more so  
8 in the footprint of the home. So there are  
9 restrictions within this. And in this case, as I  
10 said, it is a matter of right, but at least there  
11 are no variances. If there were variances, we  
12 could probably look at it differently, but there  
13 are no variances. So we do understand that. We  
14 see a lot of these come in front of us.

15 MS. HOLUB: Sure, thank you.

16 CHAIRMAN SHAPIRO: And -- and it's  
17 tough. I mean we've all been through it, so, you  
18 know, I just wanted to give you that information.

19 MS. HOLUB: Thank you for the  
20 clarification. Thank you.

21 CHAIRMAN SHAPIRO: No problem.

22 Is there anybody else that wishes to be  
23 heard?

24 (No response.)

25 MR. WREN: (Handing.)

1 NCPC Minor Sub. File No. 5-2026

2 MS. HOLUB: (Receiving.)

3 Thank you.

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

6 (Commissioner Sakowich enters the  
7 meeting.)

8 CHAIRMAN SHAPIRO: Okay.

9 COMMISSIONER DURSO: I'd like to make a  
10 motion to approve NCPC File No. 5-2026 with a  
11 "Negative Declaration."

12 CHAIRMAN SHAPIRO: Is there a second?

13 COMMISSIONER KALATY: Second.

14 CHAIRMAN SHAPIRO: All in favor?

15 (Chorus of "ayes.")

16 CHAIRMAN SHAPIRO: Any opposed?

17 (No response.)

18 CHAIRMAN SHAPIRO: Motion carries.

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1 NCPC Minor Sub. File No. 6-2026

2 (Stepping up.)

3 MR. SANDS: Okay. Case 6-2026. This  
4 is a two-parcel minor subdivision in the  
5 Incorporated Village of Valley Stream,  
6 single-family Residential "R-1" Zoning District.

7 The 10,000 square foot subject property  
8 is situated on the west side of High Street in  
9 Valley Stream. The applicant proposes  
10 subdividing the property, which has 100 feet of  
11 frontage on High Street and 100 feet of depth  
12 into the two separate equal parcels.

13 "Proposed Lot A" will have 50 feet of  
14 frontage and 100 feet depth on High Street, a  
15 5,000 square foot area parcel.

16 "Proposed Lot B" will also have 50 feet  
17 of frontage and 100 feet of depth, a 5,000 square  
18 foot area parcel.

19 The Incorporated Village of  
20 Valley Stream's Planning Board has issued a  
21 letter of zoning compliance for the proposed  
22 subdivision, as in this zoning district, 50 feet  
23 of frontage is the minimum required. And the  
24 Village of Lynbrook is directly to the north, so  
25 they have issued a letter of non-jurisdiction for

1 NCPC Minor Sub. File No. 6-2026

2 the proposed subdivision.

3 I'd like to call up the attorney for  
4 any further questions.

5 CHAIRMAN SHAPIRO: Good morning.

6 Name and address for the record,  
7 please.

8 MR. LITT: Yes. Good morning, Board.  
9 Robert Litt, Litt Law Group, for the applicant,  
10 66 North Village Avenue, Rockville Centre,  
11 New York, appearing regarding the application of  
12 Capstone Homes, LLC for the two-lot subdivision.

13 The property under application is  
14 located on the westerly side of High Street,  
15 100 feet south of Scranton Avenue within the  
16 Incorporated Village of Valley Stream. The  
17 property has dimensions of 100 feet in width,  
18 100 feet in depth and a total lot area of  
19 10,000 square feet.

20 As previously stated, a street  
21 address of 16 High Street is also known as lot  
22 section 42, block 110, lot 31 to 35 on the  
23 Nassau County Land and Tax Map. Village of  
24 Valley Stream Planning Board has approved the  
25 subdivision on September 8th, 2025 and issued a

1 NCPC Minor Sub. File No. 6-2026  
2 amended decision on December 9th, 2025. Since  
3 the parcel is within 300 feet of the Village of  
4 Lynbrook, an application was also required to be  
5 made to the Village of Lynbrook and to this  
6 Commission. By letter dated October 30th, 2025,  
7 the Village of Lynbrook issued a letter waiving  
8 jurisdiction on the application.

9 The parcels to be created are fully  
10 zoning compliant, will each be developed with a  
11 zoning compliant single-family dwelling. And I'm  
12 here to answer any other questions the Board may  
13 have.

14 CHAIRMAN SHAPIRO: Thank you,  
15 Commissioners.

16 THIRD VICE-CHAIR LEWIS: I -- I -- your  
17 last sentence threw me a little bit. What does  
18 the zoning in "R-1" require for your area?

19 MR. LITT: As far as I -- as far as I  
20 understand, the zoning is -- is -- is  
21 satisfactory, as per what the --

22 THIRD VICE-CHAIR LEWIS: Ah, okay.

23 MR. LITT: -- the Village had  
24 indicated. And it was approved as per --

25 THIRD VICE-CHAIR LEWIS: It's --

1 NCPC Minor Sub. File No. 6-2026

2 it's --

3 MR. LITT: -- the Planning Board.

4 THIRD VICE-CHAIR LEWIS: -- it's zoning  
5 compliant because the Zoning Board approved a  
6 variance.

7 MR. LITT: Yes.

8 THIRD VICE-CHAIR LEWIS: So it's not  
9 zoning compliant. It's -- it's -- it's been  
10 approved by a variance?

11 MR. LITT: Yes, correct. It's approved  
12 by variance. Yeah, it is correct.

13 THIRD VICE-CHAIR LEWIS: Okay.

14 MR. O'BRIEN: I -- I -- I know just for  
15 the record, I'm looking at -- at the radius map,  
16 it looks like the two properties, actually the  
17 three properties directly behind it seem to be  
18 40 by 100s. And the two properties directly  
19 across the street also seem to be 40 by 100. So  
20 these are actually larger; am I correct?

21 MR. LITT: Yes. They're going to be  
22 50 by 100, yes. That's absolutely correct.

23 MR. O'BRIEN: Right, exactly. So it's  
24 25 percent more area?

25 MR. LITT: Yes.

1 NCPC Minor Sub. File No. 6-2026

2 MR. O'BRIEN: Okay, thank you.

3 CHAIRMAN SHAPIRO: Any other questions,  
4 Commissioners?

5 (No response.)

6 CHAIRMAN SHAPIRO: Is there anybody in  
7 the public that wishes to be heard?

8 AUDIENCE MEMBER: (Gesturing.)

9 CHAIRMAN SHAPIRO: Come on up. Please  
10 fill out a speaker registration form when you're  
11 finished. And name and address for the record.

12 (Discussion held among Commissioners  
13 off the record.)

14 (Stepping up.)

15 MS. GALE: Good morning. My name is  
16 Eleanor Gale. I live at 174 Horton Avenue, which  
17 is around the corner from High Street. And I  
18 want to fully understand what is going on.

19 I understand that you have -- you had a  
20 house there and now I believe you're going to put  
21 up two buildings. I want to know will these be  
22 single-family homes? Because lately in  
23 Valley Stream, I'm seeing like apartment  
24 buildings, which I did not expect this to happen  
25 when I first moved over 20 years ago.

1 NCPC Minor Sub. File No. 6-2026

2 Can someone explain that to me, please?

3 COMMISSIONER SAKOWICH: Two residential  
4 homes.

5 MS. GALE: Two family homes --  
6 one-family homes?

7 THIRD VICE-CHAIR LEWIS: Yes, the  
8 proposal is to subdivide the property, so that  
9 you can now, they could now build two homes.

10 CHAIRMAN SHAPIRO: Two single-family  
11 homes.

12 THIRD VICE-CHAIR LEWIS: Each -- each  
13 home -- each home will be a single-family home.  
14 That's the --

15 MS. GALE: And it's going to match the  
16 height of the homes to the left? It's not going  
17 to be higher?

18 THIRD VICE-CHAIR LEWIS: Yeah, there's  
19 a building code that sets a height limit. So  
20 they're going to have to work within that.

21 CHAIRMAN SHAPIRO: The building code  
22 sets:

23 Height;

24 Side yard;

25 Front-yard setbacks;

1 NCPC Minor Sub. File No. 6-2026

2 Rear-yard setbacks;

3 And the size of what can be built on  
4 the property --

5 MS. GALE: Uh-huh.

6 CHAIRMAN SHAPIRO: -- this floor area  
7 ratio. So that's how big the house can be.

8 MS. GALE: Okay.

9 CHAIRMAN SHAPIRO: That will all be  
10 compliant with the local zoning laws.

11 MS. GALE: One thing I'm disturbed  
12 with, I'm able to make it here today. Ordinarily  
13 I would not have been, if I had to go into the  
14 office. I'm working from home.

15 When the work starts, I'm concerned  
16 about not only traffic just getting out of the  
17 driveway to get to the train on the days that I  
18 do have to go into the office, I am totally  
19 concerned with the noise volume while I'm working  
20 from home. Is there anything that can be done to  
21 alleviate this.

22 VICE-CHAIR GREENFIELD: So --

23 CHAIRMAN SHAPIRO: Counselor, would you  
24 come up to the mic. and address --

25 (Stepping up.)

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2 MR. LITT: Yes.

3 CHAIRMAN SHAPIRO: -- this situation,  
4 please?

5 MR. LITT: Yes. Yes, I can.

6 I will give my -- my card to this nice  
7 person over here. (Handing.)

8 MS. GALE: (Receiving.) Thank you.

9 MR. LITT: If you have any questions  
10 and concerns regarding the noise or anything  
11 else, please feel to give me a call and I will --  
12 I will speak to the developers and I'll speak to  
13 the owners and I'll make certain that we work  
14 with you --

15 MS. GALE: I appreciate it.

16 MR. LITT: -- to satisfy any concerns  
17 that you might have.

18 MS. GALE: I appreciate it.

19 MR. LITT: Not a problem at all.

20 VICE-CHAIR GREENFIELD: Yeah, tell your  
21 client. Is your client here today?

22 MR. LITT: Yes, he is. He's actually  
23 here today.

24 VICE-CHAIR GREENFIELD: Okay.

25 MR. LITT: Yeah.

1 NCPC Minor Sub. File No. 6-2026

2 VICE-CHAIR GREENFIELD: So you're --  
3 you have to be a good neighbor. I know it --

4 (Laughter.)

5 VICE-CHAIR GREENFIELD: -- I know you  
6 have to scramble a few eggs to make an omelette.

7 (Mr. Gallagher exits the meeting.)

8 VICE-CHAIR GREENFIELD: But you have to  
9 be respectful of not only this neighbor, all the  
10 neighbors, 'cause we don't want to hear. And  
11 your attorney will come back before us another  
12 time. It won't be a good conversation.

13 (Laughter.)

14 VICE-CHAIR GREENFIELD: So out of  
15 respect for your attorney, be a good neighbor.

16 Thank you.

17 MR. LITT: I just wanted to make one  
18 clarification. There were no variances required  
19 for this. This was -- was zoning compliant as  
20 per Valley Stream Zoning Code. So there was no  
21 variance required, so it was fully compliant.

22 MR. O'BRIEN: That's why you were at  
23 the planning board and not at the zoning board.

24 MR. LITT: Correct, yes. I wanted to  
25 clarify that for the record.

1 NCPC Minor Sub. File No. 6-2026

2 CHAIRMAN SHAPIRO: And therefore it's a  
3 matter of right.

4 MR. LITT: Yes, it is absolutely  
5 "as-of-right," yes.

6 VICE-CHAIR GREENFIELD: Thank you for  
7 giving your card. But also your contractor  
8 should give the cell phone number to the neighbor  
9 also.

10 MR. LITT: We'll have -- we'll have him  
11 provide that before we leave today.

12 VICE-CHAIR GREENFIELD: In case you're  
13 not in the office.

14 MR. LITT: Yes, absolutely.

15 (Mr. Gallagher enters the meeting.)

16 VICE-CHAIR GREENFIELD: Thank you.

17 MR. LITT: Thank you.

18 THIRD VICE-CHAIR LEWIS: A quick  
19 question for staff. It says "Lot A," variances:

20 Subdivision of lot;

21 Lot area?

22 CHAIRMAN SHAPIRO: No, it doesn't.

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

25 COMMISSIONER DURSO: No, I don't see

1 NCPC Minor Sub. File No. 6-2026

2 any variance.

3 VICE-CHAIR GREENFIELD: Bob -- Bob, a  
4 legal question, Bob.

5 (Discussion held among Commissioners  
6 off the record.)

7 MR. O'BRIEN: Yes, what's up?

8 Do you need me to come over or are you  
9 okay?

10 COMMISSIONER SAKOWICH: No -- no.

11 VICE-CHAIR GREENFIELD: Withdrawn.

12 MR. O'BRIEN: Okay.

13 (Discussion held among Commissioners  
14 off the record.)

15 CHAIRMAN SHAPIRO: Okay. Thank you  
16 very much.

17 Is there anybody else in the public  
18 that wishes to be heard?

19 MS. GALE: Thank you for your time.

20 CHAIRMAN SHAPIRO: You're welcome.

21 Not seeing anybody, I will take a  
22 motion.

23 COMMISSIONER DURSO: I'd like to make a  
24 motion to approve NCPC File No. 6-2026 with a  
25 "Negative Declaration."

1 NCPC Minor Sub. File No. 6-2026

2 CHAIRMAN SHAPIRO: Do I have a second?

3 COMMISSIONER GOLD: Second.

4 COMMISSIONER KALATY: Second.

5 CHAIRMAN SHAPIRO: All in favor?

6 (Chorus of "ayes.")

7 CHAIRMAN SHAPIRO: Any opposed?

8 (No response.)

9 CHAIRMAN SHAPIRO: Motion carries.

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1 NCPC Minor Sub. File No. 7-2026

2 CHAIRMAN SHAPIRO: Okay staff, next  
3 one.

4 This one has variances.

5 (Stepping up.)

6 MR. WREN: Yes.

7 (Laughter.)

8 CHAIRMAN SHAPIRO: This is actually my  
9 only one that has variances.

10 (Laughter.)

11 MR. WREN: So next up is

12 NCPC File 7-2026. This is a two-parcel minor  
13 subdivision.

14 The 7,500 square foot subject property  
15 is situated on the east side of Mineola Avenue in  
16 the Hamlet of Point Lookout, Town of Hempstead's  
17 Residential "B" Zoning District. Application  
18 proposes to subdivide the property, which  
19 currently has 100 feet of frontage on  
20 Mineola Avenue into two separate parcels.

21 "Proposed Lot A" will have 41 feet of  
22 frontage by 75 feet and be a total of 3,075  
23 square feet.

24 "Proposed Lot B" will have 59 feet of  
25 frontage by 75 feet on Mineola Avenue and be a

1 NCPC Minor Sub. File No. 7-2026

2 total of 4,425 square feet.

3 The Town of Hempstead's Board of  
4 Appeals has approved the request for variances.

5 For "Lot A," variances:

6 Subdivision of lot;

7 Lot area;

8 Lot area occupied;

9 Side yard;

10 Side-yard aggregate;

11 Rear yard;

12 Construct a three-story dwelling.

13 Variance for "Lot B," variance:

14 Subdivision of lot;

15 Lot area;

16 Front width from and on street line to  
17 front setback line;

18 Lot area occupied;

19 Side yard;

20 Side-yard aggregate;

21 Maintain dwelling on a lesser lot.

22 Of the 35 properties within a 200-foot  
23 radius of the subject property, 21 are all -- all  
24 have frontages of 40 feet.

25 Now, I'd like the attorney to please

1 NCPC Minor Sub. File No. 7-2026

2 step up.

3 CHAIRMAN SHAPIRO: Good morning again,  
4 counselor.

5 Name and address for the record.

6 (Stepping up.)

7 MR. LITT: Yes, good morning Board.

8 Robert Litt, Litt Law Group, attorney  
9 for the applicant, 66 North Village Avenue,  
10 Rockville Centre, New York, appearing regarding  
11 the application of Brian Emery in order to  
12 subdivide a parcel of property into two lots,  
13 maintaining an existing dwelling on one lot and  
14 construction of a new single-family home on the  
15 other.

16 The premises under application  
17 is located on the westerly side of  
18 Mineola Avenue, 260 feet south of Lido Boulevard  
19 in Point Lookout. It is in a Residence "B"  
20 Zoning District.

21 The property has dimensions of 100 feet  
22 in width -- width and 75 feet in depth and a  
23 total lot area of 7500 square feet. Property is  
24 developed with a single-family dwelling. It has  
25 a street address of 67 Mineola Avenue and is also

1                   NCPC Minor Sub. File No. 7-2026  
2           known as section 61, block 59, lot 67, 68 and 69  
3           on the Nassau County Land and Tax Map.

4                   By this application, the applicant  
5           seeks to -- approval to subdivide the property  
6           into two parcels, maintaining the existing  
7           dwelling on one lot and construct a new  
8           single-family dwelling on the second lot. The  
9           Town of Hempstead Board of Appeals granted all  
10          the variances required. Copies of the Board of  
11          Appeals decisions were as filed as part of this  
12          application to the Commission. The new dwelling  
13          is "FEMA-compliant," three-story dwelling. The  
14          first level is access garage and storage, with  
15          two levels of living space above. No variances  
16          for the number of stories, or height are required  
17          or requested.

18                   The lots proposed to be created are  
19          typical for Point Lookout, as shown in the radius  
20          map filed with the Commission.

21                   (Commissioner Sakowich exits the  
22          meeting.)

23                   MR. LITT: My client is here as well to  
24          answer any questions, as well as I am here to  
25          answer any questions.

1 NCPC Minor Sub. File No. 7-2026

2 CHAIRMAN SHAPIRO: Thank you.

3 MR. LITT: Thank you.

4 CHAIRMAN SHAPIRO: Commissioners, any  
5 questions?

6 (No response.)

7 CHAIRMAN SHAPIRO: Is there anybody in  
8 the public that wishes to be heard?

9 (No response.)

10 CHAIRMAN SHAPIRO: Not seeing any, I  
11 will take a motion.

12 COMMISSIONER KALATY: Motion to approve  
13 NCPC File 7-2026 with a "Negative Declaration."

14 THIRD VICE-CHAIR LEWIS: I'll second.

15 CHAIRMAN SHAPIRO: All in favor?

16 (Chorus of "ayes.")

17 CHAIRMAN SHAPIRO: Any opposed?

18 (No response.)

19 CHAIRMAN SHAPIRO: Motion carries.

20 MR. LITT: Thank you very much.

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1 NCPC Minor Sub. File No. 10-2026

2 (Stepping up.)

3 MR. SANDS: Case 10-20 -- 2026. The  
4 applicant for this is 3004 Burns Avenue  
5 Associates. The site location is on the  
6 west side of Old Mill Road in the Hamlet of  
7 Wantagh, Town of Hempstead's Residential "B"  
8 Zoning District.

9 The 86,962 square foot subject property  
10 is situated on the west side of Old Mill Road in  
11 the Hamlet of Wantagh. The applicant proposes  
12 subdividing the property which has 163.65 feet of  
13 frontage on Old Mill Road into two separate  
14 parcels.

15 "Proposed Parcel Lot 1" will have  
16 136.15 feet of frontage on Old Mill Road, a total  
17 of 67,351 square feet.

18 "Proposed Parcel 2" will have 27.5 feet  
19 of frontage on Old Mill Road, a total of 19,611  
20 square feet.

21 (Chairman Shapiro exits the meeting.)

22 MR. SANDS: Just to give you some  
23 history, the parcel was originally owned by the  
24 City of New York, but was sold to Nassau County,  
25 and then later on to the Town of Hempstead in

1 NCPC Minor Sub. File No. 10-2026

2 1991 being used for a watershed.

3 (Commissioner Sakowich exits the  
4 meeting.)

5 MR. SANDS: The parcel did have deed  
6 restrictions, such as restricting use to  
7 non-commercial and, or municipal purposes. There  
8 is also a deed restriction that prohibits the  
9 Town from either selling or using the premises in  
10 a for-profit manner, without the consent of  
11 Nassau County.

12 (Mr. O'Brien and Mr. Gallagher exit the  
13 meeting.)

14 MR. SANDS: In 2023, the Town of  
15 Hempstead requested the County to allow the Town  
16 of Hempstead to sell the above subject property,  
17 to an adjoining business to the north for  
18 commercial purposes.

19 (Commissioner Sakowich enters the  
20 meeting.)

21 MR. SANDS: The Town also requested  
22 that Nassau County release the deed restriction  
23 on the Town-owned parcel that restricts use to  
24 non-commercial and, or municipal purposes.

25 At the June 15th, 2023 Nassau County

1 NCPC Minor Sub. File No. 10-2026  
2 Planning Commissioner hearing, the Commission  
3 approved the removal of the deed restriction on  
4 "Lot 19."

5 On October 1st, 2025, the Town of  
6 Hempstead sold the subject property to the  
7 applicant.

8 The plan for the property is to create  
9 a concrete parking lot for vehicle storage  
10 purposes. Access will only be from the north  
11 from Burns Avenue.

12 And "OSPAC" is also planning to meet  
13 next week to discuss removing a deed restriction  
14 on a small lot, "Lot 18," to remove -- to limit  
15 the use of non-commercial and municipal purposes.

16 (Mr. O'Brien and Mr. Gallagher enter  
17 the meeting.)

18 MR. SANDS: The Town of Hempstead's  
19 Department of Buildings has issued a letter of  
20 zoning compliance for this subdivision.

21 (Chairman Shapiro enters the meeting.)

22 MR. SANDS: I'd like to call up the  
23 attorney for any further questions.

24 (Stepping up.)

25 MR. D'AGOSTINO: Thank you.

1 NCPC Minor Sub. File No. 10-2026

2 My name is Albert D'Agostino, member of  
3 the firm of Minerva and D'Agostino, PC,  
4 107 South Central Avenue, Valley Stream,  
5 New York.

6 Mr. Chairman or Vice-Chairman, I  
7 don't -- I don't know if the Chairman's here. If  
8 I just might digress for one -- one moment and  
9 joining my congratulations to Marty. I remember  
10 meeting him. It was a long time ago. 44 years  
11 ago, Marty?

12 MR. KATZ: Yeah, you were the counsel  
13 to the Planning Commission.

14 MR. D'AGOSTINO: And Planning, the  
15 Planning Department --

16 MR. KATZ: Right.

17 MR. D'AGOSTINO: -- had just absorbed  
18 the Transportation Department I think. You came  
19 from, was it the Long Island Railroad or?

20 MR. KATZ: No. I came -- I came from a  
21 consultant, a planning consultant.

22 MR. D'AGOSTINO: Oh, a consultant. Oh,  
23 okay.

24 But I can't believe the 44 years have  
25 gone by that quickly.

1 NCPC Minor Sub. File No. 10-2026

2 MR. KATZ: You're not kidding. Thank  
3 you.

4 MR. D'AGOSTINO: And that we're both  
5 still working at least as of today. So the --  
6 the last day of February is your retirement date?

7 MR. KATZ: 27th, yeah.

8 THE WITNESS: Okay, all right. I wish  
9 you the very best.

10 MR. KATZ: Thank you.

11 MR. D'AGOSTINO: With respect to this  
12 application, the Commissioners might recall that  
13 we -- we went through the "OSPAC" process. We  
14 came before the Commission and we were referred  
15 to "OSPAC," I think it was back in September of  
16 '23. It was quite a while ago.

17 CHAIRMAN SHAPIRO: I remember it.

18 (Laughter.)

19 MR. D'AGOSTINO: The -- the staff, the  
20 description of the application is -- is quite  
21 accurate. The -- this is referred to as the  
22 watershed property, because it was originally  
23 owned by the Brooklyn Waterworks, with  
24 improvements that were -- were -- were installed  
25 back in I guess it was in the 1870s, when -- when

1                   NCPC Minor Sub. File No. 10-2026  
2     the water supplied for the City of Brooklyn came  
3     from the various lakes and ponds in -- in what  
4     was then the eastern portion of Queens County,  
5     before the County of Nassau was created.

6                   I know we went through a -- a -- a  
7     pretty thorough presentation. I remember  
8     there were several questions that -- that  
9     Commissioner Lewis had raised at that time. And  
10    the rationale for the creation of the two lots is  
11    very simple. The property had not been fully  
12    surveyed as of yet. We were dealing with -- with  
13    tax lots. The -- the elevations had not yet been  
14    determined.

15                   (Commissioner Sakowich exits the  
16    meeting.)

17                   MR. D'AGOSTINO: And as you'll see, the  
18    proposed property line, the northern property  
19    line of "Proposed Parcel 2" is on an existing  
20    fence. It's about 20 -- well, there's -- the  
21    angular distance is 27.50 on the east end, but  
22    it's probably about 24, 25 feet.

23                   There is an existing fence. It's a --  
24    a safety fence that the -- the Long Island  
25    Railroad has installed to -- to limit and protect

1 NCPC Minor Sub. File No. 10-2026

2 against access on onto the tracks.

3 The -- that the crossing at what is  
4 referred to as Hogs Head Road and Old Mill Road  
5 used to be a grade crossing. And also I'm old  
6 enough to remember that. It's across the  
7 street from the -- the Twin Ponds [sic] --  
8 Twin Lakes Park, which I believe is part of the  
9 Town of Hempstead park system.

10 And both before the Commission and  
11 before "OSPAC," there were representations that  
12 my client had made, you know, I made with respect  
13 to landscaping. The -- the and -- and there  
14 should be a -- a landscaping file in -- in -- a  
15 landscaping plan in the Commission's file. We  
16 spent a great deal of time on it with "OSPAC."

17 (Commissioner Sakowich enters the  
18 meeting.)

19 MR. D'AGOSTINO: And basically, on  
20 the -- on -- on -- on the east end of the -- of  
21 the property that we're proposing to acquire now,  
22 which is less than what was reviewed originally,  
23 we were going to install estate-type wrought  
24 iron-type fencing, and to the same visual depths  
25 to which we had previously-agreed landscaping.

1 NCPC Minor Sub. File No. 10-2026

2 And frankly, I -- I -- I had ventured the opinion  
3 at that time that this side of -- of -- of  
4 Hogs Head Road will look more park-like than the  
5 Twin Lakeside.

6 And if -- if you were to look at or --  
7 or -- or if you have ever driven past the  
8 property, all of those improvements are going to  
9 be exactly the same, because the 27.50 feet,  
10 which is going to remain as part of the -- the --  
11 the existing property is where there's a very  
12 steep elevation that runs up to the tracks. So  
13 we -- we -- we're -- we're taking less than what  
14 we had originally proposed, only because of that  
15 elevation issue.

16 I -- I don't know if -- if you have any  
17 specific questions. This has been a slow  
18 process, because we are dealing with an  
19 acquisition from the Town, which is the subject  
20 to the acquisition -- to the approval of the  
21 County, which is also subject to the approval of  
22 the City of New York. I don't know what it  
23 means, but I can tell you the City of New York,  
24 as a process, has been much simpler than --  
25 than -- than our municipalities. In -- in the

1 NCPC Minor Sub. File No. 10-2026  
2 day, it used to be reversed. But the -- the  
3 City is amenable and -- and -- and in principle.  
4 The -- the -- my understanding is that the County  
5 is. We're finishing that process.

6 We have a -- a -- a contract with the  
7 Town of Hempstead, which is subject to the  
8 release of those restrictive covenants. The  
9 there is precedent, actually all along the --  
10 this what was formerly known as the watershed  
11 property, again, not because it's watershed now,  
12 but because it was watershed, and the prime  
13 source of drinking water for the City and --  
14 and -- and Queens up until about 1938.

15 (Commissioner Sakowich exits the  
16 meeting.)

17 MR. D'AGOSTINO: And now it's, you  
18 probably know all of the drinking water is coming  
19 from upstate.

20 So at -- at -- at this juncture, we're  
21 just finalizing the approvals, one of which  
22 obviously is -- is that of the Commission to  
23 subdivide this parcel, so that we will only be  
24 taking up to that pre-existing safety -- safety  
25 fence, which runs along -- along the railroad

1 NCPC Minor Sub. File No. 10-2026

2 to -- to protect against pedestrian access and --  
3 and -- and things of that nature.

4 (Commissioner Sakowich enters the  
5 meeting.)

6 MR. D'AGOSTINO: If you have any -- any  
7 specific questions, I'd be happy to attempt to  
8 answer them.

9 THIRD VICE-CHAIR LEWIS: No.

10 CHAIRMAN SHAPIRO: Commissioners, any  
11 questions?

12 (No response.)

13 CHAIRMAN SHAPIRO: Not seeing any?

14 THIRD VICE-CHAIR LEWIS: I -- I'll just  
15 say the subdivision makes sense. You don't want  
16 to go right up to the trains. You got to stop at  
17 some point before you get to the trains. And  
18 stopping just before it goes up on that incline,  
19 it makes a lot of sense.

20 (Mr. O'Brien exits the meeting.)

21 THIRD VICE-CHAIR LEWIS: So this whole  
22 application, you know, it's understandable. The  
23 key question, like you said, my concerns was  
24 about the -- a planting plan, you know, to  
25 re-plant trees and such. So you said that that

1 NCPC Minor Sub. File No. 10-2026

2 was --

3 MR. D'AGOSTINO: Yes.

4 THIRD VICE-CHAIR LEWIS: -- reviewed  
5 thoroughly and that's part of the -- the -- the  
6 proposal, so --

7 COMMISSIONER SAKOWICH: We also -- we  
8 also visited this, Lenny, you know, a couple  
9 months ago. So we had a lot of knowledge on this  
10 project --

11 CHAIRMAN SHAPIRO: Yes.

12 COMMISSIONER SAKOWICH: -- prior to  
13 this today. So this is not something we saw for  
14 the first time.

15 THIRD VICE-CHAIR LEWIS: Yeah.

16 CHAIRMAN SHAPIRO: Yeah.

17 MR. D'AGOSTINO: Yeah.

18 COMMISSIONER SAKOWICH: So we -- we dug  
19 deep in with that planting, fencing and all that  
20 stuff last time.

21 MR. D'AGOSTINO: Correct.

22 CHAIRMAN SHAPIRO: Yes.

23 MR. D'AGOSTINO: And there'll be no  
24 change on that, because what we're not taking is  
25 so steep. And that wasn't -- and when we looked

1 NCPC Minor Sub. File No. 10-2026  
2 at it, that really wasn't included in the -- in  
3 the -- in the planting plan that we had submitted  
4 last time, only because it, literally it's at --  
5 at the trestle, it goes up like this  
6 (indicating).

7 COMMISSIONER SAKOWICH: Yeah, we had  
8 discussed that, yeah.

9 MR. D'AGOSTINO: Yeah.

10 CHAIRMAN SHAPIRO: Okay. All right.  
11 Is there anybody in the public that  
12 wishes to be heard?

13 (No response.)

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

16 COMMISSIONER SAKOWICH: I make a  
17 motion --

18 CHAIRMAN SHAPIRO: Microphone.

19 (Laughter.)

20 MR. D'AGOSTINO: Thank you very much.

21 CHAIRMAN SHAPIRO: You're welcome.

22 COMMISSIONER SAKOWICH: It's NCPC --  
23 Wantagh; right?

24 (Mr. O'Brien enters the meeting.)

25 COMMISSIONER SAKOWICH: I make a motion

1 NCPC Minor Sub. File No. 10-2026

2 NCPC File 10-2026 with a "Neg. Dec."

3 CHAIRMAN SHAPIRO: And with an  
4 approval.

5 COMMISSIONER SAKOWICH: And approval,  
6 of course.

7 (Laughter.)

8 CHAIRMAN SHAPIRO: Is there a second?

9 COMMISSIONER KALATY: Second.

10 CHAIRMAN SHAPIRO: All those in favor?

11 (Chorus of "ayes.")

12 CHAIRMAN SHAPIRO: Any opposed?

13 (No response.)

14 CHAIRMAN SHAPIRO: Motion carries.

15 Thank you.

16 MR. D'AGOSTINO: Thank you.

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1 NCPC Minor Sub. File No. 19-2024

2 CHAIRMAN SHAPIRO: Let's move it along.

3 (Stepping up.)

4 MR. WREN: Okay. Next up we have

5 NCPC File 19-2024.

6 We originally heard this case back on  
7 April 11th, 2024, at which time the Commission  
8 did approve it. But the deeds were not filed on  
9 time, so the applicant is seeking a new  
10 resolution in order to file the deeds because the  
11 time for extensions had expired.

12 So let me get down to the nitty gritty.  
13 The 16,439.5 square foot subject property is  
14 situated on the west side of Broadway, in the  
15 Hamlet of Massapequa in the Town of Oyster Bay's  
16 "R1-7" Zoning District.

17 (Vice-Chair Greenfield exits the  
18 meeting.)

19 MR. WREN: Application proposes to  
20 subdivide the property, which currently has  
21 152.48 feet of frontage on North Boulevard  
22 [sic] -- I'm sorry, on North Broadway into two  
23 separate parcels.

24 "Proposed Lot A" will have 76.24 feet  
25 of frontage by 111.93 feet on Broadway and be a

1 NCPC Minor Sub. File No. 19-2024

2 total of 8,330.64 square feet.

3 "Proposed Lot B" will have a frontage  
4 of 76.24 feet by 106.64 on North Broadway and be  
5 a total of 8,108.87 square feet.

6 The Town of Oyster Bay's Department of  
7 Planning Development has issued a letter of  
8 zoning compliance.

9 I'd now like the applicant to please  
10 step up.

11 CHAIRMAN SHAPIRO: Name and address for  
12 record, please.

13 (Stepping up.)

14 MR. COSCIA: Salvatore Coscia,  
15 338 Jericho Turnpike, Syosset, New York 11791.  
16 Good morning, everyone.

17 I'm the owner of the property at the  
18 961 North Broadway. As you stated, we were  
19 granted approval on this a little over a year ago  
20 or almost two years now. The property has been  
21 built. We were waiting for a final "C.O.," which  
22 we have a final inspection actually Friday. And  
23 unfortunately, the company I hired to apportion  
24 the lots and record the deeds failed to do so.  
25 So here I am in front of you requesting a

1 NCPC Minor Sub. File No. 19-2024

2 renewal.

3 CHAIRMAN SHAPIRO: Thank you.

4 Commissioners, any questions?

5 THIRD VICE-CHAIR LEWIS: Nothing's  
6 changed from your previous application. So  
7 really there would be no basis for us to have  
8 a -- a concern with the proposal. I'm glad to  
9 hear that everything went well with the  
10 development.

11 MR. COSCIA: Yes, everything is exactly  
12 the same as it was. The lots were zoning  
13 compliants [sic]. The home were built per  
14 approved plan.

15 CHAIRMAN SHAPIRO: Thank you.

16 Any other questions?

17 (No response.)

18 CHAIRMAN SHAPIRO: Not seeing any, is  
19 there anybody in the audience that wishes to be  
20 heard?

21 (No response.)

22 CHAIRMAN SHAPIRO: Not seeing any, I'll  
23 take a motion.

24 COMMISSIONER SAKOWICH: Make a motion  
25 on NCPC File 19-2024 with an approval, with a

1 NCPC Minor Sub. File No. 19-2024

2 "Neg. Dec."

3 (Deputy Commissioner Nimmo exits the  
4 meeting.)

5 CHAIRMAN SHAPIRO: Is there a second?

6 COMMISSIONER DURSO: Second.

7 CHAIRMAN SHAPIRO: All in favor?

8 (Chorus of "ayes.")

9 CHAIRMAN SHAPIRO: Any opposed?

10 (No response.)

11 CHAIRMAN SHAPIRO: Motion carries.

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1 NCPC Minor Sub. File No. 56-2024

2 (Stepping up.)

3 MR. WREN: Okay. Next up we have an  
4 extension of time. That's for NCPC File 56-2024.

5 (Commissioner Forman enters the  
6 meeting.)

7 MR. WREN: This is a two-parcel minor  
8 subdivision.

9 The applicant is seeking its first  
10 extension. We originally saw this case back on  
11 December of 2024, where the Commission approved  
12 the applicant at the time.

13 So here's just the -- the 6,004 [sic]  
14 square foot subject property is situated on the  
15 west side of Clocks Boulevard in the Hamlet of  
16 East Massapequa, Town of Oyster Bay's "R1-10"  
17 Zoning District. Application proposes to  
18 subdivide the property, which currently has  
19 200 feet of frontage on Clocks Boulevard into two  
20 separate parcels.

21 "Proposed Lot A" will have 120 feet of  
22 frontage by 270 feet on Clocks Boulevard and be a  
23 total of 38,956 square feet.

24 "Proposed Lot B" will have 80 feet of  
25 frontage by 350 on Clocks Boulevard and be a

1 NCPC Minor Sub. File No. 56-2024

2 total of 27,047 square feet.

3 Town of Oyster Bay's Department of  
4 Planning and Building [sic] has issued a letter  
5 of zoning compliance for this one.

6 (Vice-Chair Greenfield enters the  
7 meeting.)

8 MR. WREN: I'd like to ask the  
9 applicant to come back up.

10 (Stepping up.)

11 MR. COSCIA: Good morning again.  
12 Salvatore Coscia, 338 Jericho Turnpike, Syosset,  
13 New York 11791.

14 We're requesting an extension of time  
15 on this. As a matter of fact, the deeds were  
16 filed. They're up at the County Clerk's Office.  
17 They're probably stamped already, but  
18 unfortunately, the person who signs them was on  
19 vacation and we're a week out.

20 (Commissioner Sakowich exits the  
21 meeting.)

22 MR. COSCIA: So I'm back here.

23 VICE-CHAIR GREENFIELD: Who -- who  
24 filed the deeds for you?

25 MR. COSCIA: The attorney's office

1 NCPC Minor Sub. File No. 56-2024

2 filed the deeds on this --

3 VICE-CHAIR GREENFIELD: Who-- who is  
4 the --

5 MR. COSCIA: -- one. The Paragon --  
6 Paragon filed.

7 VICE-CHAIR GREENFIELD: Okay -- okay.

8 CHAIRMAN SHAPIRO: Jeff -- Jeff?

9 VICE-CHAIR GREENFIELD: Okay. Thank  
10 you for answering that.

11 (Laughter.)

12 CHAIRMAN SHAPIRO: Any -- any -- any  
13 questions, Commissioners?

14 (No response.)

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

17 (No response.)

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

20 COMMISSIONER DURSO: I'd like to make a  
21 motion on NCPC File No. 56-2024, with a "Negative  
22 Declaration."

23 CHAIRMAN SHAPIRO: Is there a second?

24 COMMISSIONER KALATY: Second.

25 CHAIRMAN SHAPIRO: All in favor?

1 NCPC Minor Sub. File No. 56-2024

2 (Chorus of "ayes.")

3 CHAIRMAN SHAPIRO: Any opposed?

4 (No response.)

5 CHAIRMAN SHAPIRO: Motion carries.

6 MR. COSCIA: Thank you very much. Have  
7 a great day.

8 CHAIRMAN SHAPIRO: You too.

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1                   Zoning Referral Review

2                   CHAIRMAN SHAPIRO:   Zoning.

3                   Okay Marty, we're going to do the  
4 following.  On the Zoning Calendar, we're going  
5 to "LD."  We're going to take a motion on  
6 agenda -- agenda items:

7                   Two;

8                   Three;

9                   And Four for a "Local Determination."

10                  Is there a motion?

11                  COMMISSIONER FORMAN:  So moved.

12                  CHAIRMAN SHAPIRO:  Is there a second?

13                  COMMISSIONER KALATY:  Second.

14                  CHAIRMAN SHAPIRO:  All in favor?

15                  (Chorus of "ayes.")

16                  CHAIRMAN SHAPIRO:  Any opposed?

17                  (No response.)

18                  CHAIRMAN SHAPIRO:  Motion carries.

19                                 \*       \*       \*

20                  CHAIRMAN SHAPIRO:  Now Marty, will you  
21 go through No. 1 and then No. 5?

22                  MR. KATZ:  Okay.

23                                 \*       \*       \*

24                  CHAIRMAN SHAPIRO:  And also again  
25 Marty, I just want to congratulate you on your

1                   Zoning Referral Review

2    44 years of service.

3                   (Laughter.)

4                   MR. KATZ:  You got to rub it in?

5                   (Laughter.)

6                   CHAIRMAN SHAPIRO:  Absolutely.

7                   MR. KATZ:  Geez.

8                   CHAIRMAN SHAPIRO:  Hey, listen, you  
9    know, it's going to take me a long time to get  
10   there.

11                  (Laughter.)

12                  CHAIRMAN SHAPIRO:  I'm only 27.

13                  (Laughter.)

14                  MR. KATZ:  Okay, thanks.

15                                 \*       \*       \*

16                  MR. KATZ:  Case No. 1 on the Zoning  
17    Agenda is NCPC Case No. 129125.  This is the  
18    Village of Freeport, parking variances,  
19    area-dimensional variances.

20                  This is a proposed one-story addition  
21    of about 1 -- 1600 square feet to an existing  
22    1.5 framed building, which is about 1700 square  
23    feet for a total floor area of a little over 3300  
24    square feet, essentially doubling the size.  That  
25    will expand what was a dental practice on -- on

1                   Zoning Referral Review

2   the site now is currently vacant. The site is  
3   10,228 square feet. Detached garage to rear will  
4   be demolished.

5                   Several variances are required,  
6   including:

7                   Parking where 11 spaces are required,  
8   7 provided;

9                   Front -- front-yard setback;

10                  Rear and side-yard setback, which are  
11   pre -- pre-existing non-conforming;

12                  And encroachment into the landscape  
13   buffer to the rear with parking.

14                  The expansion will be off the front of  
15   the building. It will eliminate existing parking  
16   in the front yard, which is a paved area now.

17                  To the south across Atlantic Avenue is  
18   a strip shopping center. To the west are  
19   dwellings. To the north is a parking lot for a  
20   commercial building, which I think is vacant now.  
21   To the east is a vacant commercial building,  
22   which I -- I think was a form -- former bank.

23                  Atlantic Avenue is four lanes with  
24   on-street parking along the north side of the  
25   road.

1                                   Zoning Referral Review

2                                   The case was previously before the  
3                                   Planning Commission on 1/8/2026, at which time  
4                                   the Commission recommended the preparation of a  
5                                   parking analysis, due to the significance of the  
6                                   expansion and parking shortfall. Said analysis  
7                                   was prepared.

8                                   And I'll just go over quickly the  
9                                   findings of the report. Dental offices generate  
10                                  modest parking demand, due to procedure [sic] --  
11                                  procedural duration and -- and scheduled  
12                                  non-walk-in appointment models. Appointments  
13                                  will be scheduled at 45-minute intervals and  
14                                  staggered to minimize concurrent arrivals. The  
15                                  practice will employ split shifts, and staff --  
16                                  and staff arrivals and departures do not occur  
17                                  simultaneously. Peak staffing will consist of:

18                                  Two dentists;

19                                  One dental hygienist;

20                                  Two dental assistants;

21                                  And two front desk personnel for a  
22                                  total of seven employees.

23                                  Staggered schedules reduce peak hour  
24                                  concurrency and less than the on-street parking  
25                                  demand. Staff will generally utilize on --

1                   Zoning Referral Review

2   on-street parking along Atlantic Avenue,  
3   preserving onsite stalls for patient use.

4                   The -- in conclusion, the report stated  
5   that parking demand is -- is distributed evenly  
6   throughout the daytime hours with:

7                   No surge conditions;

8                   No nighttime activity;

9                   And no weekend peak period beyond  
10   limited Saturday hours.

11                  The use produces minimal noise, no  
12   outdoor operations and no industrial loading.  
13   Atlantic Avenue supports a mix of commercial uses  
14   with daytime curbside -- curbside parking  
15   availability that coincides with the dental  
16   office's peak patient demand.

17                  According to the report, the project  
18   affords multiple public benefits, including:

19                  Improved access to local healthcare  
20   services;

21                  Reinvestment in existing building stock  
22   facade and street -- streetscape enhancement;

23                  Modernization of -- of "ADA"  
24   accessibility;

25                  Provision of daytime employment and tax

1                   Zoning Referral Review

2    revenues;

3                   And continuation of low-impact use  
4    consistent with neighborhood character.

5                   Staff recommends "Local Determination."

6                   CHAIRMAN SHAPIRO: Hold on one second.

7                   MR. KATZ: I'm sorry.

8                   CHAIRMAN SHAPIRO: After further  
9    looking at this, Marty.

10                  MR. KATZ: Yeah.

11                  (Deputy Commissioner Nimmo and  
12    Commissioner Sakowich enters the meeting.)

13                  CHAIRMAN SHAPIRO: The owner,  
14    Mr. Weinstein if I'm not mistaken.

15                  MR. KATZ: Uh-huh.

16                  THIRD VICE-CHAIR LEWIS: Dr.

17                  CHAIRMAN SHAPIRO: Dr. Weinstein spoke  
18    to us in our pre-meeting. And we -- he answered  
19    all of our questions. He's not just some  
20    "fly-by-night" person. I think that we should  
21    take him on his word. And my recommendation  
22    would be instead of doing a "modification," that  
23    we just "LD" this.

24                  VICE-CHAIR GREENFIELD: I'll second  
25    that.

1                   Zoning Referral Review

2                   I -- I -- I am impressed with the  
3 operator. He knows he has to provide for his  
4 patients to come in.

5                   CHAIRMAN SHAPIRO: And if his patients  
6 can't park somewhere --

7                   MR. O'BRIEN: You know, I was going to  
8 say and -- and you're providing --

9                   CHAIRMAN SHAPIRO: -- yeah.

10                  MR. O'BRIEN: -- something in Freeport  
11 and I, you know --

12                  VICE-CHAIR GREENFIELD: And public  
13 transportation.

14                  MR. O'BRIEN: -- if people don't have  
15 to travel into other villages --

16                  CHAIRMAN SHAPIRO: Right. So -- so I  
17 think that, you know, after --

18                  MR. O'BRIEN: -- if it's there for  
19 local people, I think that's -- that's a plus.

20                  THIRD VICE-CHAIR LEWIS: And we do have  
21 to be aware that, you know, sometimes people go  
22 to a doctor utilizing "Uber" and things like  
23 that, so they can use mass transit and such. So  
24 that's one of the goals the dentist has.

25                  So these are all factors?

1                   Zoning Referral Review

2                   MR. KATZ: Right.

3                   THIRD VICE-CHAIR LEWIS: We want to see  
4 that there's a plan for how you're going to  
5 manage the -- the less, you know, less parking.  
6 And he -- he does have a plan, so that's --  
7 that's --

8                   CHAIRMAN SHAPIRO: So that -- that was  
9 my reasoning for changing from "modification" to  
10 "LD."

11                  VICE-CHAIR GREENFIELD: And -- and --  
12 and his plan was better than any parking  
13 consultant could tell us.

14                  MR. KATZ: That's true.

15                  VICE-CHAIR GREENFIELD: He --  
16 (Laughter.)

17                  VICE-CHAIR GREENFIELD: I always --

18                  CHAIRMAN SHAPIRO: It's his business.

19                  (Laughter.)

20                  VICE-CHAIR GREENFIELD: -- I always get  
21 impressed with the guy that signs the bottom of  
22 the check, as well as the back of the check.

23                  (Laughter.)

24                  AUDIENCE MEMBER: I appreciate your  
25 time, all of you.

1                   Zoning Referral Review

2                   CHAIRMAN SHAPIRO: Okay. So I will  
3 take the --

4                   MR. O'BRIEN: Motion on the floor.

5                   CHAIRMAN SHAPIRO: -- motion on the  
6 floor to "LD" NCPC File No. 1.

7                   COMMISSIONER DURSO: I'll second.

8                   CHAIRMAN SHAPIRO: All in favor?

9                   (Chorus of "ayes.")

10                  CHAIRMAN SHAPIRO: Any opposed?

11                  (No response.)

12                  CHAIRMAN SHAPIRO: Motion carries.

13                  VICE-CHAIR GREENFIELD: I just want to  
14 be invited to the ribbon cutting, when you open  
15 it up.

16                  (Laughter.)

17                  AUDIENCE MEMBER: You would make my  
18 family very happy.

19                                   \*       \*       \*

20                  CHAIRMAN SHAPIRO: Marty, let's go with  
21 No. 5.

22                  MR. KATZ: Okay.

23                  CHAIRMAN SHAPIRO: I think it's pretty  
24 self-explanatory, what they're trying to do in  
25 the Village of Oyster [sic] -- Center Island. I

1                   Zoning Referral Review

2     keep on thinking Oyster Bay Cove.

3                   We -- we have taken a stand with all  
4     the villages and the municipalities that we feel  
5     anything more than six months is unacceptable in  
6     our books. And therefore, we should be doing a  
7     "modification" on this item for Center Island,  
8     giving them a six-month moratorium. They have to  
9     come back to us after that. And they have to  
10    give us a reason why they haven't completed or  
11    finalized what they're trying to do.

12                  Okay.

13                  THIRD VICE-CHAIR LEWIS: Mr. Chairman,  
14     I'd like to second that motion and also say that  
15     on this item, especially since Marty's retiring  
16     and such, we want to double check the language of  
17     what we send when we do these moratorium, when we  
18     send our referrals, just to make sure it  
19     clarifies the points that you're making --

20                  CHAIRMAN SHAPIRO: Right.

21                  THIRD VICE-CHAIR LEWIS: -- as clear as  
22     possible.

23                  CHAIRMAN SHAPIRO: It's -- we have a  
24     motion and second.

25                  All in favor?

1                   Zoning Referral Review

2                   (Chorus of "ayes" with Commissioner  
3 Gold opposed.)

4                   CHAIRMAN SHAPIRO: Any opposed?

5                   COMMISSIONER GOLD: I oppose the motion  
6 for the following reasons.

7                   CHAIRMAN SHAPIRO: Speak into the mic.

8                   COMMISSIONER GOLD: I do feel that  
9 something more substantial should have been  
10 provided to us to give us a timeline when they  
11 were going to move forward with their planning.  
12 And I do think, although the limit, I do agree  
13 that, you know, definitely limiting it. But I  
14 know that planning is a basis to allow for a  
15 moratorium, but I don't feel that they  
16 demonstrated that they're -- they, with any kind  
17 of documentation that there was any risk to the  
18 health, safe -- safety and welfare of the  
19 citizens or the -- the -- the people within that  
20 district, so I would've liked to have seen more.

21                   And I would encourage in the future  
22 that when they come to this Board with a request  
23 for moratorium, that they meet a certain level,  
24 such as:

25                   When they're planning to have these

1                   Zoning Referral Review

2   meetings;

3                   What is at issue;

4                   What in the -- in the area presents  
5 those health, safety and welfare concerns.

6                   Otherwise, we're basically just  
7 allowing just upon asking for a moratorium, which  
8 I do think could potentially result in a taking.

9                   But I do understand, I think  
10 Mr. Greenfield pointed out that there is a  
11 new mayor, so that may support the -- the need  
12 for new planning. There's a new jurisdiction or  
13 governmental entity in play there.

14                   So I do -- but however, I do still note  
15 my opposition for a failure to produce sufficient  
16 documentation to show that there is the need for  
17 this moratorium.

18                   Thank you.

19                   VICE-CHAIR GREENFIELD: I -- I -- I  
20 respect your comments, Commissioner. And I'm  
21 going to ask staff, Marty, it's not your problem  
22 anymore --

23                   (Laughter.)

24                   VICE-CHAIR GREENFIELD: -- to, if they  
25 come back for an extension of time, that they

1                   Zoning Referral Review

2       certainly justify it in a letter from their  
3       attorney, from the attorney. And -- and in the  
4       future, John, I think it might be helpful for all  
5       of us sitting here, if the -- we can get the  
6       village attorney to commit to something in  
7       writing to us, with respect to what is the --

8                   CHAIRMAN SHAPIRO: Reasoning.

9                   VICE-CHAIR GREENFIELD: -- the purpose  
10      behind it, because I don't want us to get caught  
11      in the middle in an "Article 78" by someone  
12      that's may or may not be the target or may  
13      perceive themselves as the target. And then we  
14      get brought into lawsuits unnecessarily, 'cause  
15      we're an easy target in Nassau County, as we  
16      found out in a prior case called the Woodmere  
17      Club where we were sued numerous -- too many  
18      times.

19                  MR. O'BRIEN: Leave it at that, please.

20                  VICE-CHAIR GREENFIELD: End of  
21      statement.

22                  COMMISSIONER GOLD: One other question  
23      of the -- the requirement for due process.  
24      Everyone that has a potential interest that would  
25      be affected by this moratorium, would they serve

1                                   Zoning Referral Review

2   notice?

3                   MR. O'BRIEN:   That would -- that would  
4   be up to the village, how the village gives  
5   notice of -- of their village meetings.  I would  
6   imagine --

7                   CHAIRMAN SHAPIRO:  Usually the village  
8   posts a notice of -- of the moratorium --

9                   MR. O'BRIEN:  Also the publications --

10                  CHAIRMAN SHAPIRO:  -- and they would  
11   have a hearing.  And then once they have that  
12   hearing, they send it off to us for a vote.

13                  MR. O'BRIEN:  If -- if -- if I -- if I  
14   may, as sitting here and listening to the  
15   discussion, the concern of the Commissioners,  
16   maybe in the future, when we do get moratoriums  
17   requests, we ask the referring municipality to  
18   have their attorney come to the work session, so  
19   at least you can ask the questions you're asking  
20   now, 'cause to a certain extent we're working in  
21   a vacuum as -- as to what, why Center Island is  
22   asking for it, what their purpose is.  And this  
23   way you'd have more of a flavor of what's going  
24   on and why the concern and -- and why it --  
25   they're asking for let's say a year, as opposed

1                   Zoning Referral Review

2   to six months.

3                   I -- I that may be a -- a way of  
4   practice going forward that I -- I would suggest.

5                   MR. KATZ:   Yeah.

6                   CHAIRMAN SHAPIRO:   And I -- I think  
7   that we've really been able to reel these  
8   moratoriums in.  We've been questioned on them.  
9   And once I explain to the different  
10   municipalities why we shortened the timeframe,  
11   they've understand it.  So --

12                  MR. O'BRIEN:   And also Chairman, I -- I  
13   wrote it down.  I've done in the past, I think  
14   once or twice I've sent out e-mails with copies.  
15   There was a pamphlet that was put out by New York  
16   State on moratoriums.  And over the next week or  
17   two, I'm going do that again and I'll send it out  
18   to everybody, so --

19                  CHAIRMAN SHAPIRO:   Great.

20                  MR. O'BRIEN:   -- you know --

21                  CHAIRMAN SHAPIRO:   That'd be wonderful.

22                  MR. O'BRIEN:   -- just like a reminder  
23   or a refresher.  And I'll -- I'll also look to  
24   see if they've -- they've updated that too.  So  
25   if there's something more current --

1                   Zoning Referral Review

2                   CHAIRMAN SHAPIRO: Okay.

3                   MR. O'BRIEN: -- I'll share that with  
4 everybody.

5                   CHAIRMAN SHAPIRO: Thank you.

6                   So we have a motion, a second. We have  
7 a vote of 1, 2, 3, 4 -- 6 to 1, so the motion  
8 carries.

9                   VICE-CHAIR GREENFIELD: We need a  
10 recorded vote or?

11                  CHAIRMAN SHAPIRO: No.

12                  VICE-CHAIR GREENFIELD: We're all fine?

13                  CHAIRMAN SHAPIRO: We don't need a  
14 recorded vote on this; do we?

15                  (No response.)

16                  CHAIRMAN SHAPIRO: Roll call vote?

17                  VICE-CHAIR GREENFIELD: Roll call?

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

19                  VICE-CHAIR GREENFIELD: Thank you.

20                  CHAIRMAN SHAPIRO: Okay.

21                  MR. O'BRIEN: No.

22                  Unanimous vote? No. Oh, 6-1, I'm  
23 sorry, it's 6-1.

24                  CHAIRMAN SHAPIRO: 6-1.

25                  THIRD VICE-CHAIR LEWIS: Who --

1                   Zoning Referral Review

2                   MR. O'BRIEN: She explained her vote.

3                   CHAIRMAN SHAPIRO: Denise -- Denise --

4                   COMMISSIONER GOLD: I'm opposed.

5                   CHAIRMAN SHAPIRO: Opposed.

6                   MR. O'BRIEN: That's fine, as long

7 she's identified.

8                   CHAIRMAN SHAPIRO: Commissioner Gold.

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1 Proceedings

2 CHAIRMAN SHAPIRO: Okay. Not seeing  
3 any -- any new business?

4 (No response.)

5 CHAIRMAN SHAPIRO: Any old business?

6 (No response.)

7 THIRD VICE-CHAIR LEWIS: Anybody?

8 (No response.)

9 CHAIRMAN SHAPIRO: Any business?

10 (No response.)

11 CHAIRMAN SHAPIRO: Marty again --

12 MR. KATZ: Thank you.

13 CHAIRMAN SHAPIRO: -- congratulations.  
14 Don't be a stranger.

15 (Audience participation.)

16 DEPUTY COMMISSIONER NIMMO: I, too,  
17 will be missing Marty a lot.

18 (The meeting was concluded at  
19 11:14 a.m.)

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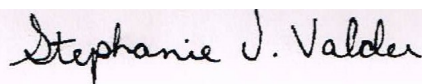
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C E R T I F I C A T I O N

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.



STEPHANIE J. VALDER,

Stenographer

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