

REGULAR MEETING
of the
NASSAU COUNTY PLANNING COMMISSION

Thursday, August 13, 2026
10:00 A.M. - 12:03 P.M.

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

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

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LEONARD H. SHAPIRO, Chairman

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JEFFREY H. GREENFIELD, Vice-Chair

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NEAL LEWIS, Third Vice-Chair

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DANA DURSO,

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ABRAHAM HAMRA,

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REID SAKOWICH,

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SAMANTHA E. SETER,

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Commissioners

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ROBERT O'BRIEN, ESQ., Counsel

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14

Staff:

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GIANNI ANDRIANO

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GREGORY J. HOESL

17

CAMERON SANDS

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TIMOTHY WREN

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JOHN PERRAKIS

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A L S O P R E S E N T:

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MARIESEL BERRIOS, Stenographer

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

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CHAIRMAN SHAPIRO: Good morning and welcome to the
August 13th Nassau County Planning Commission Meeting.

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Commissioner Greenfield, would you lead us in the
Pledge?

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VICE-CHAIRMAN GREENFIELD: Hand over heart.

8

(Whereupon, the Pledge of Allegiance was recited.)

9

VICE-CHAIRMAN GREENFIELD: Play ball.

10

11

MR. SANDS: I'd like to start with a roll call.

Starting with Commissioner Hamra?

12

COMMISSIONER HAMRA: Present.

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MR. SANDS: Commissioner Durso?

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COMMISSIONER DURSO: Present.

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MR. SANDS: Vice-Chair Greenfield?

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VICE-CHAIRMAN GREENFIELD: Present.

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MR. SANDS: Chair Shapiro?

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CHAIRMAN SHAPIRO: Present.

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MR. SANDS: Third Vice-Chair Lewis?

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VICE-CHAIRMAN LEWIS: Present.

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MR. SANDS: Commissioner Sakowich?

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COMMISSIONER SAKOWICH: Present.

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MR. SANDS: Commissioner Seter?

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COMMISSIONER SETER: Present.

25

MR. SANDS: Commissioner Forman?

1 Proceedings

2 (No response given.)

3 MR. O'BRIEN: Excused.

4 MR. SANDS: Commissioner Ellerbe?

5 MR. O'BRIEN: Excused.

6 MR. SANDS: I'd like to acknowledge the receipt of the
7 transcript from the July 16, 2026 NCPC hearing.

8 VICE-CHAIRMAN LEWIS: I'll make that motion to accept
9 the transcript from the last meeting.

10 VICE-CHAIRMAN GREENFIELD: I'll second it.

11 CHAIRMAN SHAPIRO: All in favor?

12 (Chorus of Ayes.)

13 CHAIRMAN SHAPIRO: Any opposed?

14 (No response given.)

15 CHAIRMAN SHAPIRO: Motion carries.

16 * * *

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18 VICE-CHAIRMAN GREENFIELD: Mr. Chairman, I have to
19 excuse myself at this time. I conducted the pre-meeting, and I
20 have some business appointments.

21 CHAIRMAN SHAPIRO: Goodbye.

22 VICE-CHAIRMAN GREENFIELD: Goodbye. Have a good
23 meeting, everyone.

24 * * *

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1 OSPAC 8-206

2 VICE-CHAIRMAN LEWIS: Mr. Chairman, I'd like to make a
3 motion for our first item if we're ready.

4 CHAIRMAN SHAPIRO: I think we are.

5 VICE-CHAIRMAN LEWIS: All right, let's do it.

6 So, first item is OSPAC Calendar, and on that OSPAC,
7 we have a public hearing.

8 So, for this public hearing, I'm going to turn it over
9 to our staff to explain what it's all about.

10 MR. SANDS: Nassau County is requesting permission to
11 grant an easement -- a permanent easement to the Department of
12 the US Navy over the above-referenced County-owned stormwater
13 basins. The proposed easement would encompass five separate
14 County stormwater basins located within residential
15 developments just west of Seamans Neck Road in the Hamlet of
16 North Wantagh, Town of Hempstead.

17 The County has previously worked with the Navy to
18 obtain a temporary access agreement for use of the above
19 referenced stormwater basins.

20 The Navy is now seeking to obtain a permanent easement
21 over these basins to support and facilitate its ongoing
22 environmental remediation efforts. The Navy is requesting that
23 these basins be included within a single permanent easement, as
24 all five locations will be utilized as part of the same
25 treatment system and will be needed for the duration of the

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facility's operations.

The proposed easement is associated with the Navy's ongoing groundwater remediation program. The Navy is preparing for the next major phase, Phase 3, which involves -- which will be located to the south of the Southern State Parkway. This involves capturing portions of the groundwater plume that extend beyond the reach of the Phase 2 treatment plan, allowing contamination to be intercepted as it moves farther south or in the direction of natural groundwater flow.

It is important to note that the current samplings show that the site contaminants have not been detected at concentrations above the drinking water standards along the Southern State Parkway; however, the Phase 3 system will include new groundwater recovery wells and the treatment plant, providing additional protection for the aquifer and surrounding communities.

The Navy currently anticipates that the Phase 3 treatment plant will be operational in late 2028, and this treatment plant will not be located on county land. This will be located on state-owned land.

During construction, interim treatment systems at the existing recovery wells will continue operating to maintain control of groundwater plume. The five stormwater basins will be used solely for the discharge of clean treated water. No

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groundwater recovery wells or treatment facilities will be constructed within county-owned land. The bases will therefore serve as discharge locations for treated groundwater, and this request follows Phase 2 of the Groundwater Remediation Project during which the Navy sought easements over county-owned stormwater basins located further north in Levittown.

These applications were reviewed by OSPAC and DPW under cases 14, 15, and 16 of 2019, and the County approves of the proposed permanent easement request to the Department of the Navy.

I have Kevin Walsh here for any further questions.

VICE-CHAIRMAN LEWIS: Just a few clarifications, and as we do that, maybe we can just go back to the previous slide.

So, first of all, for those that are here, I just want to clarify for our OSPAC, what we're doing right now is we're creating a public record. We're holding a public hearing. People will get a chance to speak.

No decision is going to be made today. That's the OSPAC law; has a procedure where we have the public hearing. If we're done, we will close the public hearing, and then we send it to OSPAC, which is a separate committee, Open Space and Parks Advisory Committee, and it's a volunteer group of people that focus on how various things impact our open spaces in Nassau County. So, that committee will meet separately, and

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2 we'll vote on all this, and then we will come back at a meeting
3 after that committee has voted.

4 So, I just wanted to clarify our process. There's no
5 vote on this action today. This is just a public hearing.
6 We're just creating a record, and then after OSPAC has had a
7 chance to vote, it'll come back to us, and that's when we will
8 vote.

9 At that point, that will still not be the final vote.
10 That would just be our recommendation for the Nassau County
11 Legislature. So, this is an item that will finally or
12 eventually be resolved at the legislature.

13 With that said, I also want people to see the image
14 that's on the screen. Cameron was pointing out some of the
15 details of it. You can see where the treatment plant location
16 is, and then you can see the five different basins that would
17 be receiving the treated water after it's been through the
18 treatment plant. So, those are the images on the screen.

19 Now, from real estate.

20 MR. WALSH: Good morning, Commissioners. Kevin Walsh
21 of Real Estate Services to answer any further questions.

22 Just wanted to reiterate what also Cameron mentioned.
23 That we did issue permanent easements for three sites just to
24 the north of these basins that have been used to my knowledge
25 without any problems or issues for the same purpose.

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2 VICE-CHAIRMAN LEWIS: Well, that's -- that sounds
3 important then. So, what are you referring to? Is that the
4 Bethpage?

5 MR. WALSH: Correct. I think Levittown. Further north
6 on Seamans. I think portions of, maybe, Bethpage, Plainedge,
7 Levittown.

8 VICE-CHAIRMAN LEWIS: So for there, we did approve a
9 similar, you know, permanent easement?

10 MR. WALSH: Correct. We did three permanent easements.

11 VICE-CHAIRMAN LEWIS: Are they up and running at this
12 point?

13 MR. WALSH: Yes, to my knowledge, they are operating.

14 VICE-CHAIRMAN LEWIS: So, we -- yeah -- but I -- it was
15 a very lengthy process, and -- and it is -- a lot of this stuff
16 you don't see it after it's done, so that's part of the issue.

17 Okay, that's helpful, as we can draw on that experience
18 as we're considering this.

19 CHAIRMAN SHAPIRO: Commissioners, any other questions?

20 (No response given.)

21 CHAIRMAN SHAPIRO: We have a number of people who
22 want to speak.

23 First, I'll call Kristen Duprez.

24 Please come up. Name and address for the record,
25 please.

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2 MS. DUPREZ: Kirsten Duprez, 45 Ruth Court, Wantagh,
3 New York.

4 Good morning. My first concern is being the resident
5 that was right across from the drilling operation that took
6 place at the beginning of May.

7 We received a letter about a week before the operation
8 was going to take place, and there was no type of hearing or
9 anything like that -- like this beforehand.

10 Is this normal protocol for them to start this drilling
11 operation a week before and not have some kind of public
12 hearing so that people could know what was going on?

13 VICE-CHAIRMAN LEWIS: I don't know if we're going to be
14 able to answer every question as we go through the hearing
15 here. I think we can collect questions, and we can make sure
16 the questions get resolved in the process.

17 MR. O'BRIEN: Maybe we'll have Mr. Walsh come back up
18 at the end of all the comments, and maybe he can address what
19 he can address.

20 MS. DUPREZ: My other concern was the environmental and
21 safety health concerns being that I was right across -- we
22 lived right across the street from the drilling operation that
23 was going on.

24 There was -- the noise pollution was pretty loud. We
25 tried to accommodate that with the air conditioning and things

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like that.

That wasn't really the big issue. It was this monitoring of the air quality in front of our homes, and that was -- my concern was that from the drilling, the machines that they were using because they were very -- the odor that was coming from the machines was very disturbing or irritating. So, we did that by closing the windows and all that stuff. But was the air quality from the machines, or was it actually from the drilling and what may have been coming up from the drilling operations?

VICE-CHAIRMAN LEWIS: Just again. Where do you live, and which part of this project are you referring to?

MS. DUPREZ: Right across the street; 282. Basin 282. It's Ruth Court.

CHAIRMAN SHAPIRO: I will have Mr. Walsh come up and answer all these questions after the speakers.

Is that okay with you, Kevin?

MR. WALSH: Sure.

COMMISSIONER SAKOWICH: I think your question might be an easy one to answer.

The basin -- so the treatment plant, which is up on top in the blue; this is what we've got in a pre-meeting in discussion. So, the treatment plant is the blue dot up on top. The basins are where they're going to pump the clean water

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into. So, there'll be a pipe run from the treatment plant, underground, and enter the basins, as they normally enter the basin of -- from the road catch basins is exactly what we were explaining in our pre-meeting, and Kevin, am I saying that right?

MR. WALSH: That's my understanding, correct.

COMMISSIONER SAKOWICH: So, those orange dots are -- I don't know if they call them sumps anymore, but I guess that's --

AUDIENCE MEMBER: Yes.

COMMISSIONER SAKOWICH: But it's not going to be anymore because 282 is just a basin that's going to be -- they were doing ground samples there. So that -- there's -- the only noise that he said was on -- in the treatment -- well, he didn't say the noise on the treatment plant, but the only building was on the treatment plant, on the basins, was going to be just a discharge pipe into the basin. So, I -- that we believe -- that we believe is already completed. But it's a question, we could forward back, but to what we were explained, that -- those basins are just going to be a discharge point for the water that they remove out of the ground and they clean.

MS. DUPREZ: So, will we be concerned about air quality monitoring like they were when they were drilling?

COMMISSIONER SAKOWICH: They're not going to -- to the

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best of our knowledge, what we've explained --

VICE-CHAIRMAN LEWIS: I think it's better if we take
all the questions.

COMMISSIONER SAKOWICH: Yeah.

VICE-CHAIRMAN LEWIS: Instead of back and forth.

COMMISSIONER SAKOWICH: Yeah, okay. I mean, that's
what we were told.

CHAIRMAN SHAPIRO: I would wait until the end. Let's
get some questions and have Kevin answer them one by one.

COMMISSIONER SAKOWICH: Okay.

MS. DUPREZ: Thank you.

CHAIRMAN SHAPIRO: Richard DeCola? Name and address
for the record, please.

MR. DECOLA: 50 Ruth Court, Wantagh, New York. I'm the
house they did the well right in front of the house. So, along
with Kirsten, we experienced the noise. We don't know how much
air quality was disturbed, and we don't know what you pumped
out of the ground, gave us more bad quality, and you're saying
you're going to put clean water in the basin?

MR. O'BRIEN: Whoa, whoa, whoa. We didn't do anything.
The Navy is doing --

MR. DECOLA: I don't mean you. Mean the process.

MR. O'BRIEN: I just want to make it clear, it's not
the County.

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MR. DECOLA: But it's the process. That's what I'm saying. This gentleman over here.

So, my point is we don't know any of that. You take the samples, you show up in front of my house, and say, okay, we're going to drill here.

Like Kristen said, there was no notice. Now, I have broken slabs. All my property is torn up. You're going to tear up the court. I don't know if you're replacing the court with a whole new street, which I've been asking for ten years, and all I get is it's not in the budget.

Is it in the budget for this to get a new street?

And how much water is going to be processed in what time frame for that basin to catch it?

Because if you're telling me the storm drains feed into that basin, it's probably going to be less. They're telling me 10,000 gallons an hour or something's going to go into that basin, and how do I know that we're not going to get mosquitoes and West Nile virus from it? How do we know that? We live there.

Nobody can answer these questions, but we have to absorb it. We don't know how the environment is going to take -- you took this plant over here on Seaman Neck Road, it looks like a Manhattan construction site. That's what it was left. There's no foliage. It's all exposed.

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2 We didn't come to Nassau County to see that. We came
3 to Nassau County because it was residential. This is
4 ridiculous.

5 What's going to happen in our basin? Can anybody
6 answer that question?

7 Is the foliage going to be there, or are we going to be
8 looking at sand the rest of our lives?

9 I'm here 55 years in this house. So, what do I get out
10 of it? A broken sidewalk and no notification that they were
11 coming, and no notification on what the air quality was or what
12 the Navy's been doing for the last 45 years that the County
13 hasn't had enough pressure on them to clean this up?

14 Are we going to have clean water after that? How do we
15 know?

16 We've been told for years, Bethpage, oh, there was no
17 problem. You can live on it. The people, kids have been
18 playing on it. We've been told the same story for over 50
19 years.

20 How do we know now that's in our backyard? What do we
21 get out of this?

22 Where is there any paperwork to that effect, and can we
23 trust it at this point?

24 CHAIRMAN SHAPIRO: Thank you.

25 MR. DECOLA: We have 50 years of not trusting the Navy.

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2 Now, we can trust it? I mean, I can spit from my house to
3 where this basin is going to be.

4 What's the quality -- you know, in our neighborhood --
5 let me tell you something. We have six neighbors here. Three
6 of them in their family has cancer, and has had cancer, and
7 that's only from what's here, and there's hardly anybody here.
8 In our neighborhood, one out of every three to four houses,
9 someone in that house has had cancer, and now, you show up
10 after 50 years.

11 What am I supposed to tell my wife? Oh, they're going
12 to remediate it now. So, what's the answer?

13 Clean water now, according to who? That's what I'd like
14 to know. According to who?

15 Thank you.

16 CHAIRMAN SHAPIRO: Thank you very much. Joe Errante?
17 Name and address for the record, please.

18 MR. ERRANTE: Joseph Errante, 58 Judith Court.

19 Just got a couple of things. You had stated that you
20 -- when they're done with it, the places look good. From your
21 house, maybe it looks good. We drive down this every day. We
22 see the place that they set up already. It's the ugliest
23 eyesore you could imagine. They have trailers on the location,
24 and then big huge filters standing out.

25 Seaford right now has a huge problem with rodents. Are

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2 we going to have the same problem now? This is in my backyard.
3 We lived there for a reason. It's nice. It's quiet. Now I'm
4 going to have people walking around in the sumps. Structures
5 built there, and water just sitting there. You know it's going
6 to bring rodents and all kinds of life to us. Now, we're gonna
7 have to deal with this?

8 Yes, you are -- we are going to get new streets. I
9 just found that out yesterday because I work for the Town of
10 Hempstead, and all of a sudden, someone called me and said,
11 oh, yeah, you guys are approved for new streets.

12 We've been fighting for streets for the longest time
13 but because you guys want to do this, that's the only way we're
14 getting new streets.

15 Guys, all I ask you is, why don't you take a drive
16 around over there? Take a look and ask yourselves, do you want
17 that in your backyard, and how would you feel about that?

18 The noise that they did was unbearable, and it was on
19 the next court from me, and we heard it all day long with our
20 windows closed and air conditioners on. When you drove past
21 it, it looked like a bunch -- we lived in a crack central
22 because the workers are sitting on the corner with chairs just
23 sitting there all day long in front of someone's house. It was
24 disgusting looking.

25 You guys should take a drive by and see what goes on.

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2 While they were drilling that hole, the guys are just sitting
3 there all day long on chairs in front of someone's house.

4 How would you feel, a mother, sitting there three
5 guys sitting on your front lawn in chairs every single day all
6 day long.

7 Guys just drive by. Take a look. It's not going to
8 happen in our -- not in our town. I'm telling you right now.

9 Right now we're just a little angry. Watch when we all
10 get together, we will fight this to the end.

11 CHAIRMAN SHAPIRO: Thank you.

12 COMMISSIONER SAKOWICH: Mr. Chairman, I just want to
13 address that. This is the first time that we're seeing this.
14 Just, people are saying --

15 MR. ERRANTE: I understand, but we live in it.

16 COMMISSIONER SAKOWICH: But the reason for this
17 hearing --

18 MR. ERRANTE: Drive past it.

19 COMMISSIONER SAKOWICH: No, no, no. Just listen to me
20 for a second. We're not against you. You're looking at us
21 like we're against you. This is a public hearing for us to
22 hear your concerns. That's why this is here.

23 MR. ERRANTE: Feel our frustration. Feel our
24 frustration.

25 COMMISSIONER SAKOWICH: We hear your frustration, but

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2 the Town of Hempstead paving your road because of this project
3 has nothing to do with anything. The Town of Hempstead
4 probably doesn't even know about this.

5 MR. O'BRIEN: Just so you're aware --

6 COMMISSIONER SAKOWICH: Just so you're aware of this.
7 This just got presented.

8 MR. O'BRIEN: Just so you understand the purpose of
9 this hearing, okay. This hearing has to do with -- because of
10 an easement that has already been given to the Navy to do their
11 work from the County.

12 MR. ERRANTE: How can you --

13 MR. O'BRIEN: If you let me finish -- if you let me
14 finish, then you can address it, okay.

15 MR. ERRANTE: Yeah, I'll let you finish.

16 MR. O'BRIEN: So, right now, the Navy has an easement.
17 Mr. Walsh, you'll correct me if I'm wrong. They were given an
18 easement by the County to do remediation work. They're asking
19 because of the time it's going to take that easement be made a
20 permanent easement as opposed to a temporary easement because
21 it's going to take so long, and they won't have to continually
22 come back for renewals.

23 The County of Nassau does not control the Navy, the US
24 Department of the Navy, okay. Either they go in, and they do the
25 work, or they don't go in and do no work. That'll be the end.

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But understand, we have -- the County of Nassau has no control over the workers, has no control over the roads. It is the US Department of the Navy that does all that.

MR. ERRANTE: So, then, why are we here right now?

MR. O'BRIEN: Because it's a -- because when the County gets involved with real property, whether it has to do with a sale or a purchase or a use of the land, such as a license or an easement, they -- the County charter requires a public hearing.

So, you may have come down here thinking this has to -- is the place to come and voice your concerns, and let me tell you, these Commissioners will listen to each and every one of your concerns, and they'll relay it back to people in the know, but in the end, if you think about the Department of the Navy, Department of the Navy is under federal jurisdiction. To me, that would be a congressman, a representative, or a senator that would govern, you know, that would have input with that department.

MR. ERRANTE: Who gives them the okay, though?

MR. O'BRIEN: I'm sorry?

MR. ERRANTE: Isn't it you guys that would give them the okay?

MR. O'BRIEN: All this County gives them is the easement, which gives them the right to do the remediation.

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MR. ERRANTE: So, is that your answer?

MR. O'BRIEN: The answer to that -- and I'm trying to tell you, is that if the easement is not given, then they can't do the work, and then it sits the way it is. It seems like a horrible thing. If I was living there, I think I'd want remediation, but I certainly hear what you people are saying.

I wouldn't want to live if you had -- somebody asked that question, would I want to live through it? No. But do I want contaminated water? Absolutely not. So, it is a hell of a tradeoff.

MR. ERRANTE: Is the water that's coming out of my sinks -- so why won't you put some filters in to solve the problem?

MR. O'BRIEN: When you say you, okay, again, it goes back to the Navy and their remediation plans. It is not the County driving the bus.

MR. ERRANTE: But the County is the one --

MR. O'BRIEN: You're not letting me finish. It's the Department of the Navy -- U.S. Naval Department that's doing it.

MR. ERRANTE: I understand that, but at the end of the day, do you have to give them the okay?

MR. O'BRIEN: The only okay that we are giving them is the right to enter onto this property with an easement to do their

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remediation work.

MR. ERRANTE: So, you're responsible --

MR. O'BRIEN: It's either yes or no.

MR. ERRANTE: Because you're giving them the okay.
We're telling you it's not in our backyard.

MR. O'BRIEN: So, what is -- if I may ask because it's
a public, if you don't mind, Mr. Chairman, if I ask the
question?

CHAIRMAN SHAPIRO: Go ahead.

MR. O'BRIEN: If we don't allow the Navy, which is in
effect volunteer to do the remediation, who should do it?
Because the answer is, you need a viable -- if you say no to A,
you need to have a viable B?

I don't want you cutting my lawn; I want somebody to
cut my lawn who knows how to cut the lawn.

MR. ERRANTE: Can't you pick a spot where it's not in
everyone's backyard?

MR. O'BRIEN: We, again, you, you say pick a spot. We
don't pick the spot.

CHAIRMAN SHAPIRO: Hold on. There's a remediation plan
that was set up. I will tell you I've been on this planning
commission for 27 years. We had meetings in the old county
executive building with this, and we tried to force the Navy to
remediate all the pollution that was there. It took a lot of

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years to do it.

We had a meeting in this building probably some ten years ago. There were a number of public hearings, where people came down and expressed their concerns on how the work was being done, what was going to happen in the neighborhood.

I understand your pain and frustration. Quite honestly, I think that before this moves forward, I think the Navy has to come here and see and listen to all of the problems that have been issued in the neighborhoods, and what they've done, and maybe they'll have a heart and understand people because it's unfair to do this to the public.

I mean, I would feel -- I would be very upset if my streets were all, you know, ripped up, and the noise and everything else. I have enough problems listening to somebody do a roof job right in back of me for two weeks, and I have to tell you, with the noise that you're talking about, I get it. I understand what you're saying.

So, maybe we should finish listening to everybody else. Maybe Kevin, you can send back a message to the Navy that when the next -- we'll keep the hearing open, and they ought to come here, instead of being on a Zoom and going over stuff. Let them get their fannies here like they did ten years ago.

MR. O'BRIEN: I just want to add one other thing, sir. What happens here is we have the public hearing today. After

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2 the public hearing is closed, it goes back to OSPAC, which Mr.
3 Lewis mentioned, to make a recommendation to the Planning
4 Commission. Then the County Planning Commission makes a
5 recommendation --

6 CHAIRMAN SHAPIRO: Stop. I want to do it differently.
7 I want to keep this public hearing. I want them here -- I want
8 them here for our next meeting.

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

10 CHAIRMAN SHAPIRO: Which gives them three weeks to get
11 their fannies up here and listen to the people.

12 COMMISSIONER HAMRA: And their plan. What's their
13 plan?

14 CHAIRMAN SHAPIRO: And they have to go through their
15 plan of what they're going to do, and how it's going to be
16 resolved, and then we can vote on it, and send it off to OSPAC.

17 MR. O'BRIEN: Absolutely, Mr. Chair. I was just going
18 to finish.

19 Just so you know. In the end, all this body does is
20 make a recommendation to the county legislature. In the end,
21 the county legislature --

22 CHAIRMAN SHAPIRO: They're going to have a hearing
23 also.

24 MR. O'BRIEN: -- vote on whether to have a permanent
25 easement or not. So, it probably would also be a pretty good

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2 idea to reach out to your county legislator on the deal.

3 MR. ERRANTE: You should take a drive-by pass. Just take
4 a look at what they look like. That's all I'm asking you, and
5 ask yourself, do you want to see that in your backyard?

6 MR. O'BRIEN: Absolutely -- without even seeing it, my
7 answer is no.

8 MR. ERRANTE: So, what are we doing, man?

9 VICE-CHAIRMAN LEWIS: Your answer is no? You don't
10 want to see pipe that's going to be underground --

11 MR. ERRANTE: Give them a hard time and say --

12 MR. O'BRIEN: I'm not giving anybody a hard time and
13 say --

14 MR. ERRANTE: -- pick a location where you're not piss
15 people off.

16 MR. O'BRIEN: You've heard the Chair; he's going to
17 bring the Navy. I'm not arguing, sir. I'm agreeing with you.

18 COMMISSIONER DURSO: We're 100 percent in agreeance. I
19 drive past -- I live very close to where you're talking, sir.
20 So, we are in agreeance with you. I drive past there. I feel
21 your pain.

22 MR. ERRANTE: Which location are you driving past?
23 Seamens Neck Road or Basin 183?

24 COMMISSIONER DURSO: So, I drive down Seaford-Oyster
25 Bay, 135, and Seamans Neck Road, every day.

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2 MR. ERRANTE: So that one on Seamans Neck Road, that big
3 one that they -- they took -- removed all the trees and all you
4 see is all these big things everywhere.

5 COMMISSIONER DURSO: Correct. I don't live there, but
6 I drive past it, so I do feel your pain, and we're not against
7 you. Believe me when I tell you.

8 This is the first time we're hearing from you guys.
9 So, I don't want you to think like everybody else is saying
10 that we're not --

11 MR. ERRANTE: Ruth Court --

12 COMMISSIONER DURSO: 100 percent.

13 MR. ERRANTE: They just showed up one day, and all of a
14 sudden, we got these tremendous big things, and all day long,
15 you just hear banging. Like, what is going on?

16 COMMISSIONER SAKOWICH: Let's continue.

17 COMMISSIONER DURSO: What we're saying is we're going
18 to --

19 MR. O'BRIEN: We're going to bring the Navy in.

20 COMMISSIONER DURSO: We're going to bring the Navy in.
21 What we're saying is, we just want you to understand that we're
22 not against you. That's all we want you to understand.

23 CHAIRMAN SHAPIRO: That's why there's a public hearing
24 --

25 COMMISSIONER DURSO: Correct.

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2 CHAIRMAN SHAPIRO: -- so we can hear your issues.

3 COMMISSIONER DURSO: Right.

4 CHAIRMAN SHAPIRO: And now, we have a solution to bring
5 the Navy in, let them hear you, and let's hear their plan of
6 how they're going to remediate and fix this issue of the
7 streets and the trees because they had a whole remediation plan
8 when this was done ten years ago. I just don't remember what
9 it was. It was a long time ago.

10 MR. O'BRIEN: I remember the hearing.

11 CHAIRMAN SHAPIRO: But the key is that we have to bring
12 them back, and until we -- until they come here, we're not
13 going to rehear this and have another public -- we're not -- we're
14 going to continue the public hearing until they come.

15 MR. ERRANTE: All right.

16 CHAIRMAN SHAPIRO: Okay.

17 COMMISSIONER DURSO: Thank you.

18 CHAIRMAN SHAPIRO: Next speaker, Michael Bivona. Good
19 morning. Name and address for the record, please.

20 MR. BIVONA: Mike Bivona, 54 Judith Court, Wantagh.

21 I'm in agreement with what everybody said here. I
22 think what you really need to think about is quality of life.
23 What kind of quality of life do we deserve?

24 We're all hard-working taxpayers, that kind of stuff,
25 and it's around quality of life.

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2 It's also around communication. I mean, the bottom line
3 is I love the suggestion of you bringing in the Navy. There's
4 no scope of work here.

5 I worked in project management for 40 years. We always
6 provided a scope of work before we did anything. We sat with
7 the people who were affected. We went through the scope of
8 work. We said this is what's going to happen. This is what's
9 going to take place, and then you move forward. There's no
10 scope of work here. We know nothing about what's happening.

11 These poor people on Judith Court -- I'm sorry, Ruth
12 Court, had to deal with that. A truck just rolling up, a huge
13 tower being put in, and then drilling for weeks and weeks, and
14 literally, the guy sitting on the chair watching it.

15 CHAIRMAN SHAPIRO: We hear you.

16 MR. BIVONA: So, it's important --

17 CHAIRMAN SHAPIRO: We're listening to you. Believe me.

18 MR. BIVONA: I just want to add my voice to the other
19 voices here, but it's important. We need the Navy to go
20 through the scope of work.

21 What are they doing? How long is it going to be there?
22 What's happening?

23 Communications.

24 MR. O'BRIEN: And sir, without sounding like I'm giving
25 you a line, I certainly would reach out to my congressman.

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2 MR. BIVONA: I did. They didn't -- she didn't respond.

3 MR. O'BRIEN: Walk in. They gotta -- they gotta deal
4 with it.

5 MR. BIVONA: It's election year, maybe somebody will
6 wake up.

7 MR. O'BRIEN: Because that's the person.

8 MR. BIVONA: It was very frustrating. I wrote an
9 email. No answer.

10 MR. O'BRIEN: Because that's the person who can --

11 MR. BIVONA: So, if anybody knows --

12 MR. O'BRIEN: That person's supposed to be your liaison
13 with the federal government agencies.

14 MR. BIVONA: Absolutely.

15 MR. O'BRIEN: Good, bad or indifferent.

16 MR. DECOLA: How about calling the fire marshal for a
17 week straight? Nobody picks up the phone. Thank you, Nassau
18 County. Try that out.

19 Don't tell us about get ahold of our respected
20 assembly people, and so on and so forth. It doesn't happen.

21 Up there, it happens because you guys can tag it. Down
22 here, it doesn't happen.

23 MR. BIVONA: Thank you very much.

24 MR. DECOLA: I can't even figure out if a person -- he
25 has a legitimate business on Seamans Neck Road with chemicals,

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2 and you know what I get; not my job. We're going to issue
3 a summons.

4 This has been going on for eight weeks.

5 CHAIRMAN SHAPIRO: Sir, you've had your chance.

6 MR. DECOLA: Yeah, I know. I can't do anything.

7 CHAIRMAN SHAPIRO: I understand your frustration --

8 MR. DECOLA: But he said call your assemblyman. It
9 doesn't work.

10 MR. O'BRIEN: I didn't say call your assemblyman. I
11 said --

12 COMMISSIONER SAKOWICH: Well, then, vote them out.

13 MR. O'BRIEN: Vote him or her or whoever they are.

14 COMMISSIONER SAKOWICH: Whoever it is, get rid of
15 them.

16 CHAIRMAN SHAPIRO: It's 80 days away.

17 Anyhow, Lori Kuster? Name and address for the record,
18 please.

19 MS. KUSTER: Yes, Lori Kuster, 306 Twin Lane South.
20 I'm right by Basin 162. There are other people from that area
21 as well.

22 I agree with what has been said thus far. I think the
23 biggest issue seems to be the lack of communication. And if we
24 can have the people who are actually doing the work come here
25 and answer our many questions, I think that we won't feel like

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we're being railroaded and exploited and taken advantage of and all of that.

Some of the questions that you're writing down for the Navy would be, the length of time. What is the start date? What is the end date? What can we expect?

I don't understand what an easement, a permanent easement is. I'm in the education field. I'm not in your field, so I don't even know what that means.

We are on Twin Lane South. It is a very busy thoroughfare that cuts through the neighborhoods, and for example, in the wintertime, all the -- all the snowplows come our way. I guess as an emergency route, so.

My question would be, if anything goes by our storm -- our basin, it's going to be blocking a lot of traffic. So, I worry about safety concerns, about school buses stopping, and picking the kids up and dropping them off and things like that.

I would also like further clarification regarding the plume. Has it reached us? I'm still not exactly sure because we went across that very quickly.

Are we just doing testing because we're trying to cut it off at our area or has it reached there already?

If there are concerns during the presentation -- during the work, who is the person or persons that we can contact to articulate our concerns, and somebody could address them.

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2 And that is about it for my questions, but I would very
3 much appreciate further information from the people who are
4 doing the work.

5 CHAIRMAN SHAPIRO: Thank you very much.

6 MS. KUSTER: Thank you.

7 CHAIRMAN SHAPIRO: Rob Snell? Good morning. Name and
8 address for the record, please.

9 MR. SNELL: Good morning. Rob Snell, 1227 Flower Lane.
10 I'm next to Basin 173. My house borders the county access
11 road.

12 What permanent easement? What does that mean? They --
13 the Navy has it forever? Like, are you guys giving up the
14 property?

15 VICE-CHAIRMAN LEWIS: I'll quickly answer that. The
16 permanent easement would allow the Navy to have an
17 underground pipe that will discharge treated clean water into
18 our recharge basin. The basin you're talking about.

19 That's the question before us, whether or not we would
20 allow clean water coming from the treatment plant that's up in
21 the top of the description there, through an underground pipe,
22 but the easement is to allow that pipe into the basin so that
23 the water can be discharged there.

24 MR. SNELL: Who's going to be responsible for the
25 grounds once they're done with the work? It's still the County

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2 who's responsible for it?

3 VICE-CHAIRMAN LEWIS: The questions about scope of work
4 and such are great questions that the Chairman just said we --

5 MR. SNELL: No, I'm not --

6 VICE-CHAIRMAN LEWIS: I'm answering your question. The
7 answer is, it's the Navy. So, the questions about scope of
8 work and such are valid questions.

9 MR. SNELL: That's not what I'm asking.

10 VICE-CHAIRMAN LEWIS: The Chairman said we're going to
11 have them come in and speak --

12 MR. SNELL: When they're all done --

13 VICE-CHAIRMAN LEWIS: They are responsible for all of
14 that work.

15 MR. SNELL: When all the work is done, I'm asking, it's
16 still the County's property, right?

17 VICE-CHAIRMAN LEWIS: Absolutely.

18 MR. SNELL: Okay, so in the end, when all this is done,
19 hopefully, right? You guys are still maintaining the property
20 after the fact?

21 VICE-CHAIRMAN LEWIS: The property will be maintained
22 essentially as it is today after all the work is said and done.
23 The only difference is it's going to be an extra pipe in there.

24 MR. SNELL: No, I get that, and that bigger pipe --

25 Pipe.

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2 VICE-CHAIRMAN LEWIS: There is going to be a process
3 of conditioning these basins before the work is done
4 because as someone pointed out, you don't want to overwhelm the
5 basin by adding a new pipe to it. So, they're going to have to
6 take away two feet of soil and things like that in order to
7 prepare for the fact that more water is going to be in there.
8 It's going to be water sensors to make sure that water levels
9 don't go too high. So, those are all things we can get greater
10 details on.

11 It's a valid point for each of you to all say why
12 didn't they give us all these details. So, we do want a better
13 scope of work. The Chairman has said that. We agree with you
14 on that. But there will be work done by the contractors under
15 the Navy's supervision that will prepare the basin to be able
16 to handle the additional work.

17 MR. SNELL: That's fine.

18 MR. O'BRIEN: Just to answer one question. What the
19 Navy sends to the site, they're responsible for. The actual
20 site will be maintained by the County. So, if they, quote
21 unquote, send good clean water, nobody cares. If they send
22 something other than that, they are ultimately --

23 MR. SNELL: Oh, we care. The water is just sitting
24 there.

25 MR. O'BRIEN: If it's not the County. It's on them.

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MR. SNELL: So, the water will be on them, but you guys take care of the property? But they're not going to be adding fences in front of, you know, that easement road that's behind my house? That's what I'm concerned about, too, like the look, how it's gonna look in the neighborhood. You know that's things I want to know as well.

Another quick thing. This isn't the County, but that large state basin that is adjacent to 173, was that ever spoke about? They can't do all this work and dump it into that state basin? Why is the County responsible for all this? It's just curiosity.

CHAIRMAN SHAPIRO: And that goes back to the scope of work, and goes back to the answers that we really don't have. That's why --

MR. SNELL: There's a massive basin right off of Seamans Road; it's easier to work on.

MR. O'BRIEN: That's why the Chair is going to keep the hearing open with the hope that they -- that the Navy will show up up next time, and everybody who's here and maybe even some more people from the neighborhood will have the opportunity, you know.

MR. SNELL: Are you guys gonna be able to give us more than a week's notice next time?

MR. O'BRIEN: Well, the notice that's given -- the time

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2 frame for sending notice is set by the county charter, but
3 before you leave here today -- what is the -- what is the next
4 meeting in September?

5 CHAIRMAN SHAPIRO: September 10th.

6 MR. O'BRIEN: So, September 10th with the
7 understanding, I believe, that the commissioners are going to
8 keep the hearing open, and they're going to ask -- we can
9 only ask the Navy to come, you know, to the next meeting, and
10 to answer your question. But that's the intent.

11 MR. SNELL: This gentleman here, isn't he from the
12 Navy?

13 MR. O'BRIEN: No, Mr. Walsh is the head of real estate.

14 MR. SNELL: Oh, okay, all right. So, there nobody's
15 here representing --

16 MR. O'BRIEN: He's on the county side.

17 MR. SNELL: So, they can't mail out some kind of scope;
18 how deep they're going? Like they're going next to my house,
19 and they're going down 12 feet with a pipe. How far down, you
20 know? We have to get some kind of information at some point
21 about it.

22 MR. O'BRIEN: Feel free, before you leave, Mr. Walsh is
23 a very good man. He'll be happy to talk to everybody who came
24 out.

25 MR. SNELL: I appreciate that.

1

2 MR. O'BRIEN: He may not give you the answers you want,
3 but he's a gentleman. He'll try to work with you.

4 MR. SNELL: Thank you.

5 MR. O'BRIEN: Did we get all the speakers, Chair?

6 CHAIRMAN SHAPIRO: No, we have one more. Josie Checco?
7 Sorry, if I pronounced it wrong. Name and address for the
8 record.

9 MS. CHECO: Hi. My name is Josie Checco. I live at
10 3653 Centerview Avenue. I've lived there for 29 years, and we
11 have a beautiful neighborhood. We have 25 families. Every
12 time somebody moves and somebody new moves in, it's just always
13 a perfect fit. It's like a blessing. We have Neighbor Day on
14 Labor Day. We have around the world parties. It's just a
15 really tight community.

16 So, I received this letter, and I put it in community
17 neighborhood group chat, and nobody was concerned. Everybody's
18 very trusting of you.

19 I'm on Centerview, so it's Basin 162. We haven't seen
20 -- we're not in the area where the digging has occurred yet.
21 So, I have passed Judith Court. My daughter's a teacher in
22 Levittown school district and, you know, she has students who
23 live on Judith or Ruth, and sometimes when we go for a walk, she
24 talks about how, you know, the kids go to school, and they're
25 impacted by the digging that's going on their block, and like

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2 right now, the people on my block, they're not that concerned,
3 but I'm concerned.

4

5 I want to know -- there are a few things I want to
6 know. Is this because of the plume that's moving south? And
7 if it is, are we going to get results? I know you're talking
8 about remediation order, and you know, well, if we don't do this
9 we're not going to have clean water. But is that because of
10 the plume? Number one.

11

12 The second question I have is that I grew up in Queens,
13 and to me living on this little 60-by-100 property is kind of
14 paradise because I grew up in the city. I grew up in Manhattan
15 for my first ten years and then in Astoria.

16

17 So, every morning and every evening, we hear the birds.
18 At night, once in a while you see the wildlife, the family of
19 opossum going across our fence, and there are these beautiful
20 mature trees in that -- you call it basin, we call it the sump.
21 Are these trees going to come down?

22

23 I mean, I'll tell you right now, this is new to me. I
24 just started looking into it when I got the letter. I may come
25 back on September 10th, and be, you know, have the concerns that
the other people had, and I'll tell you one thing, too, if it
is like that, if it truly does become like that, you're not
just going to have me; you're going to have the other 25
neighbors in my neighborhood here as well, and it's going to be

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2 on social media because we have some young people that are
3 pretty active in social media. I've worked in the same building
4 as Senator Kirsten Gillibrand. I will write letters to her and
5 drop them onto her door.

6 So, I mean, I'm just right now concerned about does this
7 have to do with the plume? And also what's going to happen to
8 the wildlife and the trees in the summer?

9 Those are my only two questions right now.

10 CHAIRMAN SHAPIRO: Thank you.

11 MS. CHECO: Is there any? Any response or?

12 CHAIRMAN SHAPIRO: It's hard to give you a response
13 because we, like, we don't know a lot of information. So, that
14 was my intention of having the Navy come down and have a public
15 -- continue this public hearing, so we can get the answers that
16 are necessary.

17 MS. CHECO: But he said they may not come.

18 CHAIRMAN SHAPIRO: Then they're not going to get the
19 easement. Permanent easement.

20 MR. O'BRIEN: They're not going to get a
21 recommendation.

22 CHAIRMAN SHAPIRO: They're not going to get a
23 recommendation from us.

24 MS. CHECO: Okay.

25 COMMISSIONER HAMRA: I want to add something as well.

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I'm originally from Brooklyn, so I do share your concern and understanding the quality of life we've come to experience in Nassau County.

So, just to bring it back to why we want the Navy here because I think they need to address these questions, and questions of how they're going to properly plan the actual construction to not or to least interfere with your lives and the quality of life you've come to expect. Thank you.

MS. CHECO: Thank you. Thank you very much.

COMMISSIONER HAMRA: You're welcome.

CHAIRMAN SHAPIRO: Is there anybody else in the public who wishes to be heard?

MS. DECOLA: I would like to be heard.

CHAIRMAN SHAPIRO: Come on up, and when you get done, just fill out a speaker registration form for the file.

MS. DECOLA: I didn't plan to speak, but. First of all, let me say, my husband --

CHAIRMAN SHAPIRO: Name and address for the record, please.

MS. DECOLA: Lorraine DeCola, 50 Ruth Court in Wantagh.

I want to start by saying I apologize that my husband got so outrageous, but he's been through a lot. I've gotten very sick with cancer, and I'm fighting for my life right now, and I know you guys have nothing to do with that. I realize

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that, but we never got any notification, and I'm not saying -- look, I want clean water. It's too late for our generation, but for people coming into the neighborhood, I want to know that they have clean water because we did not. We knew nothing about it, and all I'm saying is in a radius of our court, three people in our court have cancer. Several of them are gone. Ringwood Drive and Twisting Lane, nine people, cancer, and we know for a fact, now, it's coming from the water.

So, the only thing that I'd like to say is that it would've been helpful if -- I don't know if Nassau County sent out that form or the Navy, but for us to know what was going on and give us notification that we could at least get some answers, and I realized that that's out of your hands. I do understand that, but I want to be heard.

We're not crazy people. My husband, he's Italian, and he gets a little, so I apologize for that because he's really not like that, but he's had to deal with my illness, just as much as I did, mentally. I had to go through it physically, but it's been a very big strain, and if you could get the Navy here, it would be very much appreciated.

The only thing that I felt was we should've been notified. I mean they're here, and in defense of the men sitting on the side, I understand that man's frustration. We looked at it every day. There's certain protocol that they

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2 have to follow, and I get that. I really do.

3 So, they -- they rest it's -- it's really work what
4 they had to do. I dare say there's nobody in this whole place
5 that would want their job at ten times their salary in this
6 heat. But that being said, I'm getting a little off the track
7 here. I apologize.

8 CHAIRMAN SHAPIRO: It's okay.

9 MS. DECOLA: You know, the notification was an
10 important thing. Our work there is done; now they're getting
11 ready to pump the water and those questions have to be asked of
12 the Navy. I know there's nobody up there can answer these
13 questions. So, if you could implore to them that it's
14 important. People -- there are younger people that are living
15 here with young children, and I think they really do have a
16 right to know.

17 So, I thank you for your time and thank you for
18 listening to me.

19 CHAIRMAN SHAPIRO: Thank you very much.

20 MS. DECOLA: You're welcome.

21 CHAIRMAN SHAPIRO: Is there anybody else who wishes to
22 be heard?

23 (No response given.)

24 COMMISSIONER SAKOWICH: Mr. Chairman, I just want to
25 just address this.

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2 Do you think that this committee, our commission should
3 really be this -- this is a problem. This is a big problem,
4 and you know, we have people who want to build -- 30 homes
5 -- have to come here and lay out sets of plans and go
6 through town approvals and do all this stuff the right way.

7 They're drilling this -- I mean, we found out about
8 this at 9:30 this morning. We're talking about it at 11:00.
9 If what they're saying -- I'm with them 1,000 percent. Why
10 isn't there other meetings?

11 We're issuing an easement, I get it. So, all we're
12 saying is that they can run a piece of pipe underground.
13 That's all we have the authority to do it, but they have no
14 idea of what's happening in their neighborhood. This is
15 absurd.

16 MR. O'BRIEN: I couldn't agree with you more.

17 COMMISSIONER SAKOWICH: We should just stop the
18 hearing. Just -- not even postpone it.

19 MR. O'BRIEN: But the other thing is, this is the one
20 forum that maybe we said we'd like to get the Navy.

21 CHAIRMAN SHAPIRO: Exactly.

22 MR. O'BRIEN: If we don't keep this open, they may
23 never get anybody from the Navy. This is the one chance.

24 COMMISSIONER SAKOWICH: So, this Board is going to go
25 on record saying, if the Navy doesn't show up and answer their

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2 questions, they're denied.

3 MR. O'BRIEN: Well, each commissioner has an individual
4 vote.

5 COMMISSIONER SAKOWICH: Right.

6 MR. O'BRIEN: But --

7 COMMISSIONER SAKOWICH: I think we're all in
8 agreement.

9 COMMISSIONER HAMRA: I'm in agreement.

10 MR. O'BRIEN: -- if you ask me what I anticipated
11 would happen is that, at the next meeting, you would close the
12 hearing if the Navy doesn't show unless there's another reason.
13 Then it would go back to OSPAC. Whatever OSPAC recommends,
14 they recommend. I would be surprised if this commission
15 recommends the permanent easement to the county based upon a
16 lack of cooperation --

17 COMMISSIONER SAKOWICH: Absolutely.

18 MR. O'BRIEN: -- from the Navy. But that's -- each
19 commissioner has their vote.

20 COMMISSIONER SAKOWICH: So, I can get a general
21 consensus --

22 MR. O'BRIEN: Counsel, I can't speak for each
23 commissioner, but I would think that's the consensus that I'm
24 hearing from the commission now.

25 COMMISSIONER SAKOWICH: I mean this is absurd. We

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2 heard about it at 9:30. They heard about it at 10:30, and you
3 know, this -- this is -- this could be years and years and
4 years and --

5 MR. O'BRIEN: In the end, in many respects, this was a
6 very good thing because it got them out here, at least gave
7 these people a forum --

8 COMMISSIONER SAKOWICH: It gave them a forum to come
9 to.

10 MR. O'BRIEN: Absolutely.

11 COMMISSIONER SAKOWICH: They opened some doors. They
12 got another Board that's agreeing with them, so.

13 MR. O'BRIEN: With some teeth.

14 COMMISSIONER SAKOWICH: With some teeth. So, I think,
15 you know, thank you for coming.

16 MR. O'BRIEN: We need a motion to adjourn.

17 COMMISSIONER SAKOWICH: I make a motion to hold the
18 public hearing open for the next board meeting and ask for the
19 --

20 CHAIRMAN SHAPIRO: What we're going to do is we're
21 going to hold it open until we get them here.

22 COMMISSIONER SAKOWICH: Right.

23 MR. O'BRIEN: So, you're going to adjourn. Keep the
24 public hearing open and adjourn to September --

25 CHAIRMAN SHAPIRO: September 10th.

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2 MR. O'BRIEN: Right.

3 CHAIRMAN SHAPIRO: Kevin, you're going to have to try
4 to get them up here?

5 MR. WALSH: Yes.

6 CHAIRMAN SHAPIRO: If not, then, we'll put it on the
7 agenda, but we'll do a continuation -- adjourn it till the next
8 meeting.

9 COMMISSIONER SAKOWICH: Motion to adjourn until
10 September 10th.

11 VICE-CHAIRMAN LEWIS: Second.

12 MR. O'BRIEN: It has to be that the hearing remain open and
13 adjourned to September 10th.

14 COMMISSIONER SAKOWICH: Yes.

15 CHAIRMAN SHAPIRO: Correct.

16 MR. O'BRIEN: Modify the motion.

17 COMMISSIONER SAKOWICH: Hearing to remain open and
18 adjourned to September 10th.

19 CHAIRMAN SHAPIRO: All those in favor?

20 (Chorus of Ayes.)

21 CHAIRMAN SHAPIRO: Any opposed?

22 (No response given.)

23 CHAIRMAN SHAPIRO: Motion carries.

24 Please check our website because the agenda will be
25 posted a week before.

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2 COMMISSIONER SAKOWICH: They're not going to be
3 notified.

4 CHAIRMAN SHAPIRO: There's no re-notification because
5 we adjourned -- we're adjourning it, and we're keeping the
6 hearing open.

7 You guys understand that, right?

8 COMMISSIONER SAKOWICH: So, you're not going to get
9 another letter on this from us because we're not -- we're just
10 adjourning it and keeping it open. So, the 10th of September
11 is our next hearing.

12 MR. DECOLA: At what time?

13 CHAIRMAN SHAPIRO: 10:00.

14 COMMISSIONER SAKOWICH: 10:00. All meetings.

15 CHAIRMAN SHAPIRO: But if there's any issue, it will be
16 -- you can -- it will -- in the notice for the agenda, on the
17 website, there'll be some comment.

18 MS. DECOLA: Will we know that the Navy is coming?

19 COMMISSIONER SAKOWICH: We have no idea.

20 CHAIRMAN SHAPIRO: We have no idea, but we're going to
21 make it they don't come, then we're going to adjourn it again
22 until they do come.

23 MR. O'BRIEN: Close the hearing.

24 COMMISSIONER SAKOWICH: No, no, we're going to close
25 the hearing, and we're going to vote.

1 OSPAC 8-2026

2 MR. O'BRIEN: You're going to close the hearing and
3 send it back to OSPAC.

4 CHAIRMAN SHAPIRO: Okay.

5 (Whereupon, there was a discussion amongst Board
6 Members.)

7 CHAIRMAN SHAPIRO: We're not doing anything until
8 September 10th.

9 MR. O'BRIEN: You'll make your decision September 10th.

10 CHAIRMAN SHAPIRO: September 10th will make a decision,
11 okay?

12 And I would suggest, I think, the congressperson in
13 that district is Laura Gillen?

14 MR. O'BRIEN: I don't know.

15 CHAIRMAN SHAPIRO: Or is it Garbarino?

16 COMMISSIONER DURSO: I don't think that's his area.
17 He's south.

18 COMMISSIONER HAMRA: Gillen.

19 CHAIRMAN SHAPIRO: I would also suggest that you
20 bombard your congressmen with emails in the situation. It is
21 an election year.

22 COMMISSIONER SAKOWICH: Senator Gillibrand.

23 CHAIRMAN SHAPIRO: And if you work with Senator
24 Gillibrand, maybe you can go that avenue also.

25 MR. O'BRIEN: Just ask somebody from the Navy to come.

1 OSPAC 8-2026

2 It's not important for the representative to come.

3 CHAIRMAN SHAPIRO: Right, it's just get the Navy here.

4 MR. O'BRIEN: Yes.

5 CHAIRMAN SHAPIRO: We're going to try, but it'll help
6 if everybody else does.

7 AUDIENCE MEMBER: Can we write some of those questions
8 down and send them to the Navy when we invite them over so they
9 have a sense of how to be prepared?

10 CHAIRMAN SHAPIRO: Sure.

11 MR. O'BRIEN: But there's no guarantee they'll respond,
12 but you certainly can do it.

13 CHAIRMAN SHAPIRO: Yes, I would do it.

14 MR. O'BRIEN: Absolutely.

15 AUDIENCE MEMBER: I'm asking you.

16 MR. O'BRIEN: Yes. The commissioners will be happy to
17 ask your -- if you can come and you want the commissioners to
18 ask the Navy questions, assuming that they do show up, the
19 commissioners will be more than happy to ask those questions of
20 the Navy.

21 CHAIRMAN SHAPIRO: Send it to staff.

22 AUDIENCE MEMBER: We had a lot of questions today, if
23 they could be jotted down?

24 MR. O'BRIEN: You could talk to Mr. Walsh before you
25 leave, and he'll shepherd the whole thing.

1 NCPC Major Subdivision File No. 2012-P-2

2 CHAIRMAN SHAPIRO: Sorry, Kevin.

3 MR. O'BRIEN: But he'll do it.

4 CHAIRMAN SHAPIRO: He's got big shoulders.

5 Okay, let's move on to the next case. Major
6 Subdivisions.

7 * * *

8

9 MR. PERRAKIS: Good morning, Commission. The next case
10 on the agenda is Major Subdivision, Preliminary Map Application
11 and Determination of Significance for NCPC File No: 2012-P-2,
12 Fieldstone at Oceanside.

13 Property is located in Oceanside, Town of Hempstead at
14 2860 Brower Avenue, Oceanside, New York 11572. Section 54;
15 Block 263; Lots 11, 40, 41, 74, 99, 100, 321, and 327.

16 This application seeks preliminary subdivision approval
17 to subdivide a 3.9-acre parcel into 59 condominiums housed in
18 six two-story buildings ranging in size from 5,824 square feet
19 to 15,329 square feet, and one common lot to be owned and
20 maintained by Homeowners Association.

21 To make way for this development, two existing
22 residences and a Jewish center will be demolished.

23 The property is located in the Hamlet of Oceanside and
24 not within 300 feet of any other municipality.

25 Subject properties surrounded by the following uses:

1 NCPC Major Subdivision File No. 2012-P-2

2 To the north are homes and a shopping center. To the east,
3 across Brower Avenue, a multi-unit residential development. To
4 the south, homes, and to the west, across Oceanside Road, are
5 homes.

6 The development is located within the Liberty Utilities
7 Water District.

8 Oceanside Sanitary District No. 7, and Oceanside School
9 District No. 459. The development's nearest bus route is the
10 N15, which runs along Long Beach Road, and the site is closest
11 to the Oceanside Long Island Railroad Station.

12 Nassau County Department of Public Works has approved
13 the preliminary subdivision map and engineering plans. Nassau
14 County Health Department still requires its Realty Subdivision
15 approval, and the Town of Hempstead Town Board must still
16 accept the applicant's C&Rs.

17 Finally, the County will require performance bond at
18 final subdivision approval to ensure all public improvements
19 for the development are installed correctly.

20 This project received a change of zone that this Board
21 had -- was referred to on their zoning. We issued a local
22 determination January 30, 2025, which then the town granted
23 September 4th -- I'm sorry. That was the zoning compliant
24 letter; September 4, 2025, but was granted a change of zone.
25 During the change of zone there -- the town carried out their

1 NCPC Major Subdivision File No. 2012-P-2

2 SEQRA process, listed it as an unlisted negative declaration.

3 We have here today Dan Baker to speak on behalf of his
4 applicant.

5 CHAIRMAN SHAPIRO: Good morning, Counsel. Name and
6 address for the record.

7 MR. BAKER: Thank you. Daniel Baker on behalf of the
8 applicant from the firm Greenberg Traurig, 501 Arts Plaza, New
9 York.

10 Again, good morning, Commissioners.

11 Mr. Perrakis did a good job of taking quite a bit of my
12 information, so I'll try to dispense with that, and fill in as
13 best I can.

14 I am joined today by members of our design team. I
15 think most importantly our civil engineer, Joseph Colucci, who
16 I'll ask to speak briefly after me. We also have our traffic
17 engineer architect, and the principals from the applicant to
18 answer any questions if needed.

19 As Mr. Perrakis said, this property is located on
20 Brower Avenue in Oceanside. It actually sits between Brower
21 Avenue and Oceanside Avenue, and is currently the site of the
22 Oceanside Jewish Center. As many synagogues and Jewish
23 centers these days are facing the prospect of merging or
24 closing -- in fact, OJC has done that as well or is going to do
25 that upon approvals here, so the site will be vacated.

1 NCPC Major Subdivision File No. 2012-P-2

2 In addition to the Jewish Center, there are also two
3 single-family homes owned by the Jewish Center on this
4 property. All of these buildings will be demolished as a
5 result of the project. Assuming that we receive all the
6 approvals we need.

7 I do want to give you just a little bit of information
8 in history that occurred and happened during the town's process
9 to get a change of zone. So, in doing that, we spent quite a
10 bit of time, almost four years or three and a half years, in
11 the approval phase, and a lot of that had to do with community
12 outreach and discussion.

13 This project started originally as a 90-unit golden-age
14 multifamily rental project, and through discussions with
15 neighbors and Civics, it was reduced to a 72-unit market rental
16 project. Through more discussion, it ultimately was reduced to
17 a 62-unit project, and then finally, after a very lengthy and
18 well-attended community meeting, and I would add, in my
19 opinion, a positive one, the ultimate decision was to reduce
20 the number of units to 59, and importantly, to make this a for
21 sale project. So, in essence, townhomes.

22 They are two stories. They did not require -- the
23 project didn't require any variances from the town. Parking
24 requirements are met. There are no encroachments into
25 setbacks. No need for variances for height or anything like

1 NCPC Major Subdivision File No. 2012-P-2

2 that.

3 So, our position is that this is a really good project
4 that went through the rigors of what a good project should with
5 community discussion, and certainly, feedback that was
6 responded to.

7 You have, as Mr. Perrakis, laid out, neighborhoods
8 surrounding here that are single-families, but also a very
9 similar type of community just across the street. Of course, it's
10 older and dated, but it is the same type of community. So, the
11 character of the community will continue to be what it is now.

12 There will be access points that Mr. Colucci will talk
13 to you a little bit about the access coming from both sides.
14 Originally, there was only one access point, but another
15 response to community discussion was to have two access points.
16 One on Brower. One on Oceanside Road so that traffic could
17 move in a normal fashion. We presented all of that to the Town
18 of Hempstead Town Board. Our traffic engineer talked about the
19 fact that there was enough parking and the traffic would not
20 only not impacted negatively, but probably improved because of
21 the change in use.

22 Right now, when you have peak times with the Jewish
23 Center, it is certainly a lot more than you would ever see with
24 a residential neighborhood such as this one.

25 So, at this point, I would ask Mr. Colucci to step up,

1 NCPC Major Subdivision File No. 2012-P-2

2 just to run you through the project a little.

3 Greg, I don't know if you can put up the colorized plan
4 that I gave you earlier?

5 MR. HOESL: Yes.

6 MR. BAKER: It just might be easier for you to see. We
7 prepared something that's a little more visually presentable,
8 and Mr. Colucci can take you through this site a little bit.
9 After that, if you have any further questions for any of our
10 team, we're happy to answer.

11 MR. COLUCCI: Good morning, everyone. Joseph Colucci,
12 Def-Con Solutions, 270 Spagnoli Road, Suite 202 in Melville,
13 New York. Here representing the application and part of the
14 consulting team.

15 As was mentioned, the site is on 3.9 acres or 169,947
16 square feet, 59 units in six buildings throughout the site as
17 you can see on the site plan before you. Each unit will have a
18 one-car garage and a driveway, which will have two car parks
19 and the remaining of the parking stalls will be throughout the
20 site.

21 As Mr. Baker mentioned, the site requires 138 parking
22 stalls by Town of Hempstead Code. We're providing 144, which
23 is the 59 in the garage, the 59 in the driveway, and 26 visitor
24 parking stalls throughout the site.

25 Access is accomplished by two curb cuts. One is on

1 NCPC Major Subdivision File No. 2012-P-2

2 Brower Avenue, further north along the property, which will be
3 un-signalized, and we will have a security gate right beyond --
4 there's five parking stalls that are along Brower Avenue. The
5 gate is beyond that to allow the ability for a vehicle coming
6 into the site that accidentally enters the site to sufficiently
7 get out and make a U-turn to go back off the ground.

8 The access on Oceanside Road will be at the existing
9 signal, will be ungated because we do not have the ability
10 currently to allow a vehicle to make a U-turn to get out of the
11 site.

12 We have contacted throughout the application Liberty
13 Utilities, Nassau County Department of Public Works, to make
14 sure that they have capacity to handle the gallonage that are
15 going from -- for the water and for the sewer, and we did
16 receive sewer availability and water availability letters from
17 each.

18 Stormwater is contained by leaching galleys with
19 respect to Nassau County DPW requirements.

20 Trash will be enclosed in two trash enclosures on the
21 site and picked up by a private carter.

22 Fencing will be provided around the site, six-foot-high
23 vinyl fence for security purposes, and as you can see on the
24 site plan before you, there's going to be sufficient
25 landscaping throughout the complex.

1 NCPC Major Subdivision File No. 2012-P-2

2 If you have any questions, I'd be happy to answer them.

3 VICE-CHAIRMAN LEWIS: Will there be sidewalks for
4 people to walk from their individual units to --

5 MR. COLUCCI: Yes, there are sidewalks around the
6 complex.

7 CHAIRMAN SHAPIRO: Commissioners?

8 MR. COLUCCI: Sanitation is a private carter.

9 CHAIRMAN SHAPIRO: You mentioned that.

10 MR. WALSH: I think you did.

11 MR. COLUCCI: I did? Oh, okay.

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

14 (No response given.)

15 CHAIRMAN SHAPIRO: Any other questions, Commissioners?

16 (No response given.)

17 CHAIRMAN SHAPIRO: I'll take a motion.

18 VICE-CHAIRMAN LEWIS: It's good to hear from the
19 previous session where there's been community meetings. This
20 is the kind of thing we encourage developers to do, and to
21 bring your whole team to the meetings, and bring your whole
22 team here. This is the kind of process we like to see. There
23 was compromise.

24 CHAIRMAN SHAPIRO: Especially with the principals.

25 MR. O'BRIEN: And communication.

1 NCPC Major Subdivision File No. 2012-P-2

2 CHAIRMAN SHAPIRO: A lot of communication.

3 VICE-CHAIRMAN LEWIS: Good communication and
4 compromise.

5 MR. WALSH: Just to that point. I think we try hard to
6 do that. I don't mean just me, the collective we, the land use
7 and development world because it's important to do. I think a
8 lot of it also is driven by the fact that the lines of
9 communication are in every direction so that you don't really
10 have a choice, even though it's the good and right thing to do,
11 if you don't, you'll hear about it on social media, and
12 people's ability to communicate because they know more than how
13 to do it, as you saw with the people that showed up in the
14 previous application. It's just good -- it's good practice.

15 COMMISSIONER SAKOWICH: Mr. Chairman, I make a motion
16 to move forward with a, I guess -- approve a preliminary
17 subdivision application, classify as an unlisted action, and
18 issue a negative declaration.

19 CHAIRMAN SHAPIRO: Do I have a second?

20 COMMISSIONER DURSO: I'll second.

21 CHAIRMAN SHAPIRO: All in favor?

22 (Chorus of Ayes.)

23 CHAIRMAN SHAPIRO: Any opposed?

24 (No response given.)

25 CHAIRMAN SHAPIRO: Motion carries.

1 Extension of Time NCPC File No. 1897-F-2

2 MR. WALSH: Great. Thank you all very much.

3 COMMISSIONER DURSO: Thank you.

4 CHAIRMAN SHAPIRO: Have a good day.

5 * * *

6

7 MR. PERRAKIS: Next case is Extension of Time to File a
8 Resolution For Major Subdivision Application for NCPC File No:
9 1897-F-2, Map of Waterbury Hills.

10 Property at the northwest corner of Woodbury Road in
11 Syosset, Woodbury Road in Woodbury, New York 11797. Section
12 14; Block E, Lot 823.

13 This application received final preliminary and final
14 subdivision approval of a 5.21-acre parcel into five
15 single-family residential lots and a private roadway to be
16 owned and maintained by the five single-family residential lots
17 through Road Owners Association.

18 This application you see again final subdivision
19 approval on June 26, and according to the applicant's attorney,
20 the applicant is currently finalizing the bond, and will
21 require additional time in order to submit to the Nassau County
22 Planning Commission. Therefore, the applicant cannot file the
23 map until that is completed. The applicant expects to have
24 this completed within 30 days. During the final subdivision
25 approval, the map was conditioned on filing within one year,

1 Extension of Time NCPC File No. 1897-F-2
2 dedicate the land per the dedicated approved dedicated map,
3 submission of inspection fee, cash, escrow bonds, and the
4 special conditions that were put on from the Health Department.

5 Here today is Sam Epstein to speak on behalf of the
6 applicant.

7 MR. EPSTEIN: Good morning, Chairman and Members of the
8 Commission, on behalf of the applicant, Woodbury Hills Inc. I
9 am Samuel Epstein of Sahn Ward Braff Coschignano, PLLC. My
10 address for the record is 333 Earle Ovington Boulevard,
11 Uniondale, New York 11553.

12 I'll just reiterate what John previously said. On June
13 26, 2025, the commission approved the final map known as
14 Woodbury Hills subject to multiple conditions including the
15 filing of the final map within one year of the execution of the
16 resolution.

17 On June 25, 2026, my firm submitted to the commission
18 an extension of time application. The applicant is currently
19 finalizing financing and the required bond and will require
20 additional time in order to submit to the NCPC. Therefore, the
21 applicant cannot file the final map until that is completed.

22 We respectfully request an additional six-month
23 extension from June 26, 2026 to December 26, 2026.

24 At this time, I want to thank again the commission for
25 their time and their consideration of this application.

1 Extension of Time NCPC File No. 1897-F-2

2 CHAIRMAN SHAPIRO: Any questions?

3 (No response given.)

4 CHAIRMAN SHAPIRO: Is there anybody in the public who
5 wishes to be heard?

6 (No response given.)

7 CHAIRMAN SHAPIRO: Not seeing any. I will take a
8 motion for the extension of time to December --

9 MR. O'BRIEN: Actually, it's December 30th.

10 CHAIRMAN SHAPIRO: 30th, 2026.

11 MR. O'BRIEN: I'll make a motion -- I'm sorry, go
12 ahead.

13 COMMISSIONER SAKOWICH: Make a motion for the
14 extension of December 30, 2026.

15 MR. O'BRIEN: With all the conditions previously
16 imposed in the final approval, correct?

17 COMMISSIONER SAKOWICH: With all the conditions.

18 MR. O'BRIEN: Which it has to do with the bonds and the
19 inspection fees.

20 COMMISSIONER SAKOWICH: (Inaudible.)

21 CHAIRMAN SHAPIRO: Turn your mic on.

22 COMMISSIONER SAKOWICH: Oh, I'm sorry. I make a
23 motion to extend the extension to December 30, 2026, with all
24 of the notes taken at the bond and all the proper paperwork
25 that is required and all other conditions.

1 Extension of Time NCPC File No. 1897-F-2

2 CHAIRMAN SHAPIRO: Is there a second?

3 COMMISSIONER HAMRA: Second.

4 CHAIRMAN SHAPIRO: All in favor?

5 (Chorus of Ayes.)

6 CHAIRMAN SHAPIRO: Any opposed?

7 (No response given.)

8 MR. EPSTEIN: Thank you, all.

9 CHAIRMAN SHAPIRO: Motion carries.

10 * * *

11

12 MR. WREN: We're going to move the calendar around a
13 little bit.

14 CHAIRMAN SHAPIRO: Yes.

15 MR. WREN: We're going to just handle a Minor
16 Subdivision Case 38-2026, first before 37.

17 CHAIRMAN SHAPIRO: Go ahead.

18 MR. WREN: This is a two-parcel minor subdivision plus
19 a lot line adjustment, so please bear with me.

20 The 19,041-square-foot subject property is situated on
21 the east side of Frankel Avenue, located in the Hamlet of
22 Merrick, Town of Hempstead's Residential B Zoning District.

23 Application proposes to first subdivide lots 209 and
24 216, which contain -- which are contained in one deed.

25 Lot 216 was purchased by the owner of lot 209 back in

1 NCPC Minor Subdivision File No. 38-2026

2 2022, and was subsequently merged with the deed for lot 209.

3 After subdividing along the existing lines, lot 209 will have
4 60 feet of frontage on Frankel Avenue, with a depth of 100 feet
5 and be a total of 6,000 square feet.

6 Lot 216 will have 40 feet of frontage on Frankel
7 Avenue, and a depth of 100 feet, and will be 4,000 square feet.

8 The application then proposes to convey 200 square feet
9 from the southern portion of lot 216 to the northern portion of
10 lot 209, thereby increasing lot 209 frontage on Frankel Avenue
11 to 62 feet and be a total of 6,020 square feet.

12 Lot 215 separately deeded property directly to the
13 north, then proposes to convey 2,700 square feet from the
14 southern portion of lot 215, to the northerly portion of lot
15 216, thereby increasing lot 216 frontage to 65 feet and a total
16 of 6,200 square feet.

17 So, after the reappointments, proposed lot A will have
18 77.19 feet of frontage by 100 feet. It will be a total of
19 6,341.

20 Lot B will be 65 feet of frontage by 100 feet, would be
21 6,500 square feet.

22 Lot C will be 62 feet of frontage by 100, for a total
23 of 6,200 square feet.

24 The Town of Hempstead Department of Buildings has
25 issued a zoning compliance letter after these appointments.

1 NCPC Minor Subdivision File No. 38-2026

2 I'd like the representative to please step up.

3 CHAIRMAN SHAPIRO: Good morning. Name and address for
4 the record.

5 MR. MILLER: Good morning, Board. My name is Jonathan
6 Miller, president of East Meadow Builders Corp. Corporate
7 address is 5020 Sunrise Highway, Second Floor, Massapequa Park,
8 New York 11762. We thank you for adjusting the schedule.

9 By the way, I do have identical twin girls on the way,
10 and my wife that's about to kill me.

11 He pretty much explained it well.

12 CHAIRMAN SHAPIRO: Tell her to hold on a few minutes
13 longer.

14 MR. MILLER: She better. For my sake anyway.

15 It was explained pretty well. We closed on 11 Frankel,
16 which is the northerly lot, about a year ago, back in July
17 2025, and went to contract with Ellen Messitte, who owns 25
18 Frankel, which is the vacant lot, and 25 Frankel where the lot
19 that the house is currently on. We are in contract with Ellen,
20 who is here to merge her vacant side lot or 38 feet of it with
21 the lot we already own, the northerly lot, 11 Frankel, and then
22 to create 11A and 11B Frankel, and then Ellen at this site at
23 25 Frankel will retain her existing home on a lesser 62 by 100
24 zoning-compliant lot.

25 MR. O'BRIEN: And in the end everything is zoning

1 NCPC Minor Subdivision File No. 38-2026

2 complied. You have more than 6,000 square feet. More than 55
3 foot frontage on each, so.

4 MR. MILLER: Absolutely.

5 MR. O'BRIEN: It's a simple case.

6 CHAIRMAN SHAPIRO: Yes, it's a matter of right.

7 Are there any questions, Commissioners?

8 (No response given.)

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

11 (No response given.)

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

14 COMMISSIONER DURSO: I'd like to make a motion to
15 approve NCPC File No: 38-2026 with a negative declaration.

16 CHAIRMAN SHAPIRO: Hear a second?

17 COMMISSIONER HAMRA: Second.

18 CHAIRMAN SHAPIRO: All in favor?

19 (Chorus of Ayes.)

20 CHAIRMAN SHAPIRO: Any opposed?

21 (No response given.)

22 CHAIRMAN SHAPIRO: Motion carries. Go to the hospital.

23 COMMISSIONER DURSO: Yes.

24 MR. MILLER: Thank you so much. Have a great summer.

25 CHAIRMAN SHAPIRO: Good luck.

1 NCPC Minor Sub File No 37-2026

2 MR. O'BRIEN: I just want to note something. I was on
3 the Town of Hempstead Zoning Board for ten years, and I've been
4 with the Commission ever since 2010. I think it's the first
5 time I've ever seen a matter in merit that there was no
6 opposition, so. It must be a good application.

7 * * *

8

9 MR. WREN: Going back to the regularly scheduled
10 programming.

11 Case 37-2026. This is a simple lot line adjustment.
12 It's basically a land swap more or less.

13 The 45,579 square feet subject property is situated on
14 the west side of Spring Lake in the Incorporated Village of
15 Kings Point, Residential A zoning district.

16 Application proposes to convey 427 feet from the
17 southern portion of parcel A to the northern portion of parcel
18 B, and then 427 feet from the northern portion, parcel B to the
19 southern portion of parcel A by means of a lot line
20 adjustment. So, no actual square footage is being
21 transferred.

22 Parcel A will continue to have 120 feet of frontage and
23 be 20,033 square feet.

24 Parcel B will still have a frontage of 111 and be
25 25,564 square feet.

1 NCPC Minor Sub File No 37-2026

2 The Incorporated Village of Kings Point's Planning
3 Board has approved the lot line adjustment, as both properties
4 are zoning compliant, but in their resolution, they did issue a
5 CR for the storm drainage easement that must be recorded with
6 their village clerk's office.

7 Also, the Incorporated Village of Great Neck has issued
8 a waiver of jurisdiction for this lot line adjustment.

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

10 CHAIRMAN SHAPIRO: Good morning. Name and address for
11 the record, please.

12 MS. FORCHELLI: Good morning, Commissioners. My name is
13 Nicole Forchelli. I'm from the Law Office of Zaccaria & Sassoon.
14 Address, 175 East Shore Road in Great Neck, New York.

15 Do you need my residential address as well?

16 CHAIRMAN SHAPIRO: No.

17 MS. FORCHELLI: Just everything that Mr. Wren has
18 indicated is the same. There's actually no square footage
19 that's being changed. It's just being transferred ownership.

20 This is just to allow our clients to expand their
21 building parameters, and we don't see any major change in the
22 neighborhood or anything like that would cause any issues with
23 you guys. Kings Point has approved it, and then we get a
24 waiver from Great Neck.

25 We're here today because it is 40-foot jurisdiction,

1 NCPC Minor Sub File No 37-2026

2 but we don't see any issue with it.

3 VICE-CHAIRMAN LEWIS: The goal is just to kind of make
4 the property a little more useful in terms of the transfer?

5 MS. FORCHELLI: Correct.

6 VICE-CHAIRMAN LEWIS: What's the practical effect?

7 MS. FORCHELLI: What is the practical effect?

8 VICE-CHAIRMAN LEWIS: Yes.

9 MS. FORCHELLI: Just that there's more building square
10 footage. It just makes it a little bit easier for our client to
11 build on that property.

12 VICE-CHAIRMAN LEWIS: Okay.

13 CHAIRMAN SHAPIRO: Any other questions?

14 (No response given.)

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

17 (No response given.)

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

20 COMMISSIONER HAMRA: Move on NCPC File No: 37-2026 to
21 approve.

22 VICE-CHAIRMAN LEWIS: Neg Dec.

23 CHAIRMAN SHAPIRO: Neg Dec. Second?

24 COMMISSIONER DURSO: I will second.

25 CHAIRMAN SHAPIRO: All in favor?

1 NCPC Minor Sub File No 39-2026

2 (Chorus of Ayes.)

3 CHAIRMAN SHAPIRO: Any opposed?

4 (No response given.)

5 CHAIRMAN SHAPIRO: Motion carries.

6 * * *

7

8 MR. WREN: Next up, we have Case 39-2026. This is a
9 two-parcel minor subdivision. The 16,501.13 square feet
10 subject property is situated on the west side of Westfield
11 Avenue in the Hamlet of Roosevelt, Town of Hempstead,
12 Residential B Zoning District.

13 Application proposes to subdivide the property, which
14 currently has 112 feet of frontage on Westfield Avenue into two
15 equal parcels.

16 So, proposed lots A and B will both have 50.06 feet of
17 frontage by 165.02, and both be 8,250 square feet.

18 The Incorporated Village of Freeport has issued a
19 waiver of a letter of non-jurisdiction for this subdivision.

20 The Town of Hempstead's Court of Appeals has approved
21 two variances. For lot A variances, subdivision lot, front
22 width from and on street line to front setback line, construct
23 dwelling. For lot B variances, subdivision of lot, front width
24 from and on street line to front setback line, construct a dwelling,
25 demolish existing dwelling.

1 NCPC Minor Sub File No 39-2026

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

3 CHAIRMAN SHAPIRO: Good morning. Name and address for
4 the record please.

5 MR. BROOKSTEIN: Good morning, Mr. Chairman, Members of
6 the Commission. For the record, Joshua Brookstein from Sahn
7 Ward Braff Coschignano, 333 Earle Ovington Boulevard,
8 Uniondale, New York. Joining me today is Alexander Carillo, a
9 legal intern from my office, who worked with us on the
10 application.

11 As Mr. Wren stated, this is for a minor subdivision.
12 We have secured the required variances from the Town of
13 Hempstead, and we, in accordance with that approval, the
14 applicant will file the required declaration of restrictive
15 covenants embodying the conditions of the Board of Zoning
16 Appeals decision.

17 But with that, I'm happy to answer any questions that
18 the commission may have. Thank you.

19 CHAIRMAN SHAPIRO: Commissioners, any questions?

20 (No response given.)

21 CHAIRMAN SHAPIRO: Not seeing any. I will ask if
22 there's anybody in the public that wishes to be heard?

23 (No response given.) Not seeing -- if there's
24 anybody in the public to be heard, I will take a motion.

25 VICE-CHAIRMAN LEWIS: Mr. Chairman, I'd like to make a

1 NCPC Minor Sub File No 40-2026
2 motion on NCPC Minor Subdivision File No: 39-2026. The motion
3 is to approve the minor subdivision with a negative
4 declaration.

5 COMMISSIONER DURSO: I'll second.

6 CHAIRMAN SHAPIRO: All in favor?

7 (Chorus of Ayes.)

8 CHAIRMAN SHAPIRO: Any opposed?

9 (No response given.)

10 CHAIRMAN SHAPIRO: Motion carries.

11 MR. BROOKSTEIN: Thank you very much.

12 * * *

13

14 MR. WREN: Next up, we have Case 40-2026. This is
15 another lot line adjustment. The 4,050-square-foot subject
16 property is situated on the north side of Brower Avenue in the
17 Hamlet of Woodmere, Town of Hempstead's Residential B zoning
18 district.

19 Application proposes to convey 1,600 square feet from
20 the eastern portion of parcel A to the western portion of
21 parcel B by means of a lot line adjustment.

22 Proposed parcel A will have 60 feet of frontage and be
23 a total of 9,600 square feet.

24 After reappointment, parcel B will have a frontage of
25 85 feet and be a total of 30,450 square feet.

1 NCPC Minor Sub File No 40-2026

2 The Town of Hempstead Department of Buildings has
3 issued a letter of zoning compliance for this lot line
4 adjustment.

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

6 CHAIRMAN SHAPIRO: Good morning.

7 MR. ABERDEEN: Good morning, Chairman Shapiro, Members
8 of the Commission. Howard Aberdeen, 66 North Village Avenue,
9 Rockville Centre.

10 Mr. Wren, as typical, explained the application quite
11 thoroughly. There's a lot line adjustment whereby a
12 ten-foot-wide strip by 160 feet deep for a total of 1,600
13 square feet is being conveyed from the premises on the westerly
14 side on your subdivision survey to the property on the easterly
15 side. There's a new home being constructed on lot 16, which
16 is the westerly lot, and so -- and you can see it's oversized.
17 It's Residence B, and even with the conveyance of the ten feet
18 will still be in zone in compliance, and the folks who lived at
19 32 on the easterly side, acquiring the property subject to this
20 commission's approval just to make their property a little bit
21 bigger for their family while still preserving zoning
22 compliance on the oversized adjacent lot.

23 That is essentially what we're trying to accomplish
24 here.

25 VICE-CHAIRMAN LEWIS: So, the ten feet is moving from

1 NCPC Minor Sub File No 40-2026

2 the smaller lot to the larger lot?

3 MR. ABERDEEN: It is, yes.

4 VICE-CHAIRMAN LEWIS: But it doesn't make the smaller
5 lot too small?

6 MR. ABERDEEN: It does not. It's still going to have
7 60 feet of width and 160 feet of depth for a total of 9,600
8 square feet.

9 MR. O'BRIEN: I suppose the garage is being removed?

10 MR. ABERDEEN: It is.

11 CHAIRMAN SHAPIRO: Any questions?

12 (No response given.)

13 CHAIRMAN SHAPIRO: Is there anybody in the public who
14 wishes to be heard?

15 (No response given.)

16 CHAIRMAN SHAPIRO: Not seeing any. I will take a
17 motion.

18 COMMISSIONER DURSO: I'd like to make a motion to
19 approve NCPC File 40-2026 with a negative declaration.

20 CHAIRMAN SHAPIRO: Is there a second?

21 COMMISSIONER SETER: Second.

22 CHAIRMAN SHAPIRO: All in favor?

23 (Chorus of Ayes.)

24 CHAIRMAN SHAPIRO: Any opposed?

25 (No response given.)

1 NCPC Minor Sub File No 41-2026

2 CHAIRMAN SHAPIRO: Motion carries.

3 MR. ABERDEEN: Thank you. Have a wonderful day.

4 * * *

5

6 CHAIRMAN SHAPIRO: Next.

7 MR. ANDRIANO: Case 41-2026 is a lot line adjustment.

8 13,668 square feet. Subject property is situated on the north
9 side of Michelle Place in the south side of Dan Place in the
10 Hamlet of Woodmere, the Town of Hempstead's Residential B
11 zoning district.

12 The application proposes to convey 656 square feet from
13 the southern portion of parcel A to the northern portion of
14 parcel B by means of a lot line adjustment.

15 Proposed Parcel A will have a frontage of 68.91 feet
16 and be a total of 6,206 square feet after the reapportionment.

17 Proposed parcel B will have a frontage of 64.11 feet
18 wide, a total of 7,462 square feet after the reapportionment.

19 The Town of Hempstead Department of Buildings has
20 issued a letter of zoning compliance for the proposed
21 adjustment.

22 Now, if the applicant's representative could step
23 forward?

24 CHAIRMAN SHAPIRO: Good Morning. Name and address for
25 the record.

1 NCPC Minor Sub File No 41-2026

2 MR. PRAKTAZARSKY: David Praktazarskay of DD Design, 7
3 Hawthorne Lane in Lawrence, New York.

4 I didn't catch the representative's name, but he did a
5 great job. Also, Mr. Wren, who I've been working with, always
6 does a great job.

7 It's a simple lot line adjustment. Just moving about
8 10.5 feet -- just under 10.5 feet from the lot on Diane to the
9 lot on Michelle.

10 Any other questions.

11 CHAIRMAN SHAPIRO: Commissioners, any questions?

12 (No response given.)

13 CHAIRMAN SHAPIRO: No questions. Anybody in the public
14 wishes to be heard?

15 (No response given.)

16 CHAIRMAN SHAPIRO: Not seeing any. I'll take a motion.

17 COMMISSIONER HAMRA: Motion to approve NCPC File No:

18 41-2026 with a negative declaration.

19 COMMISSIONER DURSO: Second.

20 CHAIRMAN SHAPIRO: All in favor?

21 (Chorus of Ayes.)

22 CHAIRMAN SHAPIRO: Any opposed?

23 (No response given.)

24 CHAIRMAN SHAPIRO: Motion carries.

25 MR. PRAKTAZARSKY: Thank you.

1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: Zoning. I think, Greg, what we'll
3 do is we just take all the LDs, and then you go individually
4 through the LDLs and the MOD.

5 MR. HOESL: Okay.

6 CHAIRMAN SHAPIRO: We have four items for local
7 determination.

8 NCPC Agenda Item No. 4 on the Zoning, 6, 7, and 9.
9 Do I have a motion to LD those items?

10 COMMISSIONER SAKOWICH: I make a motion to LD Items
11 4, 6, 7, and 9.

12 VICE-CHAIRMAN LEWIS: Second.

13 CHAIRMAN SHAPIRO: All in favor?

14 (Chorus of Ayes.)

15 CHAIRMAN SHAPIRO: Any opposed?

16 (No response given.)

17 CHAIRMAN SHAPIRO: Motion carries.

18 Let's go to Number 1.

19 MR. HOESL: Sure.

20 CHAIRMAN SHAPIRO: First.

21 MR. HOESL: Yes, so this is an application for a
22 special use permit for Verizon Wireless located in the
23 Incorporated Village of Floral Park. Special use permit is
24 required for the construction operation and maintenance of a
25 public utility communications facility which is a cell phone

Zoning Referral Review

tower.

At the subject property, which is part of the Incorporated Village of Floral Park Recreation Center, the village's recreation center has tennis courts, basketball courts, baseball fields, hockey rink, and a swimming pool. More specifically, the proposed cell phone tower would be situated at the northeast corner of the village's building department and public works garage. The entire subject property is owned by the Village of Floral Park.

The special use permit is required from the village as all communication towers must be separated from all residentially zoned lands by a minimum of 200 feet or 200 percent of the height of the proposed tower, whichever is greater according to village code.

The location of the proposed cell phone tower is situated on lands of residence one-family by the village.

The attorney for the applicant has indicated that there is poor cell service in the area through Verizon, and the tower is viewed as a community need. The tower will be a concealment monopole design wherein the antennas are hidden within the tower. The tower will also be painted sky blue to help it blend into the surrounding area.

Since this case was last heard at the July 16th Planning Commission hearing, the applicant's attorney has

Zoning Referral Review

supplied various documents that support their case for the siting of the telecommunications tower, such as a letter from an architectural firm that has reviewed the published acoustic performance data for Verizon Wireless's proposed generic 50 kilowatt natural gas standby generator.

It was determined that the generator would emit a maximum sound level of approximately 69 decibels at the source under continuous full load operation. At the nearest residential property line, sound level is anticipated to decrease to approximately 49 decibels, which complies with the requirements of Chapter 55 of the village code. At the nearest residential structure, the sound level is anticipated to further decrease to approximately 46 decibels.

It should be noted that Verizon Wireless is considered a public utility under the laws of the state of New York, which means the village board must measure the variance request against public necessity and not the classic unnecessary hardship standard.

The applicant's attorney also supplied a report from Rogers and Taylor Appraisers Incorporated, which stated the proposed Verizon Wireless 100-foot concealment pole that would be built on the subject's Floral Park property would not impact the surrounding property values in any negative way.

An engineering report supplied by the applicant states

MR. HOESL: I have it in the file. We were provided -- these are some renderings of what it will look like at various places within the community.

1 Zoning Referral Review

2 This is from the baseball field. You can see there
3 what it might look like.

4 This is a neighborhood shot.

5 CHAIRMAN SHAPIRO: At least make a tree out of it.
6 That is awful.

7 MR. HOESL: This is the site of the DPW yard, the salt
8 shed where it will be located.

9 COMMISSIONER SAKOWICH: Mr. Chairman, I move that the
10 commission recommend a modification that the proposed
11 telecommunication tower be relocated on the premises so that it
12 is at no closer to any resident in the Village of New Hyde
13 Park, than it is to any resident in the Village of Floral Park.

14 I also read the village code on the decibel rates, and
15 their code actually reads a little different than what is
16 stated there. It states that the placement decibel level not
17 exceed 60 decibels at any property line. So, the property line
18 of the Village of New Hyde Park would be a property line that
19 it would have to adhere to of 60 decibels. I'd like to include
20 that in my motion that it does not exceed 60 decibels at the
21 property line adjacent to the generator.

22 CHAIRMAN SHAPIRO: Do I have a second?

23 MR. HOESL: Sure, yeah.

24 VICE-CHAIRMAN LEWIS: Just for clarification. You read
25 a modification about locating an equidistant from the other --

1 Zoning Referral Review

2 but the second point is that support for the modification?

3 COMMISSIONER SAKOWICH: Support for the modification.

4 VICE-CHAIRMAN LEWIS: Or is that included in the
5 modification?

6 MR. O'BRIEN: .2 modification as I understand it.

7 COMMISSIONER SAKOWICH: Yes.

8 VICE-CHAIRMAN LEWIS: So, the modification is just the
9 first part?

10 COMMISSIONER SAKOWICH: Yes, but I just think that
11 their code says 60 decibels at a property line. The property
12 line at New Hyde Park is ten feet away, so that must adhere to
13 their own code.

14 MR. O'BRIEN: So, it's actually two -- as I understand
15 the motion, Mr. Lewis, is that the modification be the
16 relocation of the pole, and that the decibel level not exceed.
17 So, there's a part one and part two.

18 COMMISSIONER SAKOWICH: Is that okay with you?

19 CHAIRMAN SHAPIRO: That's fine. I have no problem with
20 that.

21 COMMISSIONER SAKOWICH: Okay, so, the clarification is
22 that part two of the recommended modification is that at the
23 property line it's 60 decibels.

24 VICE-CHAIRMAN LEWIS: Just a quick reminder of our
25 process. If Planning Commission sends a modification to a

1 Zoning Referral Review

2 village in a referral like this, they would have to have a
3 supermajority to override our modification. So, they could
4 either adopt the modification with a simple majority, or they
5 could go back to their other plan, but they would need a
6 supermajority for that.

7 MR. O'BRIEN: Right. If my recollection is correct, I
8 believe the village board is comprised of five members, so they
9 would need at least four members voting in favor in order to
10 override a modification or denial.

11 CHAIRMAN SHAPIRO: Correct. Who seconded?

12 COMMISSIONER HAMRA: Second.

13 CHAIRMAN SHAPIRO: All those in favor?

14 (Chorus of Ayes.)

15 CHAIRMAN SHAPIRO: Any opposed?

16 (No response given.)

17 CHAIRMAN SHAPIRO: Motion carries.

18 Number 2.

19 MR. HOESL: I guess we've kind of come up with a new
20 procedure here where any referrals where we're receiving --
21 I'll go to the next slide for Zoning Case 2. As we recommended
22 in LDL, local determination with a letter.

23 As you can see by the orange outline there, Main Street
24 in Farmingdale is a county roadway. So, we'd like to include a
25 letter with any of our resolutions back to the referring

1 Zoning Referral Review

2 municipality reminding these municipalities that 239-F Review
3 will be required prior to the issuance of any building permits.

4 CHAIRMAN SHAPIRO: And that's the same for the other
5 LDLs?

6 MR. HOESL: Correct. They're all located on county
7 roads.

8 CHAIRMAN SHAPIRO: Why don't we take that as a group
9 with putting that on the record in a letter, you know, to each
10 of these municipalities in reference to 2, 3, 5 and 8.

11 MR. HOESL: Yes.

12 CHAIRMAN SHAPIRO: Reminding the referring municipality
13 to New York State GML 239-F review and approval will be
14 required prior to the issuance of any building permits.

15 MR. HOESL: Correct, thank you.

16 CHAIRMAN SHAPIRO: Is there a second?

17 VICE-CHAIRMAN LEWIS: Well, maybe just a clarification.
18 So, 239-F is referring to the curb cut requirement, correct?

19 MR. HOESL: They review multiple -- curb cuts are one
20 of them, yes.

21 VICE-CHAIRMAN LEWIS: Are you saying that each of these
22 applicants are seeking a new curb?

23 MR. HOESL: No, no, no. But since it is located on a
24 county roadway, they have to get 239-F review and approval.

25 MR. O'BRIEN: They have to get 239-F.

1 Zoning Referral Review

2 CHAIRMAN SHAPIRO: Even if the curb cut is existing.

3 MR. HOESL: Correct.

4 MR. O'BRIEN: Correct.

5 CHAIRMAN SHAPIRO: Still has to go through a review.

6 That's why we updated things to start doing this.

7 MR. O'BRIEN: Because they are getting a subdivision, so
8 you're, in theory, are affecting the flow of traffic, so
9 that -- that's -- yeah.

10 CHAIRMAN SHAPIRO: And the other thing that we started
11 to do, Jeff -- and I go through with staff quite often --
12 sometimes, a couple of times a week, local determinations that
13 are administrative, Marty never used to send them to us, we now
14 have staff working with us because sometimes we see something
15 and we say, gee, that really should be on the calendar. Let's
16 not administratively do it, and there's some that shouldn't be.
17 I mean, somebody's putting a porch in. Somebody's putting a
18 portico in. Why should we see that stuff? So, we started to
19 do that too.

20 So did we vote?

21 MR. O'BRIEN: No.

22 COMMISSIONER SAKOWICH: We did.

23 MR. O'BRIEN: My apologies. I didn't check off.

24 CHAIRMAN SHAPIRO: We had a motion and a second. All
25 those in favor?

1 Zoning Referral Review

2 (Chorus of Ayes.)

3 CHAIRMAN SHAPIRO: Any opposed?

4 (No response given.)

5 CHAIRMAN SHAPIRO: Motion carries.

6 Next famous --

7 MR. HOESL: Thank you.

8 CHAIRMAN SHAPIRO: Motion for the week is to adjourn.

9 COMMISSIONER SAKOWICH: Motion to adjourn.

10 VICE-CHAIRMAN LEWIS: Second.

11 (The meeting was adjourned at 12:03 P.M.)

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

I, MARIESEL BERRIOS, do hereby certify that the within transcript is a true record of the proceedings which took place in the above matter.

Marisel Berrios
MARIESEL BERRIOS



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