

REGULAR MEETING  
of the  
NASSAU COUNTY PLANNING COMMISSION

Thursday, March 26, 2026

10:18 a.m. - 11:47 a.m.

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

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

4 JEFFREY H. GREENFIELD, Vice-Chair

5 NEAL LEWIS, Third Vice-Chair

6 DANA DURSO, (10:18 a.m. - 11:04 a.m.)

7 MURRAY FORMAN,

8 DENISE GOLD,

9 REID SAKOWICH,

10 Commissioners

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12 WILLIAM NIMMO, Deputy Commissioner

13 ROBERT O'BRIEN, Esq., Counsel

14 PATRICK GALLAGHER, Esq., Counsel

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16 Staff:

17 GREGORY J. HOESL

18 JOHN PERRAKIS

19 TIMOTHY WREN

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21 Also Present:

22 STEPHANIE J. VALDER, Stenographer

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1 Proceedings

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

4 ACTING CHAIRMAN GREENFIELD: Good  
5 morning everybody at 10:18.

6 Welcome to the Nassau County  
7 Planning Commission regular public meeting,  
8 March 26th, 2026. Sorry, we were delayed  
9 uncharacteristically in coming out, because we  
10 needed advice of counsel. We have an aggressive  
11 agenda.

12 Please stand and join me in the  
13 Pledge of Allegiance.

14 Place your hand over your heart.

15 (Pledge of Allegiance recited in a  
16 body.)

17 ACTING CHAIRMAN GREENFIELD: Play ball.  
18 Play ball, it's opening day today.

19 (Stepping up.)

20 MR. HOESL: It's opening day.

21 That's -- that's fair.

22 ACTING CHAIRMAN GREENFIELD: We got to  
23 be out of here before opening day.

24 MR. HOESL: Yeah.

25 DEPUTY COMMISSIONER NIMMO: The Mets

1 Proceedings

2 are supposed to be on the West Coast; isn't it?

3 ACTING CHAIRMAN GREENFIELD: No -- no,  
4 that was on the West Coast. It's opening day in  
5 Citi Field.

6 Let's go.

7 MR. HOESL: I will start with the  
8 roll call.

9 Commissioner Sakowich?

10 COMMISSIONER SAKOWICH: Here.

11 MR. HOESL: Commissioner Gold?

12 COMMISSIONER GOLD: Present.

13 MR. HOESL: Commissioner Forman?

14 COMMISSIONER FORMAN: Present.

15 MR. HOESL: Commissioner Ellerbe?

16 ACTING CHAIRMAN GREENFIELD: Excused.

17 MR. HOESL: Excused.

18 Commissioner Durso?

19 COMMISSIONER DURSO: Present.

20 MR. HOESL: Third Vice-Chair Lewis?

21 THIRD VICE-CHAIR LEWIS: Present.

22 MR. HOESL: Vice-Chair Greenfield.

23 ACTING CHAIRMAN GREENFIELD: Present.

24 MR. HOESL: And you are the Acting  
25 Chairman, because Chairman Shapiro is absent.

1 Proceedings

2 ACTING CHAIRMAN GREENFIELD: He's  
3 excused.

4 MR. HOESL: Excused. Sorry, yeah.  
5 (Laughter.)

6 MR. HOESL: Yeah.

7 May I have a --

8 ACTING CHAIRMAN GREENFIELD: He already  
9 called in though.

10 MR. HOESL: Yeah.

11 (Laughter.)

12 MR. HOESL: May I have a motion to  
13 acknowledge the receipt of transcript from the  
14 March 5th Planning Commission hearing?

15 COMMISSIONER GOLD: So moved.

16 COMMISSIONER SAKOWICH: I make a  
17 motion.

18 ACTING CHAIRMAN GREENFIELD: Second.

19 All in favor?

20 (Chorus of "ayes.")

21 ACTING CHAIRMAN GREENFIELD: So okay.  
22 Now, benefit of the audience, there's agendas on  
23 the left side. In addition to that, limit your  
24 comments to three minutes. We have some members  
25 that have to leave for various reasons and we're

1 Proceedings

2 working on a tight timeframe.

3 So please start with --

4 MR. HOESL: Thank you.

5 ACTING CHAIR GREENFIELD: -- I know.

6 And there's also speaker registration forms, so  
7 please fill these out and hand it up front to the  
8 staff. Put down the case number, the information  
9 and your name.

10 MR. HOESL: Thank you.

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1 NCPC OSPAC Nos. 1-2026 & 2-2026

2 THIRD VICE-CHAIR LEWIS: Mr. Chairman,  
3 I'd like to make a motion that we open the  
4 "OSPAC" public hearing for "OSPAC" No. 1 and  
5 "OSPAC" No. 2 of 2026.

6 ACTING CHAIRMAN GREENFIELD: We have a  
7 second?

8 COMMISSIONER DURSO: Second.

9 MR. O'BRIEN: Mic.?

10 MR. HOESL: And --

11 ACTING CHAIRMAN GREENFIELD: All in  
12 favor?

13 (Chorus of "ayes.")

14 MR. HOESL: -- "OSPAC" 4 too, I  
15 believe.

16 THIRD VICE-CHAIR LEWIS: Oh.

17 DEPUTY COMMISSIONER NIMMO: There's no  
18 mic. on.

19 COMMISSIONER FORMAN: They're not on.

20 THIRD VICE CHAIR LEWIS: Good  
21 morning -- good morning -- good morning.

22 No mics.

23 ACTING CHAIRMAN GREENFIELD: No -- no  
24 mics.

25 MR. O'BRIEN: The mics. are going on.

1 NCPC OSPAC Nos. 1-2026 & 2-2026

2 It's just not --

3 MR. HOESL: Testing.

4 MR. O'BRIEN: -- it's just not  
5 projecting.

6 Test -- test.

7 ACTING CHAIRMAN GREENFIELD: Anyone in  
8 the booth in back can give us some assistance?

9 I never needed a mic.

10 (Laughter.)

11 THIRD VICE-CHAIR LEWIS: "OSPAC" 1 and  
12 2.

13 MR. HOESL: And 4 too.

14 THIRD VICE-CHAIR LEWIS: Just stay with  
15 1 and 2 first.

16 MR. HOESL: Oh, okay. Thank you.

17 ACTING CHAIRMAN GREENFIELD: Okay. We  
18 opened the hearing.

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1 NCPC OSPAC File No. 1-2026

2 MR. HOESL: Okay. First up is  
3 "OSPAC" Case 1-2026.

4 This is an application to remove a  
5 deed restriction at 3000 Burns Avenue in the  
6 Hamlet of Wantagh, in the Town of Hempstead's  
7 Watershed Property Zoning District.

8 Nassau County's requesting permission  
9 to remove the deed restriction on "Tax Lot 18,"  
10 which restricts use to non-commercial and, or  
11 municipal purposes. There's also a deed  
12 restriction that prohibits the Town of Hempstead  
13 from either selling or using the premises in a  
14 for-profit manner, without the consent of  
15 Nassau County.

16 The property in question, along with  
17 "Tax Lot 19" is in the process of being sold by  
18 the Town of Hempstead to the neighboring business  
19 at 3000 Burns Avenue. The business located  
20 directly north of the site plans to use the  
21 property for commercial purposes, specifically  
22 the storage of supplies and vehicles.

23 The property was part of the previous  
24 "OSPAC" application back in 2023, when the  
25 application removed the deed restriction on the

1 NCPC OSPAC File No. 1-2026

2 larger lot, which was "Tax Lot 19."

3 The deed for this property was  
4 transferred from the County to the Hempstead of  
5 Hempstead back in 1991, which is about 10 years  
6 after the County acquired it from the City of  
7 New York. As such, any sale by the Town of  
8 Hempstead will require a New York City approval,  
9 which they plan obtain after first asking  
10 Nassau County for permission.

11 "DPW" approves of this request for  
12 Nassau County to remove the deed restriction and  
13 subsequently allow the Town of Hempstead to sell  
14 the property to the neighboring business.

15 Here today we have Kevin Walsh from the  
16 County Attorney's Office, as well as  
17 Al D'Agostino representing the interested party.

18 (Stepping up.)

19 MR. WALSH: Good morning,  
20 Commissioners. Kevin Walsh from the Office of  
21 Real Estate Services.

22 I think Greg gave a good summary. This  
23 is a deed restriction that was initially imposed  
24 by the City of New York to restrict the property  
25 for municipal purposes and the County then

1 NCPC OSPAC File No. 1-2026  
2 conveyed the parcel, the two parcels. One I  
3 think has already been approved by the  
4 Planning Commission to Town of Hempstead also  
5 with this restriction. And now the Town is  
6 seeking to convey it to a private company, which  
7 will also put this parcel back on the tax rolls.

8 And I'll let Al, Mr. D'Agostino add  
9 anything he'd like.

10 (Stepping up.)

11 MR. D'AGOSTINO: We're also working  
12 with the City of New York to remove the same  
13 restriction. Basically, there was a restriction  
14 back in 1980 when the City transferred all of  
15 the -- or sold all of the watershed property,  
16 which ran virtually through the entire county to  
17 Nassau. And -- and that was carried forward with  
18 a separate restriction to another grant for the  
19 venture of the County.

20 So we're in the process of dealing with  
21 the City now and this is that one small piece  
22 that was not included originally. As you might  
23 recall, we changed the -- the configuration of  
24 what we're acquiring because of the grade change  
25 from the southerly border, which was very close

1 NCPC OSPAC File No. 1-2026

2 to the railroad tracks and, you know, that --  
3 that steep incline.

4 But I -- I -- I -- if you have any  
5 specific questions, I'd be happy to try to answer  
6 them. But I think you've seen this now three  
7 times.

8 (Laughter.)

9 THIRD VICE-CHAIR LEWIS: Yeah, I think  
10 everybody on the Board feels we've seen this  
11 quite extensively, yes.

12 ACTING CHAIRMAN GREENFIELD: Okay.

13 Any other questions?

14 (No response.)

15 ACTING CHAIRMAN GREENFIELD: Not  
16 hearing any.

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1 NCPC OSPAC File No. 2-2026

2 THIRD VICE-CHAIR LEWIS: Let's go to  
3 No. 2.

4 ACTING CHAIRMAN GREENFIELD: Then we'll  
5 go to No. 2 and then we'll close the hearings.

6 No. 2, Kevin, please.

7 (Stepping up.)

8 MR. WALSH: Yes, No. 2 is a proposed  
9 conveyance of a County-owned property in  
10 Riverhead. The County owns approximately  
11 130-acre parcel known as the Dorothy P. Flint  
12 4-H Camp.

13 Interesting history, the camp, the land  
14 has been owned by the County, has been operated  
15 by Cornell Cooperative Extension for a day camp,  
16 living learning laboratory for decades.

17 (Commissioner Sakowich exits the  
18 hearing.)

19 MR. WALSH: Some of the camp facilities  
20 are getting older as you can imagine, since it's  
21 been there since the '50s. We're excited that  
22 we've entered into a transaction, a contract with  
23 the Peconic Land Trust who has a great track  
24 record in Suffolk. That is going to -- they're  
25 agreeing to keep Cornell on as a lessee. They'd

1 NCPC OSPAC File No. 2-2026

2 like to ultimately see if Cornell would want to  
3 take title, but they're going to combine  
4 resources and get grants to keep the property in  
5 its same condition, keep the camp operating.

6 Part of this transaction also is the  
7 40 acres along Sound Avenue. Suffolk County's  
8 interested in acquiring in the development rights  
9 to the farmland portion under one of their  
10 farmland protection programs. That'll keep the  
11 farm portion of the -- of the property continuing  
12 with that conservation easement and use for  
13 farmland purposes only. And we're excited to be  
14 working with the Land Trust and kind of eager to  
15 move it along quickly, because I think that the  
16 Suffolk program has a deadline of May. So we're  
17 hoping to move this along and I'm happy to answer  
18 any other questions.

19 THIRD VICE-CHAIR LEWIS: I -- I would  
20 just like to say that during the environmental  
21 bond -- environmental bond act efforts going  
22 back -- I was just trying to look up the exact  
23 date, but I forget the year. But --

24 MR. O'BRIEN: Mic.

25 THIRD VICE-CHAIR LEWIS: -- it was

1 NCPC OSPAC File No. 2-2026

2 during the Suozzi administration, you know, there  
3 was unanimous support from the legislature for  
4 various measures to protect open space. It --

5 Oh okay, we got our mics. back.

6 MR. WALSH: There you go.

7 THIRD VICE-CHAIR LEWIS: There we go.

8 Thank you.

9 So it was fascinating during those  
10 meetings, however, to learn that Nassau County  
11 owned this facility. Everybody was a little  
12 surprised that the County would own land in  
13 Suffolk County. And but it's been a couple  
14 decades since then and the property is still  
15 owned.

16 (Commissioner Sakowich enters the  
17 hearing.)

18 THIRD VICE-CHAIR LEWIS: So I  
19 understand it's a tricky scenario as to what to  
20 do with it. There are people who kind of feel  
21 very strongly that the property is very special.  
22 You know, we've heard strong presentations that  
23 this -- this property we'd want to see preserved.  
24 But there's also the concerns you raised that,  
25 you know, a facility like this you have to --

1 NCPC OSPAC File No. 2-2026

2 that there's -- there's money involved. You have  
3 to have, you know, nice facilities. You got to  
4 take care of the waste and things like that, that  
5 might have been on the site in the past and such.

6 So there are concerns. And I'm a  
7 little surprised it took this long before someone  
8 said, hey, maybe we could find a partner to sell  
9 it. But as long as you're doing what you're  
10 doing, which is identifying entities that have  
11 the ability to keep it as open space, keep it  
12 as -- as a camp and related activities, then I  
13 think what you're talking about sounds really  
14 solid. But I have to say, everyone, this was  
15 sort of a trivia question.

16 (Laughter.)

17 THIRD VICE-CHAIR LEWIS: Does -- you  
18 know, what --

19 MR. WALSH: (Nodding head yes.)

20 THIRD VICE-CHAIR LEWIS: -- what land  
21 does Nassau County own --

22 MR. WALSH: Yes, correct.

23 THIRD VICE-CHAIR LEWIS: -- in Suffolk  
24 County.

25 So this is -- but this -- that would

1 NCPC OSPAC File No. 2-2026  
2 end that relationship. But as long as it's done  
3 in a manner that turns it over so that it's going  
4 to continue to be preserved, then I think it's a  
5 good plan.

6 MR. WALSH: Yes, that is correct.

7 THIRD VICE-CHAIR LEWIS: All right.

8 ACTING CHAIRMAN GREENFIELD: Okay.

9 Any other questions?

10 (No response.)

11 ACTING CHAIRMAN GREENFIELD: Thank you.

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1 NCPC OSPAC File Nos. 1-2026 & 2-2026

2 ACTING CHAIR GREENFIELD: Okay, we'll entertain a  
3 motion at this time.

4 THIRD VICE-CHAIR LEWIS: So anybody in  
5 the public want to be heard on 1 and 2?

6 (No response.)

7 ACTING CHAIRMAN GREENFIELD: Yes.  
8 No one signed up.

9 THIRD VICE-CHAIR LEWIS: Okay. So  
10 not seeing anybody, we're going to close the  
11 public hearing on "OSPACs" 1 and 2 of 2026.  
12 That's the motion.

13 ACTING CHAIRMAN GREENFIELD: And --

14 COMMISSIONER FORMAN: Second.

15 THIRD VICE-CHAIR LEWIS: And -- and  
16 send it to "OSPAC."

17 COMMISSIONER FORMAN: Second.

18 ACTING CHAIRMAN GREENFIELD: We have a  
19 motion and seconded.

20 All those in favor?

21 (Chorus of "ayes.")

22 ACTING CHAIRMAN GREENFIELD: So carried.

23 And that'll be back on the agenda at  
24 the next meeting for a vote.

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1 NCPC OSPAC File No. 3-2026

2 ACTING CHAIRMAN GREENFIELD: Okay, next  
3 "OSPAC" case.

4 THIRD VICE-CHAIR LEWIS: So this is  
5 "OSPAC" 3. Here it's a little bit different.  
6 It's a bit more than our typical "OSPAC" of open  
7 the public hearing and then sending it off to  
8 "OSPAC" back here. Here, we can actually make a  
9 decision and action on this item.

10 ACTING CHAIRMAN GREENFIELD: Okay,  
11 great. You want to --

12 MR. O'BRIEN: We need to open it, close  
13 it and then --

14 ACTING CHAIRMAN GREENFIELD: Vote.

15 MR. O'BRIEN: -- and then vote.

16 Thank you.

17 THIRD VICE-CHAIR LEWIS: So the motion  
18 for "OSPAC" 3 is to open the public hearing.

19 COMMISSIONER FORMAN: So moved.

20 ACTING CHAIRMAN GREENFIELD: Motion  
21 made and seconded.

22 All those in favor?

23 (Chorus of "ayes.")

24 ACTING CHAIRMAN GREENFIELD: Any  
25 opposed?

1 NCPC OSPAC File No. 3-2026

2 (No response.)

3 ACTING CHAIRMAN GREENFIELD: So

4 carried.

5 Greg, introduce the --

6 (Stepping up.)

7 MR. HOESL: Okay, thank you.

8 This is "OSPAC" Case 3-2026.

9 The United States Navy is requesting a  
10 long-term access agreement with Nassau County  
11 to utilize storm water basement [sic] -- "Basin  
12 No. 305" for the purposes of groundwater  
13 remediation associated with the Navy's ongoing  
14 plume remediation project.

15 The property is identified on the  
16 Nassau County Tax Map and is owned by the County  
17 of Nassau. The property is located on the border  
18 of Plainedge and Levittown on the west side of  
19 Hicksville Road.

20 The Navy seeks permission to access the  
21 eastern portion of the storm water basin, in  
22 order to operate and maintain a groundwater  
23 extraction system, including:

24 Pumps;

25 Piping;

1 NCPC OSPAC File No. 3-2026  
2 Electrical;  
3 And communication systems;  
4 As well as perform groundwater sampling  
5 and related monitoring activities. The  
6 extraction system is associated with the  
7 recovery well, which is part of the groundwater  
8 treatment plan. This facility is being operated  
9 to evaluate and capture contaminated groundwater  
10 within the "RE108" Hot Spot Plume.

11 Groundwater extracted from the recovery  
12 well system will be discharged into the basin  
13 through a pipeline, with an anticipated discharge  
14 rate of approximately 100 to 500 gallons per  
15 minute. The project is being conducted pursuant  
16 to the Comprehensive Environmental Response,  
17 Compensation, and Liability Act of 1980, which  
18 allows certain on-site remedial actions to  
19 proceed without the requirement of additional  
20 Federal, State or Local permits.

21 The proposed access agreement grants  
22 the United States Government, acting through the  
23 Naval Facilities Engineering Systems Command  
24 Mid-Atlantic, a non-exclusive right of access to  
25 the County property for a period not to exceed

1 NCPC OSPAC File No. 3-2026

2 20 years. The access is limited to activities  
3 necessary to conduct environmental remediation.

4 Under the terms of the agreement, the  
5 Government will be responsible for repairing any  
6 damage caused to the property and restoring the  
7 site to its preexisting condition, so that it can  
8 continue to function as a storm water basin.

9 The proposed agreement will allow the  
10 Navy to continue remediation efforts, while  
11 ensuring that the County storm water basin  
12 remains operational and protected.

13 Nassau County Department of  
14 Public Works has signed off and supports the  
15 granting of this access agreement to the  
16 United States Navy and to facilitate the  
17 continued environmental remediation of the  
18 groundwater plume.

19 Here today we have Kevin Walsh from the  
20 Nassau County Attorney's Office.

21 (Stepping up.)

22 MR. WALSH: Kevin Walsh for the Office  
23 of Real Estate Services.

24 As Greg mentioned, this is a long-term  
25 permit, not to exceed 20 years. The Navy's been

1 NCPC OSPAC File No. 3-2026

2 actively working in certain basins in this area,  
3 and this will continue to work with treating the  
4 groundwater. So any questions, I'm happy to --

5 THIRD VICE-CHAIR LEWIS: So I'm someone  
6 that lived in Bethpage a good portion of my life,  
7 grew up in Bethpage, my hometown. I always feel  
8 a little, you know, annoyed at hearing the  
9 problems of -- of drinking water contamination on  
10 Long Island.

11 We were always kind of proud of  
12 Grumman's role in the community, and it's kind of  
13 sad to learn that many of the people there, their  
14 scientists and whatnot, kind of knew what they  
15 were doing in terms of what they were dumping.  
16 They made a decision to hook up to public water,  
17 so that they knew that they wanted their own  
18 drinking water at the facility to be safe, but  
19 they were dumping stuff out the back door.

20 So it's really frustrating all these  
21 years later. But I think really the question is  
22 these cleanups take a really long time, so we  
23 have to be sort of patient with this process to a  
24 certain extent. I guess my question is have they  
25 been good neighbors, in terms of how they've

1 NCPC OSPAC File No. 3-2026

2 handled the equipment? If there was ever any  
3 questions or concerns, did they address those  
4 concerns? Were there any complaints or any  
5 problems?

6 My sense is once the equipment is put  
7 in place, it largely, you know, it operates in a  
8 very slow manner filtering water.

9 MR. WALSH: Right.

10 THIRD VICE-CHAIR LEWIS: So it's --  
11 it's something of an eyesore, but other than  
12 that, it's not really a big problem. But I --  
13 that's my question to you.

14 MR. WALSH: Yeah.

15 THIRD VICE-CHAIR LEWIS: Have you asked  
16 the County about any complaints or concerns?

17 MR. WALSH: I -- I can't really answer  
18 that. I can say myself, personally, working in  
19 real estate under Public Works, I haven't heard  
20 those complaints. I don't know.

21 Deputy Commissioner Bill Nimmo may have  
22 a little more information.

23 DEPUTY COMMISSIONER NIMMO: Yeah, I can  
24 answer that.

25 The Navy has been a great partner

1 NCPC OSPAC File No. 3-2026  
2 whenever we do work with the basins and their,  
3 you know, treatment of the groundwater.  
4 Groundwater is different than drinking water. I  
5 just wanted to clear that up.

6 But yes, they -- we have no problems  
7 with the Navy at all.

8 THIRD VICE-CHAIR LEWIS: Good.

9 ACTING CHAIRMAN GREENFIELD: Okay.

10 Any other further questions?

11 I would only say I don't live in  
12 Bethpage, but I'm equally concerned about  
13 groundwater contamination on Long Island. Hence,  
14 I brought my bottle of water here (indicating)  
15 today.

16 (Laughter.)

17 ACTING CHAIRMAN GREENFIELD: Would  
18 anyone in the public like to speak?

19 (No response.)

20 ACTING CHAIRMAN GREENFIELD: Okay.  
21 We'll entertain a motion at this time, not  
22 hearing or seeing anyone signed up.

23 COMMISSIONER SAKOWICH: I make a  
24 motion.

25 THIRD VICE-CHAIR LEWIS: Second.

1 NCPC OSPAC File No. 3-2026

2 ACTING CHAIRMAN GREENFIELD: Motion  
3 made and second.

4 MR. O'BRIEN: Close the hearing.

5 COMMISSIONER SAKOWICH: Close the  
6 hearing, "OSPAC" 3-2026.

7 COMMISSIONER FORMAN: Second.

8 ACTING CHAIRMAN GREENFIELD: All those  
9 in favor?

10 (Chorus of "ayes.")

11 ACTING CHAIRMAN GREENFIELD: Any  
12 opposed?

13 (No response.)

14 ACTING CHAIRMAN GREENFIELD: So  
15 carried.

16 MR. WALSH: Thank you.

17 ACTING CHAIRMAN GREENFIELD: Okay.

18 KEVIN WALSH: Thank you.

19 MR. O'BRIEN: Now we need -- now, we  
20 need a motion to make a recommendation.

21 THIRD VICE-CHAIR LEWIS: Now we need a  
22 motion for continuing --

23 MR. O'BRIEN: -- to make a  
24 recommendation.

25 THIRD VICE-CHAIR LEWIS: -- so we're

1 NCPC OSPAC File No. 3-2026

2 going to extend the access agreement, 20 -- 20  
3 years?

4 MR. O'BRIEN: Up to 20 years.

5 THIRD VICE-CHAIR LEWIS: It's not to --

6 MR. WALSH: It's not to exceed 20  
7 years; that's correct.

8 MR. O'BRIEN: Not to exceed 20 years,  
9 I'm sorry, that's right.

10 THIRD VICE-CHAIR LEWIS: Okay. Extend  
11 the access agreement not to exceed 20 years.

12 ACTING CHAIRMAN GREENFIELD: We have a  
13 motion.

14 Do we have a second?

15 COMMISSIONER DURSO: Second.

16 ACTING CHAIRMAN GREENFIELD: We have a  
17 second on the right.

18 Motion made and seconded.

19 All those in favor?

20 (Chorus of "ayes.")

21 ACTING CHAIRMAN GREENFIELD: Any  
22 opposed?

23 (No response.)

24 ACTING CHAIRMAN GREENFIELD: So  
25 carried.

1 NCPC OSPAC File No. 3-2026

2 Good.

3 MR. WALSH: Thank you.

4 ACTING CHAIRMAN GREENFIELD: I won't be  
5 here in 20 years.

6 COMMISSIONER DURSO: I will.

7 (Laughter.)

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1 NCPC OSPAC File No. 4-2026

2 THIRD VICE-CHAIR LEWIS: Mr. Chairman,  
3 I'm going to recuse myself on Item No. 4 on  
4 "OSPAC."

5 (Third Vice-Chair Lewis exits the  
6 meeting.)

7 (Stepping up.)

8 MR. HOESL: Okay.

9 OSPAC Case 4 of 2026, this is an  
10 application for a proposed amendment to a  
11 long-term use and occupancy agreement between  
12 Nassau County and Global Sports Center.

13 The application is an amendment to a  
14 prior agreement approved by "OSPAC" on  
15 December 8th, 2021, which authorized  
16 Nassau County to enter into a long-term use and  
17 occupancy agreement with Global Sports Center for  
18 a capital improvement and the operation of the  
19 existing "Butler Building" together with  
20 "Field 5" at Mitchel Field.

21 The original approval allowed for the  
22 operator to renovate the existing building,  
23 install turf on "Field 5" and erect an  
24 air-supported structure to cover "Field 5" during  
25 the indoor season.

1 NCPC OSPAC File No. 4-2026

2 This new current amendment proposes the  
3 addition of two soccer fields at the site, to  
4 expand the existing recreational facilities  
5 operated by Global Sports Center.

6 Nassau County Department of Public  
7 Works approves of this proposed amendment.

8 I believe we were told a minor league  
9 soccer team will be coming in to use these new  
10 fields. And we have the Commissioner from Parks  
11 here today, if you any additional questions.

12 MR. O'BRIEN: If you may, I don't know  
13 that we had a motion to open the public  
14 hearing 'cause --

15 ACTING CHAIRMAN GREENFIELD: I'll  
16 entertain a motion to open the public hearing at  
17 this time.

18 COMMISSIONER FORMAN: So moved.

19 COMMISSIONER DURSO: Second.

20 ACTING CHAIRMAN GREENFIELD: So moved  
21 and seconded.

22 All those in favor?

23 (Chorus of "ayes.")

24 ACTING CHAIRMAN GREENFIELD: Any  
25 opposed?

1 NCPC OSPAC File No. 4-2026

2 (No response.)

3 ACTING CHAIRMAN GREENFIELD: So  
4 carried.

5 MR. O'BRIEN: Then you can take  
6 whatever testimony you want.

7 ACTING CHAIRMAN GREENFIELD: Okay.  
8 Yeah, we're --

9 COMMISSIONER SAKOWICH: No, actually we  
10 told her to leave.

11 ACTING CHAIRMAN GREENFIELD: Yeah, we  
12 told her she didn't have to stay --

13 COMMISSIONER SAKOWICH: Yeah, to be --  
14 but we had went over the whole --

15 MR. HOESL: Oh.

16 COMMISSIONER SAKOWICH: -- we had -- we  
17 had --

18 (Stepping up.)

19 MR. HOESL: I'm sorry.

20 COMMISSIONER SAKOWICH: We had -- we  
21 had -- we had --

22 MR. O'BRIEN: At the work session?

23 COMMISSIONER SAKOWICH: At the work  
24 session, we had a pretty extensive conversation  
25 about this and it, you know, it's -- it's a

1 NCPC OSPAC File No. 4-2026

2 beautiful improvement to the area, so I think  
3 that --

4 ACTING CHAIRMAN GREENFIELD: Okay.

5 Does anyone in the public -- no one is  
6 signed up.

7 Does anyone want or wish to be heard?

8 (No response.)

9 ACTING CHAIRMAN GREENFIELD: Not  
10 hearing or seeing anyone, we'll entertain a  
11 motion at this time.

12 COMMISSIONER SAKOWICH: So we're going  
13 to make an indication to close.

14 ACTING CHAIRMAN GREENFIELD: Now we  
15 need a motion to close the hearing.

16 COMMISSIONER SAKOWICH: Close the  
17 hearing.

18 ACTING CHAIRMAN GREENFIELD: And then  
19 we need a motion to vote.

20 COMMISSIONER SAKOWICH: So I make a  
21 motion to close "OSPAC" 4-2026.

22 COMMISSIONER DURSO: Second.

23 COMMISSIONER SAKOWICH: And then a  
24 motion to approve.

25 ACTING CHAIRMAN GREENFIELD: Oh, and

1 NCPC OSPAC File No. 4-2026

2 first we got to vote on the motion to close the  
3 hearing.

4 All those in favor?

5 (Chorus of "ayes," with

6 Third Vice-Chair Lewis recused.)

7 ACTING CHAIRMAN GREENFIELD: Any

8 opposed?

9 (No response.)

10 ACTING CHAIRMAN GREENFIELD: So

11 carried.

12 Now a motion to approve.

13 COMMISSIONER SAKOWICH: Motion to

14 approve "OSPAC" 4-2026.

15 ACTING CHAIRMAN GREENFIELD: Second.

16 MR. O'BRIEN: Oh, wait, whoa. Are we

17 doing -- are we -- are we doing the approval on

18 4? Where's Kevin?

19 Kevin, that has to go -- on "OSPAC" 4,

20 that has to go back to "OSPAC;" right?

21 (Stepping up.)

22 MR. WALSH: That's my understanding.

23 That has to go back.

24 ACTING CHAIRMAN GREENFIELD: Oh, I

25 thought we had a vote today.

1 NCPC OSPAC File No. 4-2026

2 That -- well maybe that's why I told  
3 her she didn't have to come --

4 COMMISSIONER SAKOWICH: Yeah.

5 ACTING CHAIRMAN GREENFIELD: -- stay  
6 for that.

7 MR. O'BRIEN: Yes, it has to go back.  
8 It was confusing with the last case. I  
9 understand what --

10 COMMISSIONER SAKOWICH: Okay. I'm  
11 sorry.

12 Okay, so it's just a motion to close.

13 MR. O'BRIEN: No, it's on me.

14 COMMISSIONER SAKOWICH: Okay.

15 ACTING CHAIRMAN GREENFIELD: So we made  
16 the motion to close the hearing. We voted.

17 COMMISSIONER SAKOWICH: And we -- I  
18 withdraw my --

19 COMMISSIONER FORMAN: Yeah, we're done  
20 now.

21 ACTING CHAIRMAN GREENFIELD: We voted.

22 MR. O'BRIEN: Just for the -- just for  
23 the record, there was an exception as -- as -- as  
24 co-counsel explained to the Commissioners during  
25 the work session under the Municipal Law. That's

1 NCPC OSPAC File No. 4-2026

2 why on -- on No. 3, it went right to a vote. It  
3 doesn't go back to "OSPAC."

4 COMMISSIONER SAKOWICH: Okay.

5 MR. O'BRIEN: So the people in the  
6 audience will also --

7 MR. WALSH: Yeah, I was double checking  
8 to make sure, Greg. I'm not sure of this. It's  
9 a little different. It's a permit. Is this like  
10 the lase one --

11 MR. O'BRIEN: We can always add it at  
12 the back of the calendar, if you have any -- if  
13 it has to go back.

14 MR. WALSH: Okay.

15 MR. O'BRIEN: Today.

16 MR. WALSH: Okay.

17 \* \* \*

18

19

20

21

22

23

24

25

1 Proceedings

2 ACTING CHAIRMAN GREENFIELD: Ready to  
3 call the --

4 MR. O'BRIEN: Are you going to do the  
5 Zoning next or are you going to do minors?

6 (Third Vice-Chair Lewis enters the  
7 meeting.)

8 ACTING CHAIRMAN GREENFIELD: You want  
9 to do the Zoning Calendar next?

10 MR. O'BRIEN: Because I think you were  
11 concerned about a quorum with the Zoning.

12 ACTING CHAIRMAN GREENFIELD: Well, I  
13 don't want to do the whole calendar. I just want  
14 to do the --

15 MR. O'BRIEN: Oh, you're concerned  
16 about a quorum. I don't know, you tell me.

17 ACTING CHAIRMAN GREENFIELD: Well,  
18 let's do -- okay, let's do -- then let's do  
19 individual cases on the Zoning Calendar.

20 Okay, let's -- Greg is back on the  
21 zoning. Okay.

22 \* \* \*

23

24

25

1                   Zoning Referral Review

2                   ACTING CHAIRMAN GREENFIELD: So  
3 counsel?

4                   MR. O'BRIEN: Yes.

5                   ACTING CHAIRMAN GREENFIELD: Bob, what  
6 case should we start with? 6, Long Beach?

7                   MR. O'BRIEN: Wherever you want to  
8 go -- wherever you want to go.

9                   ACTING CHAIRMAN GREENFIELD: Okay.

10                  MR. O'BRIEN: Whatever your concern was  
11 with the quorum. I know you were concerned about  
12 it.

13                               \*       \*       \*

14                  ACTING CHAIRMAN GREENFIELD: Let's --  
15 let's do the two in Hempstead, 3 and 4. Give it  
16 the short form, because she has to leave soon.

17                               (Stepping up.)

18                  MR. HOESL: Okay.

19                               Yes, I'll handle Case 3 and 4 together.  
20 This is the Incorporated Village of Hempstead is  
21 requesting a third and final six-month extension  
22 for their moratorium on:

23                               One, the processing and approval of any  
24 application for a subdivision of property into  
25 one or more residential lots within the Village;

1                   Zoning Referral Review

2                   And then two, the -- the approval and  
3                   licensing of convenience stores within the  
4                   Village in order -- and this is in order to  
5                   provide the Village with sufficient time to study  
6                   zoning issues and other regulations related to  
7                   the location of, "A," convenience stores.

8                   But then also, they have hired had H2M  
9                   Architects and Engineers, who are helping with  
10                  the whole process of amending their zoning code  
11                  in relation to this. So you spoke with the  
12                  Village Attorney at the pre-meeting this morning,  
13                  Keisha N. Marshall. And this has been an ongoing  
14                  process for them, so that's why they're --  
15                  they're requesting this final six-month  
16                  extension.

17                  COMMISSIONER SAKOWICH: So I believe at  
18                  the pre-meeting, Mr. Chairman, we had a  
19                  discussion --

20                  ACTING CHAIRMAN GREENFIELD: With the  
21                  counsel.

22                  COMMISSIONER SAKOWICH: -- with  
23                  counsel --

24                  MR. O'BRIEN: At the work session.

25                  COMMISSIONER SAKOWICH: -- at the --

1                   Zoning Referral Review

2                   ACTING CHAIRMAN GREENFIELD: Work  
3 session.

4                   COMMISSIONER SAKOWICH: -- work  
5 session, with the counsel from Hempstead as well  
6 as the Deputy Mayor from Hempstead.

7                   We're just going to grant --

8                   MR. O'BRIEN: Are you -- you want to  
9 make an "LD" recommendation? That's --

10                  ACTING CHAIRMAN GREENFIELD: Yes.

11                  COMMISSIONER SAKOWICH: Yes.

12                  ACTING CHAIRMAN GREENFIELD: Say what  
13 your "LD" recommendation is.

14                  COMMISSIONER SAKOWICH: Our "LD" is  
15 a "Local Determination" with a 30-day extension  
16 on --

17                  MR. O'BRIEN: On what?

18                  COMMISSIONER SAKOWICH: -- on a letter  
19 in this file as a -- on the current moratorium.

20                  What we just want to put in on the  
21 record is that the Village is currently engaged  
22 with the companies, engineering firms, and  
23 different people, that, and working on this  
24 moratorium.

25                  MR. O'BRIEN: Okay. Are you -- just so

1                   Zoning Referral Review

2   the record is clear, are you suggesting, are you  
3   recommending a -- a six-month extension, or are  
4   you suggesting a modification that the -- the  
5   extension only be for 30 days?

6                   COMMISSIONER SAKOWICH: Well, that's  
7   what I thought we always --

8                   ACTING CHAIRMAN GREENFIELD: Yeah,  
9   30 days.

10                  MR. O'BRIEN: Okay. So it's a -- a  
11   modification. Your -- your motion is a  
12   modification.

13                  ACTING CHAIRMAN GREENFIELD: So that is  
14   not an "LD." It's a modification for --

15                  MR. O'BRIEN: It's not an "LD."

16                  ACTING CHAIRMAN GREENFIELD: -- 30 days  
17   and counsel agreed to send staff additional  
18   information.

19                  COMMISSIONER SAKOWICH: Yeah, we just,  
20   we want to -- want to cover ourselves that we're  
21   not extending these moratoriums --

22                  ACTING CHAIRMAN GREENFIELD: Right.

23                  COMMISSIONER SAKOWICH: -- without --

24                  ACTING CHAIRMAN GREENFIELD: And it'll  
25   be on the agenda for the April 23rd meeting.

1                   Zoning Referral Review

2                   MR. O'BRIEN: Unless they -- they  
3 over -- they overrule it.

4                   ACTING CHAIRMAN GREENFIELD: I'll give  
5 them my --

6                   MR. O'BRIEN: But you have independent  
7 voting members of the Village Board who might  
8 decide otherwise.

9                   COMMISSIONER SAKOWICH: That's okay.  
10 Then they -- then they -- they got it.

11                   ACTING CHAIRMAN GREENFIELD: It's on  
12 them.

13                   MR. O'BRIEN: Right.

14                   COMMISSIONER SAKOWICH: It's on them.

15                   ACTING CHAIRMAN GREENFIELD: Okay. We  
16 have a motion.

17                   Do we have a second?

18                   COMMISSIONER FORMAN: Second.

19                   ACTING CHAIRMAN GREENFIELD: Motion  
20 made and seconded.

21                   All those in favor?

22                   (Chorus of "ayes.")

23                   ACTING CHAIRMAN GREENFIELD: So this is  
24 regarding No. 3 and No. 4.

25                   MR. O'BRIEN: They're both

1                   Zoning Referral Review

2   modifications.

3                   ACTING CHAIRMAN GREENFIELD:   Okay.   All  
4   right.   So those two we check off.

5                               \*       \*       \*

6                   ACTING CHAIRMAN GREENFIELD:   Next.

7   Let's go to the next one.

8                   THIRD VICE-CHAIR LEWIS:   Next, you want  
9   go to 9?

10                               \*       \*       \*

11                   ACTING CHAIRMAN GREENFIELD:   No, 6,  
12   Long Beach.

13                   MR. O'BRIEN:   I think you're right.  
14   You want to do the Long Beach next --

15                   ACTING CHAIRMAN GREENFIELD:   Yeah, I  
16   want to do Long Beach next.

17                   MR. O'BRIEN:   -- while we're all here.

18                   MR. HOESL:   Okay.   The City of  
19   Long Beach is proposing an amendment to their  
20   zoning code to allow for Battery Energy Storage  
21   Systems, otherwise known as "BESS," typically  
22   found as part of an ordinary homeowner's  
23   residence, which would be below 80 kilowatt  
24   hours, whereas any battery energy storage rated  
25   above 80 kilowatt hours will not be allowed

1                               Zoning Referral Review

2     within the City limits. The City recognizes the  
3     battery energy storage systems, while beneficial  
4     for energy management, pose potential risks,  
5     including fire hazard, environmental concerns and  
6     other safety issues. The City Council, hoping to  
7     minimize the aforementioned risk, environmental  
8     impacts and visual impacts of "BESS," conversely  
9     would like to facilitate a safe and regulated  
10    Green Energy transition and permit an adequate  
11    energy supply to residents of the City.

12                        City of Long Beach is a very densely  
13    populated barrier island with limited means of  
14    egress off the Island. The City is empowered to  
15    regulate and restrict the development and use of  
16    property for the purpose of promoting the health,  
17    safety and general welfare of the community.  
18    Therefore, restricting any land use that may  
19    result in extensive disaster losses is an  
20    important objective for the City, especially  
21    where any available land is in close proximity to  
22    existing residences.

23                        After speaking with the City of  
24    Long Beach's attorney, the City has based their  
25    change to the zoning code on the Town of

1                   Zoning Referral Review  
2     Southampton's recently-approved "BESS" zoning  
3     guidelines. The Town of Southampton has  
4     instituted a tier-based zoning system where  
5     utility-scale "BESS" projects rated over  
6     600 kilowatt hours, but under 5 megawatts will  
7     only be permitted in their industrial zoning  
8     districts. Likewise, residential "BESS" projects  
9     are only allowed to have a maximum rating of  
10    80 kilowatt hours. Not wanting to inconvenience  
11    property owners within the City, the City has  
12    modified their desire to ban "BESS" projects  
13    outright and instead allow for incidental  
14    residential uses.

15                 All new battery energy storage systems  
16    must be designed and installed in accordance with  
17    all applicable provisions of the New York State  
18    Uniform Fire Code, Building Code and Energy Code.  
19    City of Long Beach Zoning Code may be amended  
20    from time to time and applicants must provide  
21    adequate documentation to demonstrate how the  
22    proposed system meets these requirements.  
23    Individual battery units shall -- shall have a  
24    maximum rating of 20 kilowatt hours and the  
25    aggregate rating must not exceed 80 kilowatt

1                   Zoning Referral Review

2    hours. Anything above 80 kilowatt is explicitly  
3    prohibited within the City of Long Beach.

4                   In summary, the densely populated  
5    City of Long Beach feels it would be  
6    inappropriate and unsafe to allow for  
7    utility-scale "BESS" projects anywhere within the  
8    City limits, yet wishes to recognize the rights  
9    of residential property owners not to be  
10   inconvenienced by an outright ban on all  
11   battery energy storage systems.

12                  THIRD VICE-CHAIR LEWIS: Okay.

13                  So we've had a number of moratoria come  
14   before us regarding battery energy storage  
15   systems and we've been asked to vote on those  
16   moratoria. We have another one on the agenda  
17   today.

18                  This action, however, it takes a little  
19   bit further. This is an indefinite moratoria, if  
20   you wish. This is an -- an absolute ban and it  
21   does cross into a legal gray area as to whether  
22   or not it's an arbitrary or unreasonable  
23   restriction, in light of both State Policy and  
24   the Uniform Fire and Building Code.

25                  I think there's a fundamental question

1                   Zoning Referral Review  
2    about whether the State would preempt actions  
3    like this by local municipalities. That's why I  
4    believe some towns are maybe, you know, are  
5    continuing to evaluate it more carefully, before  
6    taking an action like this in terms of a total  
7    prohibition.

8                   The comment that this is supported by  
9    other Town Law, I don't -- I don't get that  
10   reference. I don't -- I -- I think we need to  
11   bring that Town Code in, since that was just  
12   stated by our staff and added to the record.  
13   It's my understanding that the Town of  
14   Southampton, the Town of Islip and the Town of  
15   Brookhaven have each adopted codes that allow for  
16   a three-tier system, where one tier is up to the  
17   80 kilowatts, which would be similar to the rules  
18   here.

19                  But then different from the rules  
20   here, there's a second tier which would be 80 to  
21   600 kilowatts. And for those, a special use  
22   permit would be required, which would require a  
23   vote of the Board and -- and a -- a review of the  
24   specific issues. And then thirdly, there would  
25   be those projects that are over 600 kilowatts and

1                   Zoning Referral Review

2   those would be restricted to the industrial zone.

3                   I get it. There's a very limited  
4   industrial zone in Long Beach, but they do have  
5   an industrial zone. If they had chosen to follow  
6   the Southampton, or Islip or Brookhaven Code, it  
7   would be very different than what they're  
8   proposing. What they're proposing is essentially  
9   a prohibition for all non-residential use of  
10  batteries, which I don't think is justified. And  
11  I think is going to -- you know, if it's  
12  challenged, I think it would be an interesting  
13  case where it could perhaps be thrown out.

14                  So that's, I think it's an interesting  
15  legal question. That's why I call it a gray  
16  area. I understand the goals are well intended.  
17  But personally in terms of my vote, I don't think  
18  the evidence supports the actions by the City.

19                  ACTING CHAIRMAN GREENFIELD: Wait a  
20  minute, time out. During the zoning agenda, we  
21  don't allow public comment. We took your comment  
22  earlier in the work session.

23                  And I want a comment from other  
24  Board Members, please, before we vote.

25                  Any other?

1                   Zoning Referral Review

2                   COMMISSIONER SAKOWICH: Yeah, the --  
3 the comment of -- from -- from our staff that it  
4 follows Southampton and that, where -- where did  
5 we get that from?

6                   (Stepping up.)

7                   MR. HOESL: That was based off my  
8 discussions with the City of Long Beach attorney,  
9 Greg Kalnitsky. Essentially, they were looking  
10 for guidance from other municipalities to see how  
11 they've been handling the situation. So --

12                  COMMISSIONER SAKOWICH: So they took a  
13 piece -- they took the piece they wanted and left  
14 the two-thirds out. I just -- okay.

15                  MR. HOESL: Yeah.

16                  COMMISSIONER SAKOWICH: Got it.

17                  ACTING CHAIRMAN GREENFIELD: Okay.

18                  Any other comments from any members or  
19 not?

20                  COMMISSIONER FORMAN: I think this --  
21 this area of battery energy storage is a -- is a  
22 topic that's a moment right now. It's being  
23 heavily investigated by the State, which is  
24 ultimately going to be probably, and certainly in  
25 my opinion, the determinant factor in how

1                   Zoning Referral Review

2   ultimately these facilities are allowed to be  
3   developed.

4                   And as -- as such, you know, echoing  
5   Commissioner Lewis's comments, I don't think that  
6   at this point, this Board should be, you know,  
7   should be in the position of putting, in effect,  
8   essentially a permanent moratorium. So it  
9   certainly would be, you know, my vote to -- to  
10   deny this at this point. Obviously, the City  
11   could then go ahead and override, but that would  
12   be up to them.

13                  ACTING CHAIRMAN GREENFIELD: There's no  
14   doubt this is a hot button issue, no pun  
15   intended. But I'm more concerned, as I've  
16   expressed, is the volunteer fire service response  
17   and training to handle the situation. And we're  
18   planning a "CE" class later on in the year and  
19   we've invited the fire marshall, who was very  
20   helpful and very informative last year's "CE's"  
21   class, to discuss it with the Commission members.  
22   And that's the question I plan on asking him.

23                  But on the other hand, this legislation  
24   by the City, at least it is a long-term  
25   moratorium, but it could be changed as

1                   Zoning Referral Review

2       circumstances change and more information comes  
3       out on the newly-promulgated New York State Code  
4       with respect to battery storage.

5                   MR. O'BRIEN: Well, it's -- it's not a  
6       moratorium. It's an amendment to the zoning  
7       code.

8                   ACTING CHAIRMAN GREENFIELD: I know,  
9       it's amendment. But I like what Murray said, it  
10      becomes a long-term moratorium --

11                  MR. O'BRIEN: Well --

12                  ACTING CHAIRMAN GREENFIELD: -- by  
13      legislation.

14                  MR. O'BRIEN: -- an amendment to the  
15      code -- an amendment to the code --

16                  ACTING CHAIRMAN GREENFIELD: Okay.

17                  MR. O'BRIEN: -- by its very nature --

18                  ACTING CHAIRMAN GREENFIELD: I stand  
19      corrected.

20                  MR. O'BRIEN: -- is a change of the  
21      code.

22                  COMMISSIONER SAKOWICH: If you use a  
23      moratorium.

24                  THIRD VICE CHAIR LEWIS: It not a  
25      moratorium.

1                   Zoning Referral Review

2                   ACTING CHAIRMAN GREENFIELD: It removes  
3 the moratorium. Okay.

4                   MR. O'BRIEN: No, it's a -- it's a  
5 banning.

6                   COMMISSIONER SAKOWICH: It's a banning,  
7 yeah.

8                   ACTING CHAIRMAN GREENFIELD: It's a  
9 ban, but it's a limited ban based upon some  
10 criteria --

11                  MR. O'BRIEN: That's correct.

12                  ACTING CHAIRMAN GREENFIELD: -- one  
13 that believes in battery cars. It doesn't take  
14 away that ability to expand that.

15                  MR. O'BRIEN: Well --

16                  ACTING CHAIRMAN GREENFIELD: And with  
17 the present oil prices, I guess I -- I -- I bet  
18 the right way.

19                  Okay. So any other questions from  
20 anybody?

21                  (No response.)

22                  ACTING CHAIRMAN GREENFIELD: If not,  
23 we'll call the question and we'll entertain a  
24 motion.

25                  MR. O'BRIEN: We would -- we would need

1                   Zoning Referral Review

2   a motion, whether it's --

3                   ACTING CHAIRMAN GREENFIELD:   Yeah, I  
4   said we would entertain a motion.

5                   MR. O'BRIEN:   -- and "LD" or  
6   whatever -- whatever it is.

7                   ACTING CHAIRMAN GREENFIELD:   The Chair  
8   will entertain a motion.

9                   COMMISSIONER FORMAN:   Zoning Case  
10   No. 6, I make a motion to deny.

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

12                   ACTING CHAIRMAN GREENFIELD:   We have a  
13   motion to deny.

14                   Motion made and seconded to deny.

15                   All those in favor?

16                   (Chorus of "ayes," with  
17   Commissioner Durso abstaining.)

18                   COMMISSIONER DURSO:   I'm going to  
19   abstain.

20                   ACTING CHAIRMAN GREENFIELD:   I'm going  
21   to -- abstain?   Well, I'm going to vote against  
22   the denial.

23                   MR. O'BRIEN:   So then, if the motion  
24   fails, because there are four, only four in favor  
25   and it becomes an administrative, or it becomes

1                   Zoning Referral Review

2   the equivalent of an "LD," just so all your  
3   questions --

4                   THIRD VICE-CHAIR LEWIS: Well, we can  
5   motion for an "LD," take a vote.

6                   ACTING CHAIRMAN GREENFIELD: We'll  
7   entertain another --

8                   MR. O'BRIEN: No --

9                   ACTING CHAIRMAN GREENFIELD: -- motion  
10  if you want.

11                   (Laughter.)

12                   ACTING CHAIRMAN GREENFIELD: Anyone  
13  want to entertain a motion? But let's first --

14                   MR. O'BRIEN: Right.

15                   Just = understand that if you don't  
16  make a decision, it becomes a de facto "LD."

17                   ACTING CHAIRMAN GREENFIELD: No, I said  
18  I'm voting in favor.

19                   COMMISSIONER DURSO: No, the -- the  
20  same holds true.

21                   ACTING CHAIRMAN GREENFIELD: No, it  
22  doesn't.

23                   COMMISSIONER DURSO: Why?

24                   ACTING CHAIRMAN GREENFIELD: Because  
25  you voted no.

1                   Zoning Referral Review

2                   THIRD VICE-CHAIR LEWIS: You voted no,  
3 for denial.

4                   ACTING CHAIRMAN GREENFIELD: I voted.

5                   COMMISSIONER DURSO: Who voted no?

6                   COMMISSIONER FORMAN: He voted no --

7                   MR. O'BRIEN: You need, in order to  
8 pass the motion, you need five votes.

9                   ACTING CHAIRMAN GREENFIELD: You need  
10 five affirmative votes --

11                  MR. O'BRIEN: Five affirmative votes --

12                  ACTING CHAIRMAN GREENFIELD: -- to pass  
13 a motion.

14                  MR. O'BRIEN: -- to pass the motion.

15                  ACTING CHAIRMAN GREENFIELD: The motion  
16 didn't pass.

17                  MR. O'BRIEN: If there -- if there --  
18 if you don't have five affirmative votes, it  
19 becomes, by -- by -- by statute, it becomes an --  
20 an "LD."

21                  COMMISSIONER SAKOWICH: Right, okay.

22                  So --

23                  THIRD VICE-CHAIR LEWIS: I understand  
24 that's hard --

25                  COMMISSIONER SAKOWICH: A denial -- a

1                   Zoning Referral Review

2   denial and an "LD" are different in the way that  
3   the -- the City of Long Beach will then be able  
4   to overturn us.

5                   MR. O'BRIEN:   That is absolutely  
6   correct.

7                   COMMISSIONER SAKOWICH:   So -- so that's  
8   what -- that's what's --

9                   MR. O'BRIEN:   Well --

10                  COMMISSIONER SAKOWICH:   -- at risk  
11   here.

12                  MR. O'BRIEN:   -- well, no.   When you  
13   say overturn us --

14                  COMMISSIONER SAKOWICH:   Well --

15                  MR. O'BRIEN:   -- they need a majority  
16   to adopt this.

17                  Okay.   If -- if -- if --

18                  COMMISSIONER SAKOWICH:   On both votes  
19   or just one vote?   On both votes --

20                  MR. O'BRIEN:   When you say both  
21   votes --

22                  COMMISSIONER SAKOWICH:   No?

23                  MR. O'BRIEN:   -- no, an -- an "LD" just  
24   requires a majority of -- of the -- of the  
25   City Council, okay, to -- to enact the ordinance.

1                   Zoning Referral Review

2                   If this -- if this Commission were to  
3 do a denial, it would require a majority plus  
4 one. So if there was -- if there, and I don't --  
5 I'm sorry, I don't know the City Council. But  
6 if -- if the seven-member City Council, instead  
7 of needing four affirmative votes to enact  
8 it, they would need five if there was a  
9 recommended -- recommended denial.

10                  If it's -- if it goes in --

11                  ACTING CHAIRMAN GREENFIELD: All right.

12                  MR. O'BRIEN: -- as an "LD," they only  
13 need four. This is a --

14                  ACTING CHAIRMAN GREENFIELD: So --

15                  MR. O'BRIEN: -- this is a referral.

16                  ACTING CHAIRMAN GREENFIELD: We have no  
17 interest or an alternative motion.

18                               \*       \*       \*

19                  ACTING CHAIRMAN GREENFIELD: Let's  
20 move onto the next case of controversy. No. 9,  
21 Oyster Bay.

22                  MR. HOESL: Yes.

23                  The Town of Oyster Bay Town Board is  
24 considering a Local Law to extend their  
25 moratorium on the establishment of Battery Energy

1                                   Zoning Referral Review

2   Storage Systems within the Town limits for an

3   additional 12 months, which is scheduled to

4   last from May 1st, 2026 until April 30th of

5   next year. The initial moratorium on the

6   establishment of "BESS" was first brought before

7   the Planning Commission in February of 2024, due

8   to the Town's concerns regarding the volatile

9   nature of lithium-ion batteries and the potential

10   threat to the health and safety of the

11   communities surrounding these proposed

12   facilities. Reports of fires at these facilities

13   throughout the State over the past four years

14   have raised concerns about the impact on the

15   environment. These concerns coupled with the

16   Town of Oyster Bay's need for additional

17   information and assurances as to the safety of

18   these types of facilities, have led the Town to

19   entertain this ongoing moratorium.

20                            Being that the Planning Commission does

21   not look favorably upon moratoria that last more

22   than one year, the Town has provided the

23   following reasons to us, to justify extending

24   this moratorium:

25                            One, the amendment to the New York



1                   Zoning Referral Review

2 residents and resulted in high concentrations of  
3 heavy metals reportedly found in the soil in the  
4 vicinity of the facility.

5                   ACTING CHAIRMAN GREENFIELD: Okay.

6 Thank you.

7                   So on this, do we have a -- a motion on  
8 this?

9                   THIRD VICE-CHAIR LEWIS: So on this  
10 one, I'm going to step back from the comments  
11 regarding Long Beach --

12                  ACTING CHAIRMAN GREENFIELD: Why?

13                  THIRD VICE-CHAIR LEWIS: -- adopting  
14 the zoning code that would prohibit it forever  
15 and acknowledge that what the Town is doing is  
16 they are using the moratorium here in an  
17 appropriate manner.

18                  They are concerned about the safety  
19 issues. It is true that the reasons they gave,  
20 each of those facts are true that the code was  
21 only recently made official. And so it -- it is  
22 understandable what they're going through in  
23 terms of process. I would encourage and urge  
24 them to look at the three-tiered approach that  
25 have been adopted by other towns. Special use

1                   Zoning Referral Review

2     permits to allow for the Town Board to evaluate  
3     each project individually and allowing the larger  
4     projects in industrial areas all seems like the  
5     appropriate way to go.  It's working in three  
6     towns on Long Island and so I encourage the Town  
7     to look at that.

8                   I do not -- I'm willing to vote in  
9     favor of an "LD" on this one, because of the  
10    reasons that were stated.

11                  COMMISSIONER FORMAN:  Is that a motion?

12                  THIRD VICE-CHAIR LEWIS:  I make a --

13                  ACTING CHAIRMAN GREENFIELD:  Make it a  
14     motion.

15                  THIRD VICE-CHAIR LEWIS:  -- I make a  
16     motion for an "LD" for the one-year extension on  
17     the moratorium.

18                  COMMISSIONER SAKOWICH:  I second it.

19                  ACTING CHAIRMAN GREENFIELD:  We have a  
20     motion and second.

21                  Now, if the Chairman was here, he would  
22     be upset with a one-year moratorium, because for  
23     the record, how -- Greg, how -- this is an  
24     extension of how many moratoriums or what?

25                  (Stepping up.)

1                   Zoning Referral Review

2                   MR. HOESL: It started in February  
3 2024. So this is going over two years at this  
4 point.

5                   ACTING CHAIRMAN GREENFIELD: Right.

6                   MR. O'BRIEN: It'll be three.

7                   MR. HOESL: Yeah.

8                   COMMISSIONER SAKOWICH: Yeah, but we --

9                   MR. O'BRIEN: This is different, yeah.

10                  COMMISSIONER SAKOWICH: -- this is  
11 different because we -- we had -- the State had  
12 nothing. We were blaming the State as we went  
13 along here.

14                  MR. HOESL: That's true.

15                  COMMISSIONER SAKOWICH: Now the State  
16 has brought something forth, so now there's  
17 something to work with. It's a totally different  
18 situation.

19                  MR. O'BRIEN: So basically, I think the  
20 point is the State has finally given direction,  
21 and now they're trying to follow -- follow --  
22 direction --

23                  COMMISSIONER SAKOWICH: The -- the  
24 State has finally given direction --

25                  MR. O'BRIEN: -- direction.

1                   Zoning Referral Review

2                   COMMISSIONER SAKOWICH:  -- which they  
3 never have in the past and that just took place  
4 on January 1st.

5                   MR. O'BRIEN:  This is really the first  
6 moratorium from the time they were --

7                   COMMISSIONER SAKOWICH:  Yeah, this is  
8 really the first moratorium from the time, that  
9 we've got a direction now.

10                  MR. O'BRIEN:  Okay.  So there's a  
11 motion on the floor and seconded.

12                  COMMISSIONER SAKOWICH:  Yeah, let's go.

13                  ACTING CHAIRMAN GREENFIELD:  All right.  
14 We have a motion.

15                  We have a second?

16                  COMMISSIONER FORMAN:  Second.

17                  ACTING CHAIRMAN GREENFIELD:  All those  
18 in favor?

19                  (Chorus of "ayes.")

20                  ACTING CHAIRMAN GREENFIELD:  So  
21 carried.

22                  MR. O'BRIEN:  Any opposed?

23                  (No response.)

24                  MR. O'BRIEN:  I didn't hear any.

25                  ACTING CHAIRMAN GREENFIELD:  None

1                   Zoning Referral Review

2   opposed.

3                   MR. O'BRIEN: I heard none opposed.

4                   ACTING CHAIRMAN GREENFIELD: Accept  
5   that.

6                   (Laughter.)

7                   ACTING CHAIRMAN GREENFIELD: I accept  
8   it.

9                               \*       \*       \*

10                  ACTING CHAIRMAN GREENFIELD: Now, the  
11   balance of the Zoning Agenda, including counsel  
12   for Long Beach, No. 10, we'll -- we'll do after  
13   we do the regular agenda. Okay.

14                  It should -- it should be less problem.  
15                  Do you want to finish it now?

16                  COMMISSIONER SAKOWICH: We should  
17   finish it now.

18                               \*       \*       \*

19                  ACTING CHAIRMAN GREENFIELD: Okay.  
20   Then we'll entertain, while we'll finish that,  
21   we'll take one motion for "LD" for all the  
22   balance of the cases.

23                  Read in the balance of the cases.

24                  MR. O'BRIEN: Well, I just -- just you  
25   talked about Long Beach. As -- as far as I know,

1                   Zoning Referral Review

2    you called the case.  There wasn't a vote on it,  
3    so unless there's a further motion on the case --

4                   ACTING CHAIRMAN GREENFIELD:  Well.

5                   MR. O'BRIEN:  -- then that's going --  
6    it's going -- again, it's going to be a de facto  
7    "LD."

8                   THIRD VICE-CHAIR LEWIS:  It's beginning  
9    to feel like you're trying to influence our  
10   votes --

11                  MR. O'BRIEN:  No.

12                  COMMISSIONER DURSO:  No.

13                  THIRD VICE-CHAIR LEWIS:  -- by  
14   repeating yourself about seven times now --

15                  ACTING CHAIRMAN GREENFIELD:  No, I was  
16   talking about the other Long Beach --

17                  THIRD VICE-CHAIR LEWIS:  -- now about a  
18   de facto "LD."

19                  ACTING CHAIRMAN GREENFIELD:  -- case.

20                  MR. O'BRIEN:  I just -- I wanted --

21                  THIRD VICE-CHAIR LEWIS:  We -- I don't  
22   think -- I'm -- I'm not going to change my vote,  
23   if you --

24                  MR. O'BRIEN:  No --

25                  THIRD VICE-CHAIR LEWIS:  -- tell me a

1                   Zoning Referral Review

2   fifth time --

3                   MR. O'BRIEN:  -- I wouldn't expect --

4                   THIRD VICE-CHAIR LEWIS:  -- an eighth  
5   time.

6                   MR. O'BRIEN:  -- no.

7                   Mr. Chair, Commissioner, I wouldn't  
8   want you to do that.

9                   No, I'm just making the point  
10   because --

11                  COMMISSIONER DURSO:  No.

12                  MR. O'BRIEN:  -- the Chair mentioned  
13   counsel from Long Beach.  That's the only reason  
14   I brought it up again.

15                  COMMISSIONER DURSO:  So you --

16                  MR. O'BRIEN:  I apologize.

17                  COMMISSIONER DURSO:  No.

18                  Going back to Long Beach, you know,  
19   thinking about the -- what, you know, our  
20   conversation with the -- with the  
21   Planning Commission here, they did make some  
22   valid points.  And I was kind of abrupt to make  
23   my -- my abstaining on that motion.  So I do want  
24   to go back, and I want to go and make a motion to  
25   approve that.

1                   Zoning Referral Review

2                   THIRD VICE-CHAIR LEWIS: Okay. So  
3 let's make a motion for an "LD" on the --

4                   COMMISSIONER DURSO: On that was Case  
5 No. --

6                   THIRD VICE-CHAIR LEWIS: Four.

7                   COMMISSIONER DURSO: I just want to  
8 make sure I have the right case here.

9                   MR. O'BRIEN: Okay.

10                  MR. HOESL: Six.

11                  MR. O'BRIEN: The original motion was  
12 for a denial.

13                  MR. HOESL: Six.

14                  MR. O'BRIEN: There were four in favor  
15 of denial, one abstention and one opposed --

16                  COMMISSIONER SAKOWICH: Six.

17                  MR. O'BRIEN: -- If I -- if I have  
18 my --

19                  COMMISSIONER DURSO: Case 6 --

20                  MR. O'BRIEN: -- count right.

21                  COMMISSIONER DURSO: -- correct.

22                  MR. O'BRIEN: Yeah.

23                  COMMISSIONER DURSO: So I want to go  
24 back and I want to --

25                  ACTING CHAIRMAN GREENFIELD: What's

1 Zoning Referral Review

2 your motion?

3 COMMISSIONER DURSO: I'm in favor of --  
4 of the approval.

5 ACTING CHAIRMAN GREENFIELD: "LD."

6 COMMISSIONER DURSO: "LD." I  
7 apologize.

8 ACTING CHAIRMAN GREENFIELD: Okay. For  
9 "Local Determination."

10 I'll second that.

11 THIRD VICE-CHAIR LEWIS: Okay.

12 ACTING CHAIRMAN GREENFIELD: So we  
13 have a motion made and seconded on  
14 "Local Determination," "LD" on Case No. --

15 MR. O'BRIEN: Six.

16 ACTING CHAIRMAN GREENFIELD: --  
17 Case No. 6 --

18 COMMISSIONER DURSO: Six.

19 ACTING CHAIRMAN GREENFIELD: -- which  
20 is NCPC --

21 COMMISSIONER DURSO: Six.

22 ACTING CHAIRMAN GREENFIELD: -- 312226.

23 Okay. I'll call the question at this  
24 time. All those in favor of the motion to  
25 approve "LD," so signify by saying aye.

1                   Zoning Referral Review

2                   Aye.

3                   COMMISSIONER DURSO:   Aye.

4                   ACTING CHAIRMAN GREENFIELD:   Aye.

5                   COMMISSIONER SAKOWICH:   Aye.

6                   ACTING CHAIRMAN GREENFIELD:   That's

7                   two.

8                   All those --

9                   MR. O'BRIEN:   Did you change your vote  
10                  Reid, because I think you voted for denial.

11                  COMMISSIONER SAKOWICH:   Denial.

12                  ACTING CHAIRMAN GREENFIELD:   Yeah.  So  
13                  now all those opposed to the motion for the "LD."

14                  MR. O'BRIEN:   Thank you.

15                  ACTING CHAIRMAN GREENFIELD:   So signify  
16                  by saying --

17                  COMMISSIONER GOLD:   What I was going to  
18                  suggest is that perhaps that additional  
19                  information should be supplied.  Since we're  
20                  having a lot of problems with the decision on  
21                  this one, that perhaps then that they make --

22                  ACTING CHAIRMAN GREENFIELD:   I don't  
23                  know what additional Long Beach could give us.  
24                  That we were looking at one point for additional  
25                  on Oyster Bay, but --

1                   Zoning Referral Review

2                   COMMISSIONER FORMAN:  What's -- what's  
3   the motion?

4                   ACTING CHAIRMAN GREENFIELD:  So let's  
5   finish voting on the motion.

6                   COMMISSIONER FORMAN:  Well, what is the  
7   motion?

8                   ACTING CHAIRMAN GREENFIELD:  The motion  
9   is for an "LD."  We have two affirmative votes in  
10  favor, "LD," "Local Determination."

11                   Now I'm calling anybody opposed to  
12  "LD."

13                   COMMISSIONER FORMAN:  Opposed.

14                   COMMISSIONER DURSO:  Opposed.

15                   COMMISSIONER SAKOWICH:  Opposed.

16                   ACTING CHAIRMAN GREENFIELD:  Okay.

17   So --

18                   THIRD VICE-CHAIR LEWIS:  So the motion  
19  fails.

20                   ACTING CHAIRMAN GREENFIELD:  -- the  
21  motion fails.

22                   So where do we stand with this counsel?

23                   MR. O'BRIEN:  What -- what you're going  
24  to have now is no referral, and as no referral, it  
25  becomes a [sic] -- an "LD."

1 Zoning Referral Review

2 COMMISSIONER SAKOWICH: "Local  
3 Determination."

4 MR. O'BRIEN: "LD."

5 ACTING CHAIRMAN GREENFIELD: Right. An  
6 administrative "LD."

7 MR. O'BRIEN: Yeah.

8 ACTING CHAIRMAN GREENFIELD: So --

9 MR. O'BRIEN: So be it.

10 ACTING CHAIRMAN GREENFIELD: -- it  
11 supercedes that.

12 (Commissioner Forman exits the  
13 hearing.)

14 ACTING CHAIRMAN GREENFIELD: We had  
15 that with the last vote also, because we had a  
16 non-vote.

17 MR. O'BRIEN: Right.

18 ACTING CHAIRMAN GREENFIELD: So this  
19 demonstrates why we need more members -- more  
20 members present.

21 COMMISSIONER SAKOWICH: The only thing  
22 that this does is allows their Board less  
23 votes --

24 ACTING CHAIRMAN GREENFIELD: The  
25 City Counsel?

1                   Zoning Referral Review

2                   COMMISSIONER SAKOWICH: -- the City  
3 Counsel less votes to overturn it.

4                   MR. O'BRIEN: Not to overturn it, to --  
5 to approve the --

6                   COMMISSIONER SAKOWICH: To approve it,  
7 right -- right.

8                   MR. O'BRIEN: -- to approve the change  
9 of the zoning code.

10                  COMMISSIONER SAKOWICH: Yeah.

11                  MR. O'BRIEN: All they need is a  
12 majority.

13                  COMMISSIONER SAKOWICH: Majority now,  
14 right.

15                               \*       \*       \*

16                  ACTING CHAIRMAN GREENFIELD: Okay.

17                  Now, can we move forward on the balance  
18 of the Zoning Calendar? Wait for that.

19                  Okay. On the balance of the  
20 Zoning Calendar, give the short form on how  
21 many --

22                  MR. HOESL: Are there any specific ones  
23 or just kind of --

24                  ACTING CHAIRMAN GREENFIELD: If we -- I  
25 don't believe, or see or hear that we have any

1                   Zoning Referral Review

2    problems with any other cases.

3                   MR. O'BRIEN:   So you would be looking  
4    for an "LD" on:

5                   1;

6                   2;

7                   5;

8                   7;

9                   8;

10                  10;

11                  11 [sic].

12                  ACTING CHAIRMAN GREENFIELD:   Wait.   We  
13    have a modification on case -- what is that?

14                  MR. HOESL:   Yeah, No. 11 I had an issue  
15    with the --

16                  ACTING CHAIRMAN GREENFIELD:   We'll --  
17    we'll do that separate.

18                  MR. HOESL:   Okay.

19                                 \*         \*         \*

20                  ACTING CHAIRMAN GREENFIELD:   So let's  
21    do all the other "LDs."

22                  MR. O'BRIEN:   So would -- would there  
23    be a motion for "LD" then on Case Nos.:

24                  1;

25                  2;

1                   Zoning Referral Review

2                   5;

3                   7;

4                   8;

5                   10;

6                   12;

7                   13;

8                   And 14.

9                   COMMISSIONER SAKOWICH: Yes.

10                  ACTING CHAIRMAN GREENFIELD: Okay.

11                  COMMISSIONER SAKOWICH: Exactly.

12                  THIRD VICE-CHAIR LEWIS: I'll second  
13 the motion.

14                  MR. O'BRIEN: So make the motion.

15                  ACTING CHAIRMAN GREENFIELD: So go  
16 ahead.

17                  COMMISSIONER SAKOWICH: I make the  
18 motion on the following cases that were just read  
19 off by counsel.

20                  MR. O'BRIEN: For "LD."

21                  ACTING CHAIRMAN GREENFIELD: "LD."

22                  THIRD VICE-CHAIR LEWIS: I second it.

23                  ACTING CHAIRMAN GREENFIELD: Okay.

24                  All those in favor?

25                  (Chorus of "ayes.")

1                   Zoning Referral Review

2                   (Commissioner Forman enters the  
3 hearing.)

4                   ACTING CHAIRMAN GREENFIELD: Any  
5 opposed?

6                   (No response.)

7                   ACTING CHAIRMAN GREENFIELD: So  
8 carried.

9                               \*       \*       \*

10                  ACTING CHAIRMAN GREENFIELD: Greg?

11                  MR. HOESL: Yes.

12                  ACTING CHAIRMAN GREENFIELD: Greg? No  
13 the other Greg.

14                  MR. HOESL: Oh.

15                  ACTING CHAIRMAN GREENFIELD: You got  
16 one out of two. You -- you batted 500. You did  
17 better than -- than that famous Yankee last  
18 night. He didn't do well.

19                  MR. KALNITSKY: I'll take the  
20 500 batting average any day. Thank you,  
21 Mr. Greenfield.

22                  ACTING CHAIRMAN GREENFIELD: Okay.  
23 Thank you for coming down. I'm sorry about  
24 the --

25                  MR. O'BRIEN: So now we have 11. 11 is

1                   Zoning Referral Review

2   the only zoning case left.

3                   MR. HOESL:  Yes.

4                   MR. O'BRIEN:  Correct.

5                   Okay.

6                   MR. HOESL:  Yes.

7                   Zoning Case 11, this is a proposed  
8   construction of a 10,000 square foot one-story  
9   child day care center located on the north side  
10  of Hempstead Turnpike.

11                  The property is currently developed  
12  with a one-story TD Bank building directly to the  
13  south.

14                  The proposed day care center is to be  
15  located north of the existing bank, within an  
16  area of the parking lot currently utilized for  
17  vehicle storage associated with a nearby car  
18  dealership.

19                  The proposed structure will consist of  
20  a 10,000 square foot building designated for day  
21  care, along with a 6,000 square foot outdoor play  
22  area consisting of playground equipment.

23                  (Commissioner Durso exits the meeting.)

24                  MR. HOESL:  The proposed day care and  
25  play area is subject to special exception

1                   Zoning Referral Review

2    approval, pursuant to the Town of Hempstead  
3    Building Zone Ordinance. There's also special  
4    exception approval needed, as there's no  
5    provisions in the applicant's site plan for an  
6    on-site maneuvering aisle for pick-up and  
7    drop-off of children and attendees.

8                   Some surrounding land uses are  
9    commercial in nature. And to the east you have a  
10   new drive-through coffee business, also a  
11   shopping center to the east. To the north, there  
12   will be additional parking for the -- for the day  
13   care center. And to the south is the bank.

14                  As you know, the Planning Commission  
15   has come up with child day care center guidelines  
16   back in 2023. And as -- as part of those  
17   guidelines, you guys made very clear that pick-up  
18   and drop-offs areas are very essential to the  
19   smooth operation of these businesses.

20                  That being said --

21                  COMMISSIONER SAKOWICH: This is -- it's  
22   not here.

23                  MR. HOESL: Yeah, they're not providing  
24   that on the site plan, so that's what I was  
25   recommending.

1                   Zoning Referral Review

2                   COMMISSIONER SAKOWICH:  It's  
3 incomplete.

4                   COMMISSIONER FORMAN:  Incomplete.

5                   THIRD VICE-CHAIR LEWIS:  Well, perhaps  
6 recommending a letter, you can do a modification.

7                   COMMISSIONER SAKOWICH:  Well, if we  
8 come back with a letter --

9                   ACTING CHAIRMAN GREENFIELD:  Wait a  
10 minute.

11                  COMMISSIONER SAKOWICH:  This doesn't  
12 follow any of our --

13                  ACTING CHAIRMAN GREENFIELD:  Let's put  
14 on the mics. for the benefit of the stenographer.

15                  COMMISSIONER SAKOWICH:  This doesn't  
16 follow any of our guidelines.  This is not even  
17 the closest to what we are looking for.

18                  ACTING CHAIRMAN GREENFIELD:  Well, is  
19 the applicant here?

20                  MR. HOESL:  Bill Bonesso.

21                  ACTING CHAIRMAN GREENFIELD:  Is the  
22 applicant's attorney here?

23                  MR. HOESL:  Yeah.

24                  ACTING CHAIRMAN GREENFIELD:  The  
25 applicant?

1 Zoning Referral Review

2 MR. HOESL: Yeah -- yeah -- yeah.

3 THIRD VICE-CHAIR LEWIS: Oh, look at  
4 that.

5 MR. O'BRIEN: Just understand, you're  
6 making an exception to make the point --

7 COMMISSIONER SAKOWICH: Yeah -- yeah --  
8 yeah.

9 MR. O'BRIEN: Just -- it's you're fine  
10 to do it, just let --

11 COMMISSIONER SAKOWICH: It's a  
12 discussion --

13 MR. O'BRIEN: -- the public know.

14 ACTING CHAIRMAN GREENFIELD: No -- no.  
15 I want to address -- well --

16 COMMISSIONER SAKOWICH: You can't.

17 ACTING CHAIRMAN GREENFIELD: Okay.

18 MR. O'BRIEN: No, you -- you -- you  
19 certainly can do it for -- for limited things. I  
20 mean the -- the -- the Chair has done that  
21 several times and, you know, not --

22 ACTING CHAIRMAN GREENFIELD: We'll be  
23 in complete danger.

24 MR. O'BRIEN: But you -- you certainly  
25 can question the -- the applicant's attorney if

1                   Zoning Referral Review

2    you did so decide.  You -- it's not a precedent.

3    It has --

4                   COMMISSIONER SAKOWICH:  Is -- is there  
5    any reason why the guidelines given to your  
6    architect, your engineer, weren't followed  
7    according to Nassau County Planning Commission?

8                   (Stepping up.)

9                   MR. BONESSO:  Mr. Sakowich is this on?

10                  MR. WREN:  Yes.

11                  MR. BONESSO:  Mr. Sakowich, my name is  
12    William Bonesso.  I'm the attorney for the  
13    applicant.

14                  The guidelines were only provided to me  
15    last week.  I was unaware of the County's  
16    guidelines on these.  And -- and -- and  
17    Mr. Hoesl contacted me last week, asked me if we  
18    had a traffic study and I told him that we had  
19    one that was being prepared.  It was just sent to  
20    me, so I'm going to be providing that to  
21    Mr. Hoesl.

22                  In addition, I had only just received  
23    those guidelines and I have sent them to my  
24    client.  I -- I understand your concerns and --

25                  ACTING CHAIRMAN GREENFIELD:  Would you

1                   Zoning Referral Review

2    agree --

3                   MR. BONESSO:    Pardon?

4                   ACTING CHAIRMAN GREENFIELD:  Why -- why  
5    I called you up also, would you agree to an  
6    extension for the next meeting, so you can  
7    provide everything?

8                   MR. BONESSO:    Yes.

9                   ACTING CHAIRMAN GREENFIELD:  Fabulous.

10                  MR. BONESSO:    I was going to say -- I  
11    was going to say --

12                  ACTING CHAIRMAN GREENFIELD:  That's why  
13    I called him up.

14                  MR. BONESSO:    I was going to say we  
15    would certainly agree --

16                  ACTING CHAIRMAN GREENFIELD:  Then it's  
17    Lenny's problem.  I won't be here at the next  
18    meeting.

19                  (Laughter.)

20                  COMMISSIONER SAKOWICH:  That's --  
21    that's -- and that's what we'll get.  So there  
22    was --

23                  ACTING CHAIRMAN GREENFIELD:  Yeah.

24                  MR. BONESSO:    That's fine, because  
25    I've -- I've made my client aware and we're

1                   Zoning Referral Review

2    looking at the site plan.

3                   Additionally --

4                   ACTING CHAIRMAN GREENFIELD:   Okay,

5    sold.

6                   MR. BONESSO:   Yeah.   Okay.

7                   MR. O'BRIEN:   That's fine.

8                   ACTING CHAIRMAN GREENFIELD:   I'll make  
9    a motion that we extend this for 30 days to put  
10   it on the agenda for the next meeting.

11                  COMMISSIONER SAKOWICH:   I second it.

12                  ACTING CHAIRMAN GREENFIELD:   And --

13                  COMMISSIONER SAKOWICH:   Thank you.

14                  ACTING CHAIRMAN GREENFIELD:   -- and --  
15   and on the record, counsel for the applicant  
16   agreed.

17                  All those in favor?

18                  (Chorus of "ayes.")

19                  ACTING CHAIRMAN GREENFIELD:   Any

20   opposed?

21                  (No response.)

22                  ACTING CHAIRMAN GREENFIELD:   So okay

23   carried.

24                  We moved that long.

25                  THIRD VICE-CHAIR LEWIS:   There you go.

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Zoning Referral Review  
MR. O'BRIEN: Thank you.

\* \* \*

1 Proceedings

2 ACTING CHAIRMAN GREENFIELD: Boy, when  
3 I call Lenny later.

4 (Laughter.)

5 MR. O'BRIEN: Okay.

6 ACTING CHAIRMAN GREENFIELD: So we're  
7 done with the Zoning Calendar.

8 Now, our member Dana Durso had to leave  
9 for a family emergency, so she was excused at  
10 11:10.

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1 NCPC Minor Sub. File No. 9-2026

2 ACTING CHAIRMAN GREENFIELD: Okay.

3 (Stepping up.)

4 MR. WREN: Okay, ready for minor  
5 subdivisions.

6 First up is Case 9-2026. This is a  
7 two-parcel minor subdivision.

8 The 17.2-acre subject property is  
9 situated on the west side of Piping Rock Road in  
10 the Incorporated Village of Matinecock's "R-5A"  
11 Zoning District. Application proposes to  
12 subdivide the property which has 930 feet of  
13 frontage on Piping Rock Road into two separate  
14 parcels.

15 "Proposed Lot A" will have 930.4 feet  
16 of frontage by 529.7 feet on Piping Rock and be a  
17 total of 15.5 acres.

18 "Proposed Lot B" will have 600 [sic] --  
19 excuse me, 656 feet of frontage by 179 [sic] --  
20 171.9 feet on Duck Pond Road and be a total of  
21 1.7 acres.

22 (Acting Chairman Greenfield and  
23 Commissioner Sakowich exit the meeting.)

24 MR. WREN: The -- the property actually  
25 does also cross over into the Incorporated City

1                   NCPC Minor Sub. File No. 9-2026  
2       of Glen Cove, but both the Incorporated Village  
3       and the Incorporated City have both, their  
4       Planning Boards have both issued letters of  
5       zoning compliance for these property.

6                   And I'll ask the attorney to come up.

7                   (Stepping up.)

8                   MR. RANDALL: John Randall,  
9       222 Birch Hill Road, Locust Valley, New York.  
10      I'm here on behalf of the Estate of  
11      Mildred Feinberg.

12                  They purchased this property back in  
13      1973. And as Tim mentioned, this is a 17.2-acre  
14      parcel.

15                  (Commissioner Sakowich enters the  
16      meeting.)

17                  MR. RANDALL: We are looking to carve  
18      off 1.7 acres into a single lot that is  
19      anticipated to be purchased by the immediate  
20      neighbor to the west. We don't need to have  
21      access or to Duck Pond Road, as this is expected  
22      to be just a [sic] -- an additional acreage to  
23      the owner to the west. We are self-imposing a --  
24      a covenant that there would be no residences  
25      permitted on this 1.7 acres. There is a

1 NCPC Minor Sub. File No. 9-2026  
2 limitation on structures to be a barn not greater  
3 than 15 by 15, as well as another shed. So it is  
4 merely a 1.7-acre parcel that will be added to  
5 the neighbor to the west.

6 THIRD VICE-CHAIR LEWIS: So counsel,  
7 let me interrupt there just to make sure we're  
8 able to follow the image that's up on the screen.  
9 So when you say the neighbor to the west, that's  
10 if you're on Duck Pond Road at the south, that  
11 you're referring to the west there, that --  
12 that --

13 MR. O'BRIEN: (Indicating.)

14 MR. RANDALL: Yes, to the left as you  
15 stand on Duck Pond Road.

16 THIRD VICE-CHAIR LEWIS: Oh, to the  
17 left.

18 MR. RANDALL: Your back -- your back  
19 would be to Friends Academy.

20 THIRD VICE-CHAIR LEWIS: Okay.

21 MR. RANDALL: And the parcel on the  
22 corner is the Friends Academy -- Academy  
23 Meeting House.

24 THIRD VICE-CHAIR LEWIS: Okay.

25 So it's a little hard to see the lines

1 NCPC Minor Sub. File No. 9-2026

2 in here as what -- what is the proposed change  
3 line?

4 MR. RANDALL: As you look down on the  
5 screen, he's marking now that (indicating)  
6 portion that is going to be carved out.

7 THIRD VICE-CHAIR LEWIS: Okay. Right  
8 along there, all right.

9 MR. RANDALL: That parcel is entirely  
10 in the City of Glen Cove.

11 THIRD VICE-CHAIR LEWIS: Right.

12 MR. RANDALL: That has already been  
13 approved by that Board. There will be a  
14 remaining parcel that's still Glen Cove, that's  
15 added to the Matinecock parcel.

16 THIRD VICE-CHAIR LEWIS: Okay.

17 MR. RANDALL: And at the end, the --  
18 the remaining parcel that is on the market for  
19 sale would be 4 [sic] -- 15.49 acres.

20 THIRD VICE-CHAIR LEWIS: It's kind of  
21 fun to know that Nassau County still has some  
22 15-acre properties.

23 (Laughter.)

24 MR. RANDALL: It is available today for  
25 a little under 9 million.

1 NCPC Minor Sub. File No. 9-2026

2 THIRD VICE-CHAIR LEWIS: Okay.

3 (Laughter.)

4 THIRD VICE-CHAIR LEWIS: Okay.

5 So were there any struggles or details  
6 that become problematic, in terms of where you  
7 put the line and how the agreements were settled  
8 upon?

9 MR. RANDALL: No. It was -- we've had  
10 no response from any of the neighbors. There's  
11 been no issues. Glen Cove was very  
12 accommodating, as was Matinecock.

13 I do say the last time I was here, I  
14 complimented Greg in the way that he handles his  
15 office. But he's no longer there, so I don't  
16 need to say anything. But I do say on behalf of  
17 Tim Wren, very accommodating, very professional,  
18 always attentive. And then behind the scenes to  
19 go into Nassau County and to see Yanni (phonetic)  
20 and Melissa and Arthur Nastre, they're  
21 professional and accessible and it's greatly  
22 appreciated.

23 (Acting Chairman Greenfield enters the  
24 meeting.)

25 THIRD VICE-CHAIR LEWIS: Okay. Very

1 NCPC Minor Sub. File No. 9-2026

2 good.

3 Let me ask, is there any member of the  
4 public that want to be heard on this item?

5 (No response.)

6 THIRD VICE-CHAIR LEWIS: Okay. Not  
7 seeing anyone, sounds like we're just about ready  
8 to take action on this.

9 ACTING CHAIRMAN GREENFIELD: That's why  
10 I came back.

11 THIRD VICE-CHAIR LEWIS: There you go.  
12 Turn it back --

13 MR. RANDALL: Thank you.

14 THIRD VICE-CHAIR LEWIS: -- over to the  
15 Vice-Chair and see if we have a motion.

16 ACTING CHAIRMAN GREENFIELD: Okay.

17 Not seeing or hearing anyone in the  
18 public, then we'll entertain a motion at this  
19 time.

20 (Deputy Commissioner Nimmo exits the  
21 meeting.)

22 COMMISSIONER GOLD: I make a motion --  
23 I'll make a motion to approve NCPC 9-2026 with a  
24 "Negative Declaration."

25 COMMISSIONER FORMAN: Second.

1 NCPC Minor Sub. File No. 9-2026

2 THIRD VICE-CHAIR LEWIS: Second.

3 ACTING CHAIRMAN GREENFIELD: We have a  
4 motion made and seconded.

5 All those in favor?

6 (Chorus of "ayes.")

7 ACTING CHAIRMAN GREENFIELD: Any  
8 opposed?

9 (No response.)

10 ACTING CHAIRMAN GREENFIELD:

11 Refreshing. Thank you. It's passed.

12 (Laughter.)

13 ACTING CHAIRMAN GREENFIELD: Thank you  
14 very much. Appreciate it.

15 THIRD VICE-CHAIR LEWIS: Thank you, as  
16 well.

17 ACTING CHAIRMAN GREENFIELD: Thank you,  
18 counsel.

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1 NCPC Minor Sub. File No. 12-2026

2 (Stepping up.)

3 MR. WREN: Okay. Next up we have  
4 NCPC File 12-2026. This is a two-parcel minor  
5 subdivision.

6 The 6,400 square foot subject property  
7 is situated on the west side of Meacham Avenue,  
8 in the Hamlet of Elmont, Town of Hempstead's  
9 Business "X" Zoning District. Application  
10 proposes -- application proposes to subdivide the  
11 property which currently has 80 feet of frontage  
12 on Meacham Avenue into two equal parcels.

13 Proposed lots "A" and "B" will both be  
14 40 -- will both have 40 feet of frontage by  
15 80 feet on Meacham Avenue and both will be  
16 3,200 square feet.

17 The Town of Hempstead's Board  
18 of Appeals has approved the requests for  
19 variances -- variances:

20 Subdivision of lot;

21 Lot area;

22 Front width from and on street line to  
23 front setback;

24 Construct a dwelling;

25 And demolish existing dwelling.

1 NCPC Minor Sub. File No. 12-2026

2 For "Lot B," the variances is variance:

3 Subdivision of lot;

4 Lot area;

5 Front width from and on street line to

6 front setback line;

7 And to construct a dwelling.

8 Of the 36 properties within a 200 foot  
9 radius of the subject property, 19 of those have  
10 frontages of 40 feet or less.

11 And now I'd like the attorney to please  
12 come up.

13 (Deputy Commissioner Nimmo enters the  
14 meeting.)

15 (Stepping up.)

16 MR. BONESSO: Good morning,  
17 Vice Chairman, members of the Commission.

18 William Bonesso, Forchelli Deegan  
19 Terrana, 333 Earle Ovington Boulevard, Uniondale,  
20 New York, here on behalf of the applicant,  
21 Meacham 190 LLC. The principal, Waseem Hakeem is  
22 here this morning as well.

23 And as Mr. Wren described, this matter  
24 has gone to the Town of Hempstead Board of  
25 Appeals for variance relief to permit the desired

1 NCPC Minor Sub. File No. 12-2026  
2 subdivision to create two-single family dwellings  
3 on the property. This is an area -- the property  
4 is zoned Business "X" District. And in the  
5 Business "X" District you are permitted to  
6 develop a one or two-family house that -- and --  
7 and in addition to that, there are any number of  
8 business uses that are permitted in the area as  
9 well, in the district as well.

10 This area in particular is a mix of  
11 both. There's residential, there's commercial.  
12 Right next door to the south there's a  
13 2-1/2 story office building. There's a mix of  
14 offices and -- and residences in the area,  
15 including legal two-family houses.

16 When my client first acquired this  
17 property, he went to the Board and got  
18 Zoning Board approval to build a two-family house  
19 on this property. And then ultimately decided  
20 that he would prefer build two single-family  
21 houses. So he went back to the Zoning Board,  
22 sought variances to permit the two lots and  
23 obtain the relief required.

24 (Deputy Commissioner Nimmo exits the  
25 meeting.)

1 NCPC Minor Sub. File No. 12-2026

2 MR. BONESSO: The Board imposed  
3 conditions and those have been memorialized in a  
4 "Declaration of Restrictive Covenants" recorded  
5 in the Nassau County Clerk's Office. Among the  
6 requirements is that each dwelling remain a -- an  
7 owner-occupied dwelling. These are not to be  
8 rented.

9 So consequently, I think in terms of  
10 the use of the property, it's the best use. The  
11 density really doesn't change, because it  
12 would've been a two-family dwelling, which  
13 obviously would have been at least rented to  
14 one family, if not two families. There was no  
15 limitation on owner occupancy on that one. And  
16 so overall, I think this is a better development  
17 of the property and we're asking permission for  
18 the approval of the two lots.

19 THIRD VICE-CHAIR LEWIS: The -- the --  
20 so the radius map indicates that this is  
21 consistent with the community. There's ones  
22 right next to it that are 40 and such, so it's  
23 really not an issue there. I'm a little  
24 surprised by your description of the agreement to  
25 include in the variance approval that you can't

1 NCPC Minor Sub. File No. 12-2026

2 rent the property. I mean that --

3 MR. BONESSO: The -- the Town of  
4 Hempstead Zoning Board does like that restriction  
5 on subdivisions.

6 THIRD VICE-CHAIR LEWIS: I -- I get it  
7 that they may like it.

8 (Laughter.)

9 THIRD VICE-CHAIR LEWIS: There's no  
10 lawyer in the room that said that's illegal, I  
11 mean --

12 MR. BONESSO: Well, it -- it -- it does  
13 go against the "Fair Housing Act," but  
14 nevertheless, it is a voluntary --

15 THIRD VICE-CHAIR LEWIS: I guess the  
16 idea is your client agreed to it voluntarily?

17 MR. BONESSO: Correct.

18 THIRD VICE-CHAIR LEWIS: In exchange  
19 for getting a variance, that on the merits was a  
20 straight forward variance?

21 MR. BONESSO: My client agreed to it  
22 voluntarily.

23 THIRD VICE-CHAIR LEWIS: Yeah, okay.

24 ACTING CHAIRMAN GREENFIELD: So in  
25 looking at the radius map, one of the most

1 NCPC Minor Sub. File No. 12-2026

2 unusual that I've seen, I was surprised that  
3 there's a street named Surprise Street.

4 (Laughter.)

5 MR. BONESSO: Surprise.

6 MR. O'BRIEN: And I have -- and I have  
7 friends who --

8 COMMISSIONER SAKOWICH: There's a  
9 firehouse on that --

10 MR. O'BRIEN: -- live --

11 COMMISSIONER SAKOWICH: -- street?

12 MR. O'BRIEN: -- on the map.

13 ACTING CHAIRMAN GREENFIELD: There's a  
14 firehouse there?

15 COMMISSIONER SAKOWICH: On Surprise  
16 Street.

17 MR. O'BRIEN: Yeah.

18 ACTING CHAIRMAN GREENFIELD: Oh,  
19 really?

20 MR. O'BRIEN: Yeah --

21 COMMISSIONER SAKOWICH: Yeah.

22 MR. O'BRIEN: -- yeah.

23 COMMISSIONER SAKOWICH: You're a big  
24 fireman. You don't --

25 ACTING CHAIRMAN GREENFIELD: I know

1 NCPC Minor Sub. File No. 12-2026

2 I've -- I've been to headquarters at Elmont, but  
3 not to Surprise --

4 (Laughter.)

5 COMMISSIONER SAKOWICH: -- Surprise  
6 Avenue.

7 COMMISSIONER GOLD: That's a surprise  
8 to you.

9 ACTING CHAIRMAN GREENFIELD: That's  
10 a -- I missed one here.

11 (Laughter.)

12 ACTING CHAIRMAN GREENFIELD: I -- I  
13 will have to go research it.

14 MR. O'BRIEN: Mr. Bonesso doesn't play  
15 "Jeopardy" with me on Elmont properties.

16 (Laughter.)

17 COMMISSIONER SAKOWICH: You know what?  
18 I -- I think this is -- could of -- is -- is  
19 definitely an improvement to the neighborhood, so  
20 I make a motion.

21 ACTING CHAIRMAN GREENFIELD: Wait --  
22 wait.

23 First, we have to hear if anyone in  
24 the public --

25 COMMISSIONER SAKOWICH: Public.

1 NCPC Minor Sub. File No. 12-2026

2 ACTING CHAIRMAN GREENFIELD: -- would  
3 like to speak.

4 MR. O'BRIEN: Yeah, exactly.

5 (No response.)

6 ACTING CHAIRMAN GREENFIELD: We have  
7 nobody signed up. No surprises from the public,  
8 so you can make a motion.

9 COMMISSIONER SAKOWICH: NC -- NCPC File  
10 12-2026 with a "Neg. Dec."

11 COMMISSIONER FORMAN: Second.

12 ACTING CHAIRMAN GREENFIELD: Motion  
13 made and seconded.

14 All those in favor?

15 (Chorus of "ayes.")

16 MR. BONESSO: Thank you.

17 ACTING CHAIRMAN GREENFIELD: No  
18 surprises. We have unanimous decision.

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1 NCPC Minor Sub. File No. 13-2026

2 ACTING CHAIRMAN GREENFIELD: Next case.  
3 (Stepping up.)

4 MR. WREN: Okay. Next case is  
5 NCPC File 13-2026. This is for a lot line  
6 adjustment.

7 (Commissioner Gold exits the meeting.)

8 MR. WREN: The 2.5 acre subject  
9 property is situated on the east side of  
10 Austin Boulevard, in the Hamlet of Barnum Island  
11 [sic], Town of Hempstead's Business Zoning  
12 District. The application proposes to convey  
13 2,000 square feet from the southern portion of  
14 "Parcel A" to the northern portion of "Parcel B,"  
15 by means of a lot line adjustment.

16 "Proposed Parcel A" will have 425 -- a  
17 frontage of 425 feet and be a 1.95 acres after  
18 the reapportionment.

19 "Proposed Parcel B" will have a  
20 frontage of 120 feet and be 24,000 square feet  
21 after the adjustment.

22 The Town of Hempstead's Department of  
23 Building has issued a letter of zoning compliance  
24 for this proposed lot line adjustment.

25 And I would now like the attorney to

1 NCPC Minor Sub. File No. 13-2026

2 please step up.

3 (Stepping up.)

4 MR. D'AGOSTINO: Good morning,  
5 Mr. Acting Chairman, members of the  
6 Commission. I apologize for my slowness  
7 getting up here.

8 (Laughter.)

9 MR. D'AGOSTINO: I really don't have  
10 anything to add to -- to Greg's presentation  
11 other than for information, this is actually  
12 one 20 by 100 lot on a 1926 lot, just for your  
13 information. And I know that -- that -- that  
14 Commissioner Lewis would -- would feel that I --  
15 I omitted something, if I didn't -- just make  
16 didn't that statement.

17 But it -- it -- the -- the -- the  
18 church is -- is -- is and -- and the firehouse  
19 had agreed upon this transfer. I do have the  
20 pastor of the church here, Minister Rodrigues and  
21 if you have any questions of him.

22 (Commissioner Gold enters the meeting.)

23 MR. D'AGOSTINO: If you have any  
24 further questions of me, I'd be happy to try and  
25 answer them.

1 NCPC Minor Sub. File No. 13-2026

2 THIRD VICE-CHAIR LEWIS: Can you just  
3 want to give us a short statement of -- of the  
4 purpose of the transfer? What's -- what's the  
5 goal of it?

6 MR. D'AGOSTINO: It's -- it's basically  
7 a sale for -- for financial reasons. And I'm  
8 bringing up Dominick Minerva, who has -- has  
9 dealt with that portion of it.

10 (Stepping up.)

11 MR. MINERVA: Dominick Minerva,  
12 107 South Central Avenue, Valley Stream,  
13 New York.

14 So the 20 by 100 sliver is actually  
15 behind the fire department physically, so they  
16 were interested in acquiring that from the  
17 church. The church has no use for it and they  
18 entered into a contract of sale to sell it  
19 conditioned upon the lot line adjustment.

20 ACTING CHAIRMAN GREENFIELD: So that's  
21 for the fire district?

22 MR. MINERVA: Yes, it will -- it will  
23 become part of the fire district's parcel.

24 ACTING CHAIRMAN GREENFIELD: And  
25 they'll maintain it better than the present?

1 NCPC Minor Sub. File No. 13-2026

2 (Laughter.)

3 MR. MINERVA: And it's -- it's actually  
4 behind the fire district parcel.

5 ACTING CHAIRMAN GREENFIELD: No. Is  
6 this the picture we're looking at?

7 MR. MINERVA: Yeah, it'll square off  
8 both --

9 ACTING CHAIRMAN GREENFIELD: Yeah.

10 MR. MINERVA: -- it's square off both  
11 parcels.

12 ACTING CHAIRMAN GREENFIELD: Okay. And  
13 the container there, does that belong to the  
14 fire district?

15 MR. MINERVA: I am not sure.

16 AUDIENCE MEMBER: No, it doesn't.

17 MR. MINERVA: No -- no.

18 ACTING CHAIRMAN GREENFIELD: Someone  
19 has to --

20 MR. MINERVA: Probably --

21 ACTING CHAIRMAN GREENFIELD: -- address  
22 the beauty of that.

23 MR. MINERVA: -- yeah.

24 COMMISSIONER SAKOWICH: Someone's going  
25 to deal with it.

1 NCPC Minor Sub. File No. 13-2026

2 ACTING CHAIRMAN GREENFIELD: Okay.

3 That's not on topic.

4 We'll entertain a motion.

5 COMMISSIONER SAKOWICH: I make a

6 motion --

7 ACTING CHAIRMAN GREENFIELD: Oh, wait.

8 First, anyone in the public like to speak on

9 this?

10 (No response.)

11 ACTING CHAIRMAN GREENFIELD: We have  
12 nobody signed up. Not hearing or seeing anyone,  
13 we'll entertain a motion.

14 COMMISSIONER SAKOWICH: NCPC 13-2026  
15 with a "Neg. Dec."

16 COMMISSIONER FORMAN: Second.

17 We have a second.

18 ACTING CHAIRMAN GREENFIELD: We have a  
19 second.

20 Motion made and seconded.

21 All those in favor?

22 (Chorus of "ayes.")

23 ACTING CHAIRMAN GREENFIELD: Any  
24 opposed?

25 (No response.)

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NCPC Minor Sub. File No. 13-2026

ACTING CHAIRMAN GREENFIELD: So carried.

\* \* \*

1 NCPC Minor Sub. File No. 15-2026

2 ACTING CHAIRMAN GREENFIELD: Okay, next  
3 case.

4 (Stepping up.)

5 MR. WREN: Okay. Next up is  
6 NCPC File 15-2026. This is a two-parcel minor  
7 subdivision.

8 The 16.3-acre subject property is  
9 situated on the west side of Charles Lindbergh  
10 Boulevard, in the Hamlet of Uniondale in the  
11 Town of Hempstead's "CA" Zoning District. The  
12 application proposes to subdivide the property  
13 which current -- which has currently 1,786 feet  
14 of frontage on Charles Lin [sic] --  
15 Charles Lindbergh Boulevard into two separate  
16 parcels. We also have, this -- this is with the  
17 consent of the lenders and the ground tenants.

18 "Proposed Lot A" will have 174.2 feet  
19 of frontage by 1,152 feet on Charles Lindbergh  
20 Boulevard and be a total of 6.5 acres.

21 "Proposed Lot B" will have 156.5 feet  
22 of frontage by 776.2 feet and be a total of  
23 9.79 acres.

24 The Town of Hempstead's Department of  
25 Buildings has issued a letter of zoning

1 NCPC Minor Sub. File No. 15-2026

2 compliance for this.

3 I will ask the attorney to please come  
4 up.

5 (Stepping up.)

6 MR. BONESSO: Good morning again,  
7 Vice-Chairman Greenfield, members of the  
8 Commission. William Bonesso, Forchelli Deegan  
9 Terrana, 333 Earle Ovington Boulevard, Uniondale,  
10 New York, here on behalf of applicant.

11 Our client is Novapark LLC. This  
12 property, as referenced, is owned by the County  
13 of Nassau. It is basically -- it is basically  
14 already two lots, if you will, in operation.  
15 There are two commercial buildings on the  
16 property, 51 and 55 Charles Lindbergh Boulevard.

17 This application is to formalize the --  
18 the separation of the lots into -- of the lot  
19 into two lots. The -- each lot will be  
20 fully zoning compliant, as evidenced by the  
21 zoning compliance letter that was submitted by  
22 the Town of Hempstead Department of Buildings.  
23 There is sufficient parking setbacks, lot area  
24 and all the rest.

25 And the uses are not going to change.

1 NCPC Minor Sub. File No. 15-2026  
2 Nothing physically on the property is going to  
3 change whatsoever. The real desire here is to  
4 give our client, who is a -- who is a subtenant,  
5 the ability to:

6 Refinance as needed;  
7 To make improvements as needed;  
8 And also to give him some liability  
9 protection, in the event that another subtenant  
10 was to default on -- on their lease. So  
11 consequently, that is the -- that is what's  
12 before the Board.

13 Just one correction on -- on Mr. Wren's  
14 statement, we have the consent of the County and  
15 obviously the property owner. We -- the -- the  
16 over tenant is not the -- we don't have their  
17 consent, but we have their -- they are aware of  
18 the application and they have not stated any --  
19 any objection to it.

20 ACTING CHAIRMAN GREENFIELD: Okay.

21 THIRD VICE-CHAIR LEWIS: So if this is  
22 approved, would you need to redo the lease then?

23 MR. BONESSO: No, the -- none of the  
24 leases are affected at all by this.

25 I have my partner, Dan Dornfeld here,

1 NCPC Minor Sub. File No. 15-2026  
2 who is our transactional lawyer on this matter.  
3 If you want him to speak to the leases in detail,  
4 he can provide that.

5 But he has advised me that -- that none  
6 of the leases of any of these other subtenants or  
7 the over tenants will have any consent  
8 obligations in them that they would have to  
9 consent to this. Only the ground lease, I --  
10 rather, only the County of Nassau, as the  
11 property owner, has to give the consent.

12 ACTING CHAIRMAN GREENFIELD: We'll --  
13 we'll accept your representation.

14 (Laughter.)

15 ACTING CHAIRMAN GREENFIELD: The  
16 Acting Chair will accept your representation on  
17 the record.

18 MR. BONESSO: Thank you.

19 ACTING CHAIRMAN GREENFIELD: Your  
20 partner --

21 MR. BONESSO: Thank you --

22 ACTING CHAIRMAN GREENFIELD: -- can  
23 still bill for the time here.

24 THIRD VICE-CHAIR LEWIS: There won't be  
25 any access issues in terms of the two lots being

1 NCPC Minor Sub. File No. 15-2026

2 separate now. Would there be --

3 MR. BONESSO: No --

4 THIRD VICE-CHAIR LEWIS: -- like a  
5 fence between them or --

6 MR. BONESSO: -- there's already a curb  
7 that runs down between the two parcels.

8 THIRD VICE-CHAIR LEWIS: Okay.

9 MR. BONESSO: I don't -- I don't -- I  
10 doubt that they're going to put a fence up. It's  
11 not really needed. But there's already a curb  
12 between the two parcels. There's an -- and each  
13 lot has its own parking. And -- and there's more  
14 than sufficient parking on each lot to  
15 accommodate the --

16 ACTING CHAIRMAN GREENFIELD: It's okay.  
17 They want to have a fence, let them have a fence.  
18 Just get a permit. Robert Frost says fences make  
19 good neighbors.

20 MR. BONESSO: I've heard that.

21 (Laughter.)

22 ACTING CHAIRMAN GREENFIELD: Okay.

23 COMMISSIONER SAKOWICH: This is the --  
24 this is that one that the County sold the -- the  
25 leases for?

1 NCPC Minor Sub. File No. 15-2026

2 ACTING CHAIRMAN GREENFIELD: Yes.

3 MR. O'BRIEN: Yes.

4 ACTING CHAIRMAN GREENFIELD: Okay.

5 So we have one speaker signed up on  
6 this case. Jim Bethea.

7 Give your name and address for the  
8 record please.

9 MR. BETHEA: Sure.

10 MR. HOESL: Sorry. I think it might be  
11 the next case.

12 ACTING CHAIRMAN GREENFIELD: Oh.

13 MR. HOESL: Yeah.

14 ACTING CHAIRMAN GREENFIELD: He wrote  
15 4.

16 So you're here for -- which case are  
17 you here for?

18 (Stepping up.)

19 MR. BETHEA: The one that he's just  
20 speaking about.

21 MR. HOESL: Okay.

22 ACTING CHAIRMAN GREENFIELD: Okay,  
23 because we also have one for the next one.

24 MR. BETHEA: Yeah, No. 4.

25 ACTING CHAIRMAN GREENFIELD: Yeah.

1 NCPC Minor Sub. File No. 15-2026

2 MR. BETHEA: My name is Jim Bethea. I  
3 am a resident of 185 Warren Street in Uniondale,  
4 New York, which is about a quarter of a mile from  
5 where this building is.

6 And I am objecting to the separation of  
7 the parcel, because we are now dealing with more  
8 traffic, more people coming in and out of the  
9 area every morning. And to separate this  
10 building and to make it two, that means more  
11 traffic. The quality of air and I -- I think it  
12 just produces something that we wouldn't like to  
13 have at this point.

14 ACTING CHAIRMAN GREENFIELD: I'd like  
15 the attorneys to address that, 'cause I thought I  
16 heard that the uses don't change. It's just  
17 a matter of assigning a tax lot with Nassau  
18 County Clerk's Office.

19 (Stepping up.)

20 MR. BONESSO: That's correct,  
21 Mr. Greenfield. The properties, as they are  
22 presently occupied and used will not change  
23 whatsoever. There'll -- there'll be no physical  
24 change to the properties. There is no intended  
25 change of use. Nothing's going to change. This

1 NCPC Minor Sub. File No. 15-2026  
2 is strictly as I mentioned, to create two  
3 individual lots, so that our client who is a  
4 subtenant on one of the lots has the ability to  
5 refinance, has the ability to make improvements  
6 and has the ability to protect himself from the  
7 liability of a -- of a potential sub -- a default  
8 by another tenant. So --

9 ACTING CHAIRMAN GREENFIELD: So maybe  
10 your transaction partner can go on the record and  
11 tell us how long the leases are.

12 (Stepping up.)

13 MR. DORNFELD: Good morning.  
14 Daniel Dornfeld, Forchelli Deegan Terrana.

15 The lease runs until 2081. It's a  
16 ground lease, a long-term ground lease. And  
17 the -- the sublease that we're asking to break  
18 off has contemporaneous expiration dates.

19 ACTING CHAIRMAN GREENFIELD: All right.  
20 I don't think I'll be here in 2081.

21 (Laughter.)

22 MR. DORNFELD: You never know.

23 COMMISSIONER SAKOWICH: Just explain  
24 that to the gentleman if you would.

25 Do you see him? He's sitting in the

1 NCPC Minor Sub. File No. 15-2026

2 back.

3 ACTING CHAIRMAN GREENFIELD: I think he  
4 walked out. Is he still there?

5 COMMISSIONER GOLD: No, he's here.

6 COMMISSIONER SAKOWICH: No, he's  
7 sitting in the back.

8 ACTING CHAIRMAN GREENFIELD: Okay. I  
9 can't -- Bill, step aside. I can't see him.

10 MR. BONESSO: Oh, sorry.

11 ACTING CHAIRMAN GREENFIELD: Did you  
12 understand the -- the existing leases go to 2081,  
13 the existing tenancy leases?

14 (Stepping up.)

15 MR. BETHEA: I'm -- I'm in real estate,  
16 and I can't see how you can separate something,  
17 and just leave it sit, unless you are -- and that  
18 doesn't sound too great to me, to separate  
19 property and to leave one sit.

20 ACTING CHAIRMAN GREENFIELD: Well,  
21 they're separating it for the tax map purposes,  
22 because it wasn't a -- it was together on one tax  
23 with the County Clerk's Office, so we have two  
24 lawyers representing --

25 THIRD VICE-CHAIR LEWIS: So if I could

1 NCPC Minor Sub. File No. 15-2026  
2 just add, I think on a lot of our agenda items,  
3 it's -- it's involving a new development. That's  
4 the norm. But in this case, that's not the  
5 situation. This --

6 ACTING CHAIRMAN GREENFIELD: This is an  
7 unusual circumstance.

8 THIRD VICE-CHAIR LEWIS: -- these are  
9 existing buildings and it just -- they just want  
10 to have separate status, so that they're on their  
11 own lot. And that therefore, when they go for  
12 financing and things like that, it's -- it -- it  
13 stands each -- each building and its ownership  
14 will stand alone.

15 MR. BETHEA: Okay.

16 THIRD VICE-CHAIR LEWIS: So I -- I get  
17 your point. Normally, you know, when someone  
18 separates something, that's because their plan is  
19 to build something there?

20 MR. BETHEA: Exactly.

21 THIRD VICE-CHAIR LEWIS: Yeah.

22 MR. BETHEA: Exactly, yeah.

23 THIRD VICE-CHAIR LEWIS: And it may be  
24 like a multistep. First they separate, then they  
25 come back six months later?

1 NCPC Minor Sub. File No. 15-2026

2 MR. BETHEA: Exactly.

3 THIRD VICE-CHAIR LEWIS: But that's not  
4 what's going on here. This -- this is a -- this  
5 is a fully developed, existed for a long time and  
6 now they just want to break them off, so that  
7 they --

8 MR. BETHEA: Well, that remains to be  
9 seen.

10 ACTING CHAIRMAN GREENFIELD: So I could  
11 tell you there's a lot less traffic because I  
12 don't leave the Islander games at the  
13 Nassau Coliseum and go Charles Lindbergh --

14 (Laughter.)

15 ACTING CHAIRMAN GREENFIELD: --  
16 Westbury through Hempstead to get to stay off of  
17 Hempstead Turnpike.

18 (Laughter.)

19 MR. BETHEA: They're talking about  
20 doing something over there.

21 (Laughter.)

22 THIRD VICE-CHAIR LEWIS: Definitely.

23 MR. BETHEA: Thank you.

24 THIRD VICE-CHAIR LEWIS: Thank you.

25 ACTING CHAIRMAN GREENFIELD: In my

1 NCPC Minor Sub. File No. 15-2026

2 lifetime hopefully.

3 (Laughter.)

4 ACTING CHAIRMAN GREENFIELD: Some  
5 better development.

6 MR. BETHEA: All right.

7 ACTING CHAIRMAN GREENFIELD: All right,  
8 thank you.

9 MR. BETHEA: Thank you.

10 ACTING CHAIRMAN GREENFIELD: Okay.

11 (Stepping up.)

12 MR. DORNFELD: I would just like to  
13 clarify the question. When I gave you the  
14 expiration date, that is with the options, which  
15 everybody's intending to exercise.

16 ACTING CHAIRMAN GREENFIELD: I  
17 understand.

18 Okay. So anyone else?

19 (No response.)

20 ACTING CHAIRMAN GREENFIELD: No one  
21 else has signed up. Anyone else desire to speak?

22 (No response.)

23 ACTING CHAIRMAN GREENFIELD: Not  
24 hearing or seeing anyone, let's entertain a  
25 motion at this time.

1 NCPC Minor Sub. File No. 15-2026  
2 COMMISSIONER SAKOWICH: Motion on  
3 NCPC File 15-2026 with a "Neg. Dec."  
4 COMMISSIONER FORMAN: Second.  
5 COMMISSIONER GOLD: Second.  
6 ACTING CHAIRMAN GREENFIELD: All those  
7 in favor?  
8 (Chorus of "ayes.")  
9 ACTING CHAIRMAN GREENFIELD: Any  
10 opposed?  
11 (No response.)  
12 ACTING CHAIRMAN GREENFIELD: So  
13 carried.  
14 MR. BONESSO: Thank you very much.  
15 ACTING CHAIRMAN GREENFIELD: Okay.

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1 NCPC Minor Sub. File No. 16-2026

2 (Stepping up.)

3 MR. WREN: Okay. Next up we have  
4 NCPC File 16-2026. This is a two-parcel minor  
5 subdivision.

6 The 8,936 square foot subject property  
7 is situated on the west side of Nostrand Avenue  
8 in the Hamlet of Uniondale, Town of Hempstead's  
9 Residential "B" Zoning District. Application  
10 proposes to subdivide the property, which  
11 currently has 101.74 feet of frontage on  
12 Nostrand Avenue into two separate parcels.

13 (Mr. O'Brien and Commissioner Sakowich  
14 exit the meeting.)

15 MR. WREN: "Proposed Lot A" will have  
16 50 feet -- 50.87 feet of frontage by 89.36 feet  
17 on Nostrand Avenue and be a total of 4,234  
18 square feet.

19 "Proposed Lot B" will have 50.87 feet  
20 of frontage by 98.72 feet and be a total of 4,702  
21 square feet after -- after the subdivision.

22 Lot [sic] -- the Town of Hempstead's  
23 Board of Appeals has approved the request for  
24 variances.

25 For "Lot A, variances:

1 NCPC Minor Sub. File No. 16-2026

2 Subdivision of lot;

3 Lot area;

4 Construct dwelling with a garage on a  
5 lesser lot.

6 And for "Lot B," variance;

7 Subdivision of lot;

8 Lot area;

9 Front width from and on street line to  
10 front setback;

11 Front yard average setback;

12 And maintain dwelling and detached  
13 garage on a lesser lot.

14 I'd now like the attorney to please  
15 come up.

16 (Stepping up.)

17 MR. D'AGOSTINO: Again, good morning,  
18 Mr. Acting Chairman, members of the Commission.

19 First of all, I realized I think I  
20 neglected to put my appearance on the record for  
21 the prior Barnum Island application. For -- for  
22 the applicant on -- on that one retroactively and  
23 on -- on this one, Albert A. D'Agostino,  
24 firm is Minerva and D'Agostino PC,  
25 107 South Central Avenue, Valley Stream,

1 NCPC Minor Sub. File No. 16-2026

2 New York.

3 (Commissioner Sakowich enters the  
4 meeting.)

5 MR. D'AGOSTINO: Once again, I think  
6 the staff has adequately and -- and in a detailed  
7 matter explained the application. The -- the --  
8 the house to be maintained is the southernmost  
9 lot. And the -- the proposed new residences on  
10 the northernmost lot, the requisite variances  
11 were granted by the Town of Hempstead Zoning  
12 Board of Appeals in -- in October of 2025.

13 If you have any specific questions, I  
14 would -- I'll be happy to try to address them.

15 THIRD VICE-CHAIR LEWIS: Just a quick  
16 comment.

17 I -- I think the fact that you put the  
18 line a little bit closer to the existing home, so  
19 that the corner home could have a little extra  
20 property, which helps with sight lines around the  
21 corners.

22 MR. D'AGOSTINO: Yes.

23 THIRD VICE-CHAIR LEWIS: So we like  
24 seeing corners a little bit bigger, so I like the  
25 way you did that.

1 NCPC Minor Sub. File No. 16-2026

2 COMMISSIONER FORMAN: I just want to  
3 confirm, this is "as-of-right?"

4 MR. D'AGOSTINO: (No response.)

5 COMMISSIONER FORMAN: This is  
6 "as-of-right?"

7 MR. D'AGOSTINO: No -- no, variances  
8 were granted --

9 COMMISSIONER FORMAN: Oh, okay.

10 MR. D'AGOSTINO: -- by the -- by the  
11 Town of Hempstead Zoning Board of Appeals,  
12 October 23, 2025. So it's not -- not -- not a --  
13 well, it's "of right" based upon the variances,  
14 but not fully zoning -- zoning compliant. There  
15 was relief requested and granted.

16 (Discussion held among Commissioners  
17 off the record.)

18 ACTING CHAIRMAN GREENFIELD: Okay.

19 THIRD VICE-CHAIR LEWIS: Anybody want  
20 to ask some questions?

21 (No response.)

22 ACTING CHAIRMAN GREENFIELD: All right.  
23 We, on this case, we have someone signed up.

24 This is Case No. 5, 16-26. Okay. We  
25 have Cynthia McManning [sic] -- McManus.

1 NCPC Minor Sub. File No. 16-2026

2 (Stepping up.)

3 MS. McMANUS: Good morning. My name is  
4 Cynthia McManus, 872 Planders Avenue, Uniondale.  
5 I've been a resident of Uniondale for over  
6 30 years. And I'd like to express my strong  
7 disapproval of the proposed subdivision of the  
8 property at 800 Nostrand Avenue.

9 I will attempt to not only give my  
10 comment, but my neighbor also sent her -- sent an  
11 e-mail, so I'll see if I can get them both in.

12 (Commissioner Sakowich exits the  
13 meeting.)

14 MS. McMANUS: First, this variance  
15 would set an undesirable precedent in the  
16 neighborhood, potentially leading to further  
17 subdivisions that are inconsistent with the  
18 existing character and zoning intent of the area.  
19 Second, the property is located near a bus stop  
20 corner and along an elementary school walking  
21 route. Increasing residential density at this  
22 location raises serious safety concerns for  
23 children and pedestrians, particularly during  
24 peak school hours.

25 (Commissioner Sakowich enters the

1 NCPC Minor Sub. File No. 16-2026

2 meeting.)

3 MS. McMANUS: Additionally, the  
4 proposed subdivision would contribute to  
5 increased -- excuse me -- increased congestion in  
6 an already-constrained area. This raises  
7 concerns not only for daily traffic flow, but  
8 also for emergency vehicle access, which could be  
9 significantly impacted by higher density and  
10 limited roadway space.

11 There is currently no sewer line  
12 infrastructure in place to support two separate  
13 properties on this lot. And approving the  
14 subdivision without adequate utility support  
15 presents both environmental and public health  
16 concerns.

17 For these reasons, I respectfully urge  
18 the Board to deny the request.

19 And to add to that, one of the other  
20 neighbors would also like to share. Her  
21 statement is the request to maintain a dwelling  
22 on a lesser lot while constructing a second  
23 dwelling on another lesser lot creates an  
24 artificial density that does not exist on this  
25 block. By granting variances for lot area and

1 NCPC Minor Sub. File No. 16-2026  
2 front width, the Board is allowing a cramped  
3 development pattern that sits in direct contrast  
4 to the established harmony of our neighborhood.  
5 This overcrowding negatively impacts the visual  
6 appeal and property values surrounding homes.

7 Uniondale residents already carry a  
8 significant tax burden. Subdividing one  
9 single-family parcel into two creates an  
10 immediate double demand on the Uniondale public  
11 schools, and local infrastructure, sewer, waste  
12 and emergency services.

13 The variance for a front width from and  
14 on street line to front setback on "Lot B" is  
15 particularly concerning. Reducing these  
16 requirements compromises the open space between  
17 homes and can impact a line of sight for drivers  
18 on our residential streets.

19 ACTING CHAIRMAN GREENFIELD: Time's up.

20 THIRD VICE-CHAIR LEWIS: Wow, that's  
21 some buzzer.

22 ACTING CHAIRMAN GREENFIELD: I don't  
23 control that.

24 (Laughter.)

25 THIRD VICE-CHAIR LEWIS: Sorry about

1 NCPC Minor Sub. File No. 16-2026

2 the buzzer. But -- but thank you.

3 MS. McMANUS: Thank you.

4 THIRD VICE-CHAIR LEWIS: Your comments  
5 are -- were heard and -- and are taken in.

6 We'll -- we'll see if we can address --

7 ACTING CHAIRMAN GREENFIELD: I'd like  
8 the attorney to respond, one of the attorneys.

9 THIRD VICE-CHAIR LEWIS: Yeah.

10 (Stepping up.)

11 MR. D'AGOSTINO: In terms of the --  
12 the infrastructure, obviously, the infrastructure  
13 for this area has been installed when -- when the  
14 area was developed. The question as far as the  
15 tap into the sewer line, water service, they  
16 would have to be addressed in accordance with all  
17 municipal standards in the course of the -- of --  
18 of -- of the construction. At the -- at the time  
19 of the presentation to the Zoning Board of  
20 Appeals, the character of the neighborhood was  
21 considered in terms of the -- the -- the impact  
22 of -- of this one split off.

23 And the -- the -- as was earlier  
24 commented on the record, the greater -- greater  
25 width goes to the corner lot, in order not to

1 NCPC Minor Sub. File No. 16-2026  
2 interfere with sight line distances on the  
3 corner.

4 And as I said, all of -- all of the  
5 arguments that --

6 COMMISSIONER SAKOWICH: Mr. D'Agostino,  
7 we got all that, but I got a question for you.

8 MR. D'AGOSTINO: Okay.

9 COMMISSIONER SAKOWICH: At the zoning  
10 hearing, was there any opposition from neighbors?

11 MR. D'AGOSTINO: I -- we didn't --  
12 we -- we -- we did not handle the zoning.

13 (Stepping up.)

14 MR. MINERVA: Dominick Minerva,  
15 Minerva and D'Agostino, 107 South Central Avenue,  
16 Valley Stream, New York.

17 My client informed me that 16 of the  
18 neighbors on the radius map signed a petition  
19 consenting, which was filed at the Zoning Board  
20 hearing.

21 COMMISSIONER SAKOWICH: And -- and the  
22 other thing is that it's already been in front of  
23 the Zoning Board. They've already granted them  
24 permission?

25 MR. MINERVA: Correct.

1 NCPC Minor Sub. File No. 16-2026

2 MR. D'AGOSTINO: Yes.

3 COMMISSIONER SAKOWICH: So --

4 ACTING CHAIRMAN GREENFIELD: That's  
5 what I wanted on the record.

6 MR. D'AGOSTINO: Yes.

7 MR. MINERVA: Yes.

8 COMMISSIONER SAKOWICH: Yeah, I'm just  
9 saying, but it's -- it's already been granted.

10 ACTING CHAIRMAN GREENFIELD: Yeah.  
11 Well, that's what I wanted to find out.

12 COMMISSIONER SAKOWICH: You know,  
13 they -- they went through -- through  
14 notifications and all the different things. I  
15 mean, you know --

16 THIRD VICE-CHAIR LEWIS: So I'm looking  
17 at the area map that's up on the screen. And I  
18 think the question that the good neighbor raised  
19 was would this set a bad precedent that might  
20 result in other subdivisions.

21 And as you're looking at the -- at the  
22 radius map, it looks like most of the properties  
23 are pretty similar to what we're talking about  
24 where --

25 COMMISSIONER SAKOWICH: Yeah.

1 NCPC Minor Sub. File No. 16-2026

2 The only exception is all the corners  
3 basically on -- on -- on the other ones.

4 MR. MINERVA: I don't think the other  
5 corners, when you looked at the aerial, the  
6 houses were positioned in a way that the  
7 properties could be subdivided --

8 COMMISSIONER SAKOWICH: Okay.

9 MR. MINERVA: -- without --

10 COMMISSIONER SAKOWICH: Yeah.

11 MR. MINERVA: -- with the -- the -- the  
12 way the houses --

13 COMMISSIONER SAKOWICH: Other than  
14 that, they're already split?

15 MR. MINERVA: (Nodding head yes.)

16 (Laughter.)

17 THIRD VICE-CHAIR LEWIS: Well,  
18 that's -- that's I -- I -- I think that, yeah,  
19 I -- I -- I think it's kind of self evident that  
20 it's both reasonably related to what we see in  
21 the neighborhood, but it's also not -- there's  
22 not a number of properties that seem to me would  
23 be on the block for potentially being split.  
24 And, you know, I -- I don't see this having that  
25 kind of, you know, negative precedent effect.

1 NCPC Minor Sub. File No. 16-2026

2 COMMISSIONER SAKOWICH: Possibly two.

3 THIRD VICE-CHAIR LEWIS: Yeah, I mean  
4 I'm not saying zero. They're probably --

5 COMMISSIONER SAKOWICH: But the most  
6 would be possibly two, the most.

7 MR. MINERVA: Yeah. And although we  
8 didn't present this case to the Zoning Board,  
9 we're familiar with the -- the Zoning Board and  
10 they usually take that into account --

11 COMMISSIONER SAKOWICH: Yeah.

12 MR. MINERVA: -- the other properties  
13 on the radius map that are capable of similar  
14 subdivisions.

15 COMMISSIONER SAKOWICH: Right.

16 MR. D'AGOSTINO: And -- and those  
17 considerations are mandated by the applicable  
18 statute in the Zoning Board's consideration,  
19 which they've already done and have already ruled  
20 on.

21 COMMISSIONER SAKOWICH: I -- I got to  
22 leave.

23 ACTING CHAIRMAN GREENFIELD: All right.  
24 Let's -- can't we just vote on this?

25 COMMISSIONER SAKOWICH: I make a motion

1 NCPC Minor Sub. File No. 16-2026

2 on 16-2026 with a "Neg. Dec."

3 COMMISSIONER FORMAN: Second.

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

6 ACTING CHAIRMAN GREENFIELD: All those  
7 in favor of the motion, so signify by saying aye.

8 (Chorus of "ayes.")

9 ACTING CHAIRMAN GREENFIELD: Opposed?

10 (No response.)

11 ACTING CHAIRMAN GREENFIELD: So  
12 carried.

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1 Proceedings

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

3 THIRD VICE-CHAIR LEWIS: Is that our  
4 last --

5 ACTING CHAIRMAN GREENFIELD: No.

6 THIRD VICE-CHAIR LEWIS: --  
7 residence --

8 ACTING CHAIRMAN GREENFIELD: Bob.

9 MR. O'BRIEN: I was recused on the last  
10 case, so --

11 ACTING CHAIRMAN GREENFIELD: Yeah, I  
12 understand.

13 COMMISSIONER SAKOWICH: But can I leave  
14 because of the Zoning.

15 MR. O'BRIEN: What?

16 COMMISSIONER SAKOWICH: Both are zoning  
17 compliant.

18 Is there anybody -- anybody up against  
19 these? Is there anybody here for comment on  
20 the -- on the last two?

21 ACTING CHAIRMAN GREENFIELD: We have no  
22 one signed up for the last two.

23 MR. O'BRIEN: We have two cases on the  
24 other one.

25 ACTING CHAIRMAN GREENFIELD: We're

1 Proceedings

2 losing our quorum now.

3 We have to stop; correct, Bob?

4 MR. O'BRIEN: Yes, we have -- if we

5 don't have a quorum --

6 COMMISSIONER SAKOWICH: Okay, let's do

7 them quick.

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1 NCPC Minor Sub. File No. 17-2026

2 (Stepping up.)

3 MR. WREN: Okay. Speed run.

4 COMMISSIONER SAKOWICH: Yeah.

5 MR. WREN: You need a speed run?

6 COMMISSIONER SAKOWICH: Let's go --

7 let's go.

8 MR. WREN: Case 17-2026 is a  
9 three-parcel minor subdivision. As you said,  
10 everything's zoning compliant on this.

11 One of -- this is an interesting one  
12 though is one will go out onto William Street,  
13 the other two go onto Wantagh Avenue.

14 You want the square footage and stuff,  
15 but --

16 COMMISSIONER SAKOWICH: No, we --

17 ACTING CHAIRMAN GREENFIELD: No --  
18 no -- no.

19 COMMISSIONER SAKOWICH: -- we see  
20 the --

21 ACTING CHAIRMAN GREENFIELD: We don't  
22 want that.

23 COMMISSIONER SAKOWICH: We see it.

24 MR. WREN: Yeah -- yeah.

25 ACTING CHAIRMAN GREENFIELD: Okay.

1 NCPC Minor Sub. File No. 17-2026

2 The attorney, next the attorney.

3 MR. WREN: Yes.

4 ACTING CHAIRMAN GREENFIELD: Anything  
5 further on this?

6 (Stepping up.)

7 MR. D'AGOSTINO: Just my appearance.

8 COMMISSIONER SAKOWICH: Okay.

9 I make a motion on 17-2026 for --

10 MR. O'BRIEN: For approval with a  
11 "Negative Dec."

12 COMMISSIONER SAKOWICH: -- approval  
13 with a "Negative Dec."

14 COMMISSIONER FORMAN: Second.

15 ACTING CHAIRMAN GREENFIELD: Motion  
16 made and seconded.

17 All those in favor?

18 (Chorus of "ayes.")

19 ACTING CHAIRMAN GREENFIELD: Any  
20 opposed?

21 (No response.)

22 ACTING CHAIRMAN GREENFIELD: None.

23 Carried.

24 Next?

25 COMMISSIONER SAKOWICH: Less.

1 NCPC Minor Sub. File No. 17-2026

2 MR. D'AGOSTINO: Thank you.

3 Third --

4 ACTING CHAIRMAN GREENFIELD: No one in  
5 the -- no one signed up for that one and no one  
6 raised their hand to speak.

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1 NCPC Minor Sub. File No. 18-2026

2 MR. O'BRIEN: 18-2026.

3 COMMISSIONER SAKOWICH: Yes.

4 MR. O'BRIEN: A property at Roosevelt.

5 COMMISSIONER SAKOWICH: Yup.

6 (Stepping up.)

7 MR. WREN: Yes.

8 So it's a 15,000 [sic], I'm sorry,  
9 15,200 [sic] square foot subject. It's zoning  
10 compliant. It's going to be split into two lots.

11 We have 65 feet of frontage and 55 feet  
12 of frontage, both on Woods Avenue.

13 COMMISSIONER SAKOWICH: Yeah, we got  
14 it.

15 MR. WREN: Okay.

16 Thank you.

17 (Stepping up.)

18 THIRD VICE-CHAIR LEWIS: Note your  
19 appearance.

20 MR. GREGORY: Good morning. I'll make  
21 this fast.

22 Yes, good morning, Acting Chairman,  
23 Commission. I apologize. You're in a rush.

24 We're proposing to subdivide this  
25 parcel. It's zoning compliant. One parcel --

1 NCPC Minor Sub. File No. 18-2026

2 ACTING CHAIRMAN GREENFIELD: Your name  
3 and -- for the record.

4 MR. GREGORY: I apologize.

5 ACTING CHAIRMAN GREENFIELD: I know  
6 your name, but for --

7 MR. GREGORY: Yes --

8 ACTING CHAIRMAN GREENFIELD: -- the  
9 record.

10 MR. GREGORY: -- I apologize.

11 ACTING CHAIRMAN GREENFIELD: And I know  
12 you're not an attorney, but we still need your  
13 name for the record.

14 (Laughter.)

15 MR. GREGORY: Michael Gregory,  
16 Permits-R-Us, 204 Westbury Avenue, Carle Place,  
17 New York.

18 This is in a Residence "B" Zone. We  
19 got a letter of zoning compliance from the  
20 Town of Hempstead. The current house will exist  
21 after prior [sic] -- post. The subdivision will  
22 be zoning compliant.

23 COMMISSIONER SAKOWICH: The current  
24 house exists -- exists?

25 MR. GREGORY: Yes, the current house is

1 NCPC Minor Sub. File No. 18-2026

2 existing.

3 COMMISSIONER SAKOWICH: And is zoning  
4 compliant?

5 MR. GREGORY: Is zoning compliant.

6 COMMISSIONER SAKOWICH: Uh-huh.

7 MR. GREGORY: And --

8 COMMISSIONER SAKOWICH: I make a motion  
9 18-2026 with a "Neg. Dec."

10 COMMISSIONER FORMAN: Second.

11 COMMISSIONER SAKOWICH: I'm sorry for  
12 the rush.

13 ACTING CHAIRMAN GREENFIELD: All in  
14 favor?

15 (No response.)

16 ACTING CHAIRMAN GREENFIELD: All --  
17 all -- no one in the public signed up to speak?

18 (No response.)

19 ACTING CHAIRMAN GREENFIELD: No one  
20 wishes to speak?

21 (No response.)

22 ACTING CHAIRMAN GREENFIELD: All those  
23 in favor, so signify by saying aye.

24 (Chorus of "ayes.")

25 ACTING CHAIRMAN GREENFIELD: Any

1 NCPC Minor Sub. File No. 18-2026

2 opposed?

3 (No response.)

4 ACTING CHAIRMAN GREENFIELD: So

5 carried.

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1 Proceedings

2 ACTING CHAIRMAN GREENFIELD: Motion to  
3 adjourn at 11:47.

4 COMMISSIONER GOLD: Second.

5 THIRD VICE-CHAIR LEWIS: Good luck with  
6 your project.

7 MR. GREGORY: Thank you.

8 ACTING CHAIRMAN GREENFIELD: Good luck.

9 MR. O'BRIEN: Thank you, everyone, for  
10 staying --

11 ACTING CHAIRMAN GREENFIELD: Thank you.

12 MR. O'BRIEN: -- and making it happen.

13 (The meeting was concluded at 11:47 a.m.)

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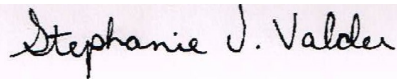
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C E R T I F I C A T I O N

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.

Handwritten signature of Stephanie J. Valder in black ink, enclosed in a light pink rectangular box.

---

STEPHANIE J. VALDER,  
Stenographer

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