REGULAR MEETING

of the

NASSAU COUNTY PLANNING COMMISSION

Thursday, October 1, 2026

10:07 a.m. - 10:31 a.m.

LEGISLATIVE CHAMBER

Theodore Roosevelt Executive & Legislative Bldg.

1550 Franklin Avenue

Mineola, New York

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

LEONARD H. SHAPIRO, Chairman
JEFFREY H. GREENFIELD, Vice Chair
NEAL LEWIS, Third Vice-Chair
MURRAY FORMAN,
ABRAHAM HAMRA,
REID SAKOWICH,
SAMANTHA E. SETER,
Commissioners

ROBERT O'BRIEN, Esq., Counsel
PATRICK GALLAGHER, Esq., Counsel

Staff:
GIANNI ANDRIANO
GREGORY J. HOESL
CAMERON SANDS
TIMOTHY WREN

Also Present:
STEPHANIE J. VALDER, Stenographer

Proceedings

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

CHAIRMAN SHAPIRO: Good morning and welcome to the October 1st Planning Commission Meeting.

Hand over your heart.

(Pledge of Allegiance recited in a body.)

CHAIRMAN SHAPIRO: Play ball.

MR. O'BRIEN: We hope, by Walter Sterling. I will quote him every meeting.

VICE-CHAIR GREENFIELD: Play -- play good ball like the Yankees.

MR. KWASCHYN: Feel better, Jeff.

VICE-CHAIR GREENFIELD: Thank you, Michael.

MR. KWASCHYN: That's okay.

CHAIRMAN SHAPIRO: Okay. Staff, we ready?

(Stepping up.)

MR. HOESL: Okay.

VICE-CHAIR GREENFIELD: Is the "live stream" working?

MR. HOESL: Yes. We're just trying to

get the -- the PowerPoint up there real quick.

VICE-CHAIR GREENFIELD: But -- but are we on the --

MR. HOESL: We are live streaming.

VICE-CHAIR GREENFIELD: Oh, now we are on the air. Oh, and next to the other.

MR. O'BRIEN: Okay. Well, we can do the --

THIRD VICE-CHAIR LEWIS: All right. I notice that --

MR. O'BRIEN: -- we can do No. 2.

THIRD VICE-CHAIR LEWIS: It's such a good thing Ron --

VICE-CHAIR GREENFIELD: Okay.

THIRD VICE-CHAIR LEWIS: What number is that?

MR. HOESL: I'll start with the roll call. Yeah.

THIRD VICE-CHAIR LEWIS: Oh, thank you.

MR. HOESL: Chairman [sic] Seter?

COMMISSIONER SETER: Present.

MR. HOESL: Chairman [sic] Sakowich?

COMMISSIONER SAKOWICH: Present.

MR. O'BRIEN: Commissioner --

Proceedings

Commissioner.

MR. HOESL: I'm sorry. Commissioner.

Commissioner Seter?

COMMISSIONER SETER: Present.

MR. HOESL: Commissioner Sakowich?

COMMISSIONER SAKOWICH: Present.

MR. HOESL: Commissioner Hamra?

COMMISSIONER HAMRA: Present.

MR. HOESL: Commissioner Forman?

COMMISSIONER FORMAN: Present.

MR. HOESL: Commissioner Ellerbe?

MR. O'BRIEN: Excused.

VICE-CHAIR GREENFIELD: Who?

(Laughter.)

MR. HOESL: Commissioner Durso?

CHAIRMAN SHAPIRO: Excused.

VICE-CHAIR GREENFIELD: Excused.

MR. HOESL: Third Vice-Chair Lewis?

THIRD VICE-CHAIR LEWIS: Here.

MR. HOESL: Vice-Chair Greenfield?

VICE-CHAIR GREENFIELD: Present.

MR. HOESL: And Chairman Shapiro?

CHAIRMAN SHAPIRO: Here.

MR. HOESL: Thank you.

Proceedings

CHAIRMAN SHAPIRO: Has anybody heard from Dana?

MR. HOESL: Oh, yes.

Dana e-mailed me yesterday, she could not make it. Yes.

Next we need a motion to acknowledge the receipt of transcript from the August 13th and the September 10th Planning Commission hearing.

COMMISSIONER FORMAN: So moved.

CHAIRMAN SHAPIRO: Is there a second?

COMMISSIONER HAMRA: Second.

CHAIRMAN SHAPIRO: All in favor?

(Chorus of "ayes.")

CHAIRMAN SHAPIRO: Okay, let's move on.

MR. HOESL: Okay.

* * *

NCPC File No. 1982-F-3

(Stepping up.)

MR. WREN: Okay. First up is NCPC File 1982-F-3. The attorney's asking for an adjournment on this case to a date undetermined.

COMMISSIONER FORMAN: Does it have to be --

MR. WREN: This is for the bond release.

MR. O'BRIEN: It has to be re-noticed.

VICE-CHAIR GREENFIELD: Please explain on the record, why.

MR. WREN: Okay. Sorry.

There was a discrepancy on the bond, due to a lighting issue, from my understanding. I'm sorry. I'm filling in for John, so I'm not fully briefed on this case.

CHAIRMAN SHAPIRO: Where is John?

MR. WREN: He was injured.

(Discussion held among Commissioners off the record.)

THIRD VICE-CHAIR LEWIS: He is?

VICE-CHAIR GREENFIELD: No.

MR. WREN: Yes.

VICE-CHAIR GREENFIELD: "DPW" John.

NCPC File No. 1982-F-3

CHAIRMAN SHAPIRO: You got to tell us which John?

MR. WREN: Oh, I'm sorry.

John Perrakis.

VICE-CHAIR GREENFIELD: No, but --

CHAIRMAN SHAPIRO: No --

MR. SANDS: We're talking about John.

VICE-CHAIR GREENFIELD: John.

MR. WREN: Oh, John. All right, I'm sorry. I thought I was -- when you said John, I referring for John Perrakis.

VICE-CHAIR GREENFIELD: Oh, okay.

CHAIRMAN SHAPIRO: And where is John today?

MR. WREN: John was injured. He injured his back.

VICE-CHAIR GREENFIELD: Oh.

CHAIRMAN SHAPIRO: Oh, his back.

COMMISSIONER FORMAN: He injured his back.

THIRD VICE-CHAIR LEWIS: I would just say sometimes a partial release is appropriate. So if almost -- you know, if all the work was done except there was some concern about the

lighting, you know, because it's -- it's not like they didn't do it. There's questions about they changed the height, you know, and for whatnot, so --

VICE-CHAIR GREENFIELD: So let me give you the rest of the story that we discussed with the John Faraci (phonetic), the "DPW" road inspector. That's which John --

MR. WREN: Right --

VICE-CHAIR GREENFIELD: -- I was talking about in the --

MR. WREN: -- okay, all right.

VICE-CHAIR GREENFIELD: -- okay, in the -- what do we call it?

THIRD VICE-CHAIR LEWIS: The work session.

VICE-CHAIR GREENFIELD: The work session.

MR. O'BRIEN: The work session.

VICE-CHAIR GREENFIELD: Okay.

We had this -- there's two sections, and then we had this case before -- and the attorney for the applicant, Albert D'Agostino, Minerva and D'Agostino has to go back to the Town

NCPC File No. 1982-F-3

to amend the site plan, and then give us the amendment to the site plan and then we can take action. Okay?

MR. O'BRIEN: Right -- right.

And -- and just for the record too, before the Commissioners came out, there were a couple of people in the audience who -- who were interested. I explained to them that it was going to be scratched, that the applicant had to go back to the Town.

So I just want to acknowledge that there were people who showed up and they've already been told and that it has to be re-noticed.

CHAIRMAN SHAPIRO: Okay, all right.

COMMISSIONER SAKOWICH: So I make a motion to --

THIRD VICE-CHAIR LEWIS: But I'm just going to say just to clarify, so the inspectors were saying they can't -- if you change the height, you know, it's not exactly what's on -- on the paperwork. So they're not going to just say it's okay.

CHAIRMAN SHAPIRO: Right.

NCPC File No. 1982-F-3

VICE-CHAIR GREENFIELD: Which is why they have to go back to the Town.

COMMISSIONER SAKOWICH: Right.

CHAIRMAN SHAPIRO: But, you know, they've -- they've known this for how long and now they first started this?

(Laughter.)

CHAIRMAN SHAPIRO: I mean come on.

(Laughter.)

CHAIRMAN SHAPIRO: We knew about this about a month ago or more.

VICE-CHAIR GREENFIELD: So it's not for me to speculate like that.

(Laughter.)

VICE-CHAIR GREENFIELD: I'm pleased that the attorney recognized there was a discrepancy --

THIRD VICE-CHAIR LEWIS: There you go.

VICE-CHAIR GREENFIELD: -- and is going to the Town. Is that good for now?

COMMISSIONER SAKOWICH: So I make a motion on NCPC -- on NCPC File 1982-F-3, Woodbury Villas, that we grant them the adjournment --

NCPC File No. 1982-F-3

CHAIRMAN SHAPIRO: Adjournment for a date uncertain.

COMMISSIONER SAKOWICH: -- to a date that is undetermined at this time, due to the fact that they must go in front of the Town first.

CHAIRMAN SHAPIRO: And -- and they will have to re-notice.

VICE-CHAIR GREENFIELD: Re-notice.

COMMISSIONER SAKOWICH: And they'll have to re-notice.

CHAIRMAN SHAPIRO: Is there a second?

COMMISSIONER FORMAN: Second.

CHAIRMAN SHAPIRO: All in favor?

(Chorus of "ayes.")

CHAIRMAN SHAPIRO: Any opposed?

(No response.)

CHAIRMAN SHAPIRO: Motion carries.

MR. WREN: Thank you.

* * *

Zoning Referral Review

CHAIRMAN SHAPIRO: Zoning?

VICE-CHAIR GREENFIELD: No, I got to recuse myself on 1.

CHAIRMAN SHAPIRO: I know you do.

(Laughter.)

CHAIRMAN SHAPIRO: So let's do -- let's do --

THIRD VICE-CHAIR LEWIS: The first one -- the first one is addressed.

CHAIRMAN SHAPIRO: Right.

Why don't we do 4 and 6 first, and then we'll go to 1, and then we'll go to 1 and then we can approve the rest.

MR. O'BRIEN: I'm recused on 6.

CHAIRMAN SHAPIRO: So that's why I said we're going to do 4 and then 6.

THIRD VICE-CHAIR LEWIS: Oh, we're doing 4.

MR. O'BRIEN: Oh, 4.

THIRD VICE-CHAIR LEWIS: Yeah, 4 we want you in on.

MR. O'BRIEN: No problem.

* * *

CHAIRMAN SHAPIRO: Four, we'll do

first.

(Stepping up.)

MR. HOESL: Okay, thank you.

This is a variance that's required to legalize a commercial business with outdoor storage area in a Residential Zoning District. The storage of commercial vehicles and materials is not permitted in the Town of North Hempstead's Residential "C" Zoning District.

We have some history of this property --

VICE-CHAIR GREENFIELD: Wait a minute. I want to put on the record I'm recusing myself on this case.

MR. HOESL: Okay, thank you.

(Vice-Chairman Greenfield exits the hearing.)

MR. HOESL: We have some history with this property, as it was previously owned by Nassau County and it was known as OSPAC Case 1-2016, when the County sought permission to issue an "RFP" for the sale of the property. Previous uses at this site included a Nassau County "DPW" Maintenance Yard, and a

Zoning Referral Review

Nassau County Police Department office building and police auto repair impound yard. The subject property was eventually sold to the applicant, after which the County initiated a minor subdivision application, in order to subdivide off the County's storm water basin at the rear of the property.

Since that time, the subject property has been operating as a masonry company office, with outdoor storage of vehicles and equipment. The masonry company and "Road Work Ahead" currently situated there is involved in public works projects for local municipal governments, such as a repaving of public roads and various construction projects at local public schools.

Since the applicant is applying for a variance with the Town of North Hempstead to operate a commercial business in a residential zone, there's an argument that a legal principle known as the "Monroe Doctrine" -- not the one you learned in U.S. History class, but the County in Upstate, New York applies here, where the subject property has previously operated as a commercial municipal use. Therefore, the subject property

should be able to continue to operate as a commercial use, if that commercial use serves the public. Applicant's attorney is arguing that the masonry company already operates there, should be considered a municipal use, because of the various construction projects they currently undertake.

To the north of the subject property is a Town of North Hempstead maintenance yard;

To the east is a Nassau County stormwater basin and single-family residential homes;

To the south, there are single-family residential homes;

And to the west across Brush Hollow Road are -- are additional single-family homes.

This is located on a County-owned roadway, Brush Hollow Road.

THIRD VICE-CHAIR LEWIS: So I want to pick up on your point that this is not new to us. We've reviewed this several times at different stages along the way. The Planning Commission was involved in both the subdivision of the property away from the storm basin, and -- and

definitely in terms of the recommendations to the County for the sale of the property and transfer of the property.

So at each of these steps along the way, the understanding was essentially that the building would be continued to be used in this kind of way, that it -- that it involved, you know, some roadwork, equipment or other similar kinds of activities. The property immediately adjacent to it that the -- I believe, is that the Town-owned property that --

MR. HOESL: Yeah, the Town of North Hempstead.

THIRD VICE-CHAIR LEWIS: -- it's essentially what they have there, and of course, this is the historical kind of use of the property.

So I just think that for the purposes of this item, that this is what -- what they're seeking in their variance is exactly what we understood at the County level, when there was the transfer of the property. So I think perhaps -- I don't know, Mr. Chairman, I just think what's -- this is not new to us. We saw

this as this was what there was the intended use. So perhaps we do an "LD" with a letter or something a little bit stronger to indicate --

CHAIRMAN SHAPIRO: I would do an "LD" with a letter.

THIRD VICE-CHAIR LEWIS: Yeah -- yeah.

CHAIRMAN SHAPIRO: "LD" with a letter.

THIRD VICE-CHAIR LEWIS: Yeah.

MR. O'BRIEN: So the suggestion would be an "LD" with a letter, the letter recommending approval for the reasons stated.

THIRD VICE-CHAIR LEWIS: Recommending approval and explaining that the Planning Commission has seen this property several times over the years, and that we were very much involved in the, you know, "OSPAC."

The Open Space Park Advisory Committee reviewed it. They gave their recommendations and we -- and then we -- we made -- gave our recommendations. The Legislature voted. All that process played out. And throughout that process, this was the -- the understanding was that the property would be used as -- as they're requesting to --

Zoning Referral Review

MR. O'BRIEN: I think it's a great idea, and very consistent with what the --

COMMISSIONER SAKOWICH: I second.

MR. O'BRIEN: -- Commissioners, have done in the past.

CHAIRMAN SHAPIRO: Okay. There's a motion and a second.

All those in favor?

(Chorus of "ayes" with Vice-Chair Greenfield recused.)

CHAIRMAN SHAPIRO: Any opposed?

(No response.)

CHAIRMAN SHAPIRO: Motion carries.

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CHAIRMAN SHAPIRO: All right. Let's go to No. 6.

Bob, you're off this.

MR. O'BRIEN: I'm out. And now you have Jeff back in.

MR. HOESL: Thank you.

This is a proposed substandard two-lot minor subdivision in the Hamlet of Elmont, within the Town of Hempstead's Residence "C" Zoning District. Residence "C" Zoning District requires

minimum lot frontage of 50 feet and minimum lot area of 6,000 square feet. However, both proposed lots will have frontages of only 40 feet;

A depth of 100 feet;

And lot areas of 4,000 square feet. The existing two-story single-family home on the subject property will remain and a new two-story single-family home will be constructed on the newly-created lot to the north.

The surrounding neighborhood within a 200-foot radius of the subject property is primarily characterized by single-family homes on lots of varying sizes. However, there is 25 properties within a 200-foot radius that have street frontages of 40 feet or less. The two new lots being proposed are therefore not out of character with this area of Elmont. To the north, south, east and west are all residential properties.

The Planning Commission will see this proposed subdivision for minor subdivision approval, as it's located wholly within an unincorporated area of the Town of Hempstead.

CHAIRMAN SHAPIRO: Yeah.

THIRD VICE-CHAIR LEWIS: It's interesting how the neighboring property is sort of like perfectly situated for a subdivision.

(Laughter.)

(Vice-Chair Greenfield enters the meeting.)

MR. HOESL: Yeah.

(Laughter.)

THIRD VICE-CHAIR LEWIS: Right.

CHAIRMAN SHAPIRO: I mean --

MR. HOESL: The side yard there.

COMMISSIONER SAKOWICH: It's good 'cause that's standard.

(Discussion held among Commissioners off the record.)

COMMISSIONER SAKOWICH: I make a motion.

THIRD VICE-CHAIR LEWIS: Make your motion.

COMMISSIONER SAKOWICH: I make a motion on NCPC File No. 918126 with a "Neg. Dec.," "LD."

COMMISSIONER FORMAN: Second.

COMMISSIONER SAKOWICH: All in favor?

VICE-CHAIR GREENFIELD: All in favor?

THIRD VICE-CHAIR LEWIS: All in favor?

(Laughter.)

COMMISSIONER SAKOWICH: Opposed?

(No response.)

THIRD VICE-CHAIR LEWIS: Motion carried.

COMMISSIONER SAKOWICH: Motion carried.

CHAIRMAN SHAPIRO: Go ahead.

THIRD VICE-CHAIR LEWIS: Right.

CHAIRMAN SHAPIRO: I got to go.

VICE-CHAIR GREENFIELD: I voted yes.

(Laughter.)

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THIRD VICE-CHAIR LEWIS: No. 1.

CHAIRMAN SHAPIRO: All right.

THIRD VICE-CHAIR LEWIS: Back to the beginning now?

CHAIRMAN SHAPIRO: No. 1.

MR. HOESL: No. -- No. 1. Thank you.

CHAIRMAN SHAPIRO: Yeah, let's do No. 1 and then we'll group the rest of them together.

(Mr. O'Brien enters the meeting.)

MR. HOESL: All right. So Zoning Case

Zoning Referral Review

No. 1 is a proposed synagogue and weekday service building, which is considered an accessory use, and -- and therefore requires a special exception to park in the Town of Hempstead's Residential "A" Zoning District and front-yard setback.

Based on the Town's parking calculations for assembly use, there is one parking space required for every three occupants. This proposed new synagogue has a maximum occupancy of 208 people, which when considered with the office area and basement storage parking requirements is -- results in a total of 146 parking spaces being required.

Site plan currently shows 48 parking spaces being provided. There are, however, two large Town of Hempstead municipal parking lots located within the vicinity of the subject property.

The site plan shows the synagogue's ingress and egress being located off Walsh Avenue in the residential neighborhood behind Broadway. The site currently does not feature access from Broadway, since the proposed synagogue's building footprint takes up a large

portion of the site.

Synagogue will be two-stories or 30 feet in height, which complies with Town of Hempstead building code. Building footprint is 7,320 square feet or 28 percent of the subject property, which also complies with Town Code and will be set back 10 feet from Broadway.

To the north of the strip are commercial stores and municipal parking. To the east are residential homes. To the south and west are additional commercial stores.

I did visit this site yesterday and looking further at this, I -- I do feel I have a bit of an issue with the parking situation there, and probably would want to request a traffic and parking study from the applicant at the least.

THIRD VICE-CHAIR LEWIS: And could you -- could you go to the slide that shows the picture? Yeah, this (indicating) one.

There you go.

So -- so they -- they're letting us -- demolition is already under way or what is --

MR. HOESL: Yeah, there was an old church there I believe and it's been

completely demolished. Yeah.

VICE-CHAIR GREENFIELD: That was, that, I think there was a fire there that's long gone.

MR. HOESL: Oh, okay.

VICE-CHAIR GREENFIELD: But -- but in the pre-meeting -- did I say it right?

MR. O'BRIEN: Work session.

VICE-CHAIR GREENFIELD: Work session, excuse me, Neal brought up a point that we should have the religious uses throughout the County and the towns are consistently inconsistent on how they handle the treatment. And we put together a white paper for -- for -- guide for the day care uses, and we would like staff to work with us. And I know Bob, if you were in the room, we'll talk about it at our "CE," December.

MR. O'BRIEN: Right.

VICE-CHAIR GREENFIELD: And we'll put together some bullet points so that we have a consistent approach, because we're going to ask today that they undertake a traffic study, which they will eventually have to do and it's on a County Road so we have jurisdiction.

We -- we want to --

MR. O'BRIEN: You're saying the County sees it twice then, once there and once here.

VICE-CHAIR GREENFIELD: Right -- right. But we want to make sure that -- that they all come before us, before I get a summons or a subpoena, the right way.

(Laughter.)

THIRD VICE-CHAIR LEWIS: Yeah, I just want to echo your point that going forward, we maybe want to do some kind of memo that's similar to what we did with the day care centers, because we saw so many of them.

VICE-CHAIR GREENFIELD: Yeah.

THIRD VICE-CHAIR LEWIS: And it was sort of the similar issue, that they needed to manage the traffic better.

And similarly here, we could -- what we'd say is we should, you know, each -- each site each is -- is different, but still, you need to have a plan. And almost everybody comes in with the numbers that are higher than what parking allows, so what's your plan.

MR. O'BRIEN: Right. And -- and, you know, it's funny, everything is -- and you've --

you've touched on it, Commissioner, is -- is that, everything, when we deal with the houses of worship, it -- it just seems to be all -- all we're talking about and everything we're talking about is parking and traffic. And that's -- and that's I think what we -- we key in on it, you know.

VICE-CHAIR GREENFIELD: Yeah.

MR. O'BRIEN: We -- we rarely deal with height or how something may fit in the neighborhood or --

COMMISSIONER SHAPIRO: Well, it's the only comment, so --

VICE-CHAIR GREENFIELD: No -- no -- no.

MR. O'BRIEN: -- zoning, it's --

VICE-CHAIR GREENFIELD: It's supposed to be on the Town and the Village level.

COMMISSIONER SAKOWICH: Yeah.

MR. O'BRIEN: Right.

VICE-CHAIR GREENFIELD: Different villages do it different ways in different towns. And we also, after we have this paper, years ago the Chairman and Vice-Chairman appeared at the "NCVOA," the Nassau County Village Officials

Association --

COMMISSIONER SAKOWICH: Right.

VICE-CHAIR GREENFIELD: -- and we explained to them. So we may want to go back to them at some point in time and tell them about our white paper. Is that the right way to term it or --

COMMISSIONER SAKOWICH: Our guidelines --

VICE-CHAIR GREENFIELD: Our guidelines, yes -- yes.

MR. O'BRIEN: I like white paper.

VICE-CHAIR GREENFIELD: Our -- our guidelines for day care on daycare and our guidelines for religious --

COMMISSIONER SAKOWICH: Because there are --

VICE-CHAIR GREENFIELD: -- uses.

COMMISSIONER SAKOWICH: -- there are different applications of drop off; all right? But you made a great point there. The school in Stewart Manor, they have an incredible system. Six people in vests, a car pulls up, no big deal, get out of the car and go.

(Laughter.)

COMMISSIONER SAKOWICH: Everybody's got to park, hug, kiss.

(Laughter.)

COMMISSIONER SAKOWICH: You know, it don't happen. Out, and -- and then they move you on. And they probably unload 300 kids in, you know, 15 minutes.

THIRD VICE-CHAIR LEWIS: Yeah, exactly.

COMMISSIONER SAKOWICH: So there's -- there's good ways to --

THIRD VICE-CHAIR LEWIS: Exactly.

COMMISSIONER SAKOWICH: -- do this.

THIRD VICE-CHAIR LEWIS: Yeah -- yeah. Gotcha. Good.

CHAIRMAN SHAPIRO: Okay, good.

So do I have a motion?

THIRD VICE-CHAIR LEWIS: Jeff, you're making a motion, that it's incomplete and we need a --

VICE-CHAIR GREENFIELD: I'll make a motion that we term this -- what's the number again? I got --

MR. O'BRIEN: Deem it --

VICE-CHAIR GREENFIELD: What?

MR. O'BRIEN: -- you deem it incomplete, request a --

VICE-CHAIR GREENFIELD: Deem it incomplete and request a -- the applicant to undertake a traffic study.

CHAIRMAN SHAPIRO: Is there a second?

THIRD VICE-CHAIR LEWIS: Second.

CHAIRMAN SHAPIRO: All in favor?

(Chorus of "ayes.")

CHAIRMAN SHAPIRO: Any opposed?

(No response.)

CHAIRMAN SHAPIRO: The motion carries.

THIRD VICE-CHAIR LEWIS: So that would be reported at their October 7th meeting that they have coming up?

MR. O'BRIEN: That "whatchamacallit," it will be reported to the zoning board that -- that it will be deemed incomplete.

THIRD VICE-CHAIR LEWIS: Right.

MR. O'BRIEN: And the Town of Hempstead Zoning Board, I think has been fairly good in honoring the Planning Commission and not acting --

VICE-CHAIR GREENFIELD: No -- no -- no --

MR. O'BRIEN: -- until the Planning Commission --

VICE-CHAIR GREENFIELD: -- they've been better than fairly good. They've been much improved.

THIRD VICE-CHAIR LEWIS: I was just taking notice that the meeting --

MR. O'BRIEN: Oh, the zoning? I'll stand up for the zoning board. You made --

VICE-CHAIR GREENFIELD: I -- I --

MR. O'BRIEN: -- a valid point --

VICE-CHAIR GREENFIELD: -- I'm sticking up for them now. They're doing a much better job at the "TOH."

Okay, but what I don't want to wait until October 7th. I want staff to communicate tomorrow or today to both the applicant's attorney and to the --

MR. O'BRIEN: Staff will tell you, usually -- and this goes back to Marty's time, that usually it goes out very, very quickly, if not the same day, the day after.

MR. HOESL: The latest Friday, tomorrow.

MR. O'BRIEN: Tomorrow.

MR. HOESL: The latest I'll get them out, yeah.

VICE-CHAIR GREENFIELD: Okay.

CHAIRMAN SHAPIRO: Okay, fine.

VICE-CHAIR GREENFIELD: I can live with Friday.

CHAIRMAN SHAPIRO: Yeah.

VICE-CHAIR GREENFIELD: But get it to both to the Town and the attorney.

MR. HOESL: Yes -- yes.

VICE-CHAIR GREENFIELD: So they're not blind sided.

MR. HOESL: Yes.

CHAIRMAN SHAPIRO: Right.

MR. HOESL: Yup.

(Nodding head yes.)

THIRD VICE-CHAIR LEWIS: What I'm sort of saying is if you did the traffic study before the public hearing on the Seventh, they could then come over back here instead.

CHAIRMAN SHAPIRO: Right, and then it

can come back to us on the 22nd.

THIRD VICE-CHAIR LEWIS: Right.

If they don't jump.

CHAIRMAN SHAPIRO: If they don't, then it's --

THIRD VICE-CHAIR LEWIS: Yeah --

CHAIRMAN SHAPIRO: -- pushed off.

THIRD VICE-CHAIR LEWIS: -- then it's pushed back a little.

CHAIRMAN SHAPIRO: Right.

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CHAIRMAN SHAPIRO: Okay. Let's -- let's group the rest -- the rest of the calendar. I'll take a motion for NCPC Zoning Referral No.:

5;

6 [sic];

7;

And 8 for an "LD."

COMMISSIONER SAKOWICH: I'll make a motion for --

MR. HOESL: Oh, we already did 6.

COMMISSIONER SAKOWICH: -- Mr. Chairman on -- I make a motion on --

CHAIRMAN SHAPIRO: -- on 5;

7;

And 8.

COMMISSIONER SAKOWICH: -- on those, 5 -- Cases:

5,

7;

And 8, that there be a "Local Determination" with a "Negative Dec."

CHAIRMAN SHAPIRO: Is there a second?

COMMISSIONER FORMAN: Second.

CHAIRMAN SHAPIRO: All in favor?

(Chorus of "ayes.")

CHAIRMAN SHAPIRO: Any opposed?

(No response.)

CHAIRMAN SHAPIRO: Motion carries.

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CHAIRMAN SHAPIRO: Now we'll take --

THIRD VICE-CHAIR LEWIS: The "LDs" with the letters.

CHAIRMAN SHAPIRO: -- "LDs" with the letters, and all the letters state that they're subject to "239-F" review.

MR. HOESL: That is correct.

CHAIRMAN SHAPIRO: Okay.

MR. HOESL: Yeah.

CHAIRMAN SHAPIRO: So I'll take a motion for NCPC Zoning Agendas:

2;

3;

And 9, with a letter stating they're all subject to a "239-F" review.

COMMISSIONER FORMAN: So moved.

VICE-CHAIR GREENFIELD: Second.

CHAIRMAN SHAPIRO: All in favor?

(Chorus of "ayes.")

CHAIRMAN SHAPIRO: Any opposed?

(No response.)

CHAIRMAN SHAPIRO: Motion carries.

* * *

Proceedings

CHAIRMAN SHAPIRO: And?

VICE-CHAIR GREENFIELD: The most important motion of the day.

CHAIRMAN SHAPIRO: Right.

MR. O'BRIEN: Motion to adjourn.

CHAIRMAN SHAPIRO: And -- and we're going to move forward with the December 17th.

MR. HOESL: Okay, yup.

CHAIRMAN SHAPIRO: Okay.

VICE-CHAIR GREENFIELD: So December 17th, we're going to have a -- we got to be done early, because then we're doing our required continuing education.

CHAIRMAN SHAPIRO: Right.

MR. HOESL: (Nodding head yes.)

VICE-CHAIR GREENFIELD: Short agenda. We got to be out of here by 11.

MR. HOESL: I will confirm 11 to 2 --

CHAIRMAN SHAPIRO: Yeah.

MR. HOESL: -- with them, yup.

CHAIRMAN SHAPIRO: And -- and then the other thing is that if you would make contact, do you want to contact Bonesso or do you want staff?

VICE-CHAIR GREENFIELD: Staff contact

him and -- and copy me.

MR. HOESL: This was the fire marshal, you -- you're talking about?

VICE-CHAIR GREENFIELD: No, we're doing the fire marshal, we already spoke to.

MR. HOESL: Oh.

VICE-CHAIR GREENFIELD: Okay.

CHAIRMAN SHAPIRO: But I would -- I would follow up with him.

VICE-CHAIR GREENFIELD: In writing.

CHAIRMAN SHAPIRO: And give him, you know, give him all the particulars.

MR. HOESL: Okay.

VICE-CHAIR GREENFIELD: He's going to come with his chief deputy who does --

CHAIRMAN SHAPIRO: Right.

VICE-CHAIR GREENFIELD: -- battery storage.

MR. O'BRIEN: And I'll -- I'll reach out to a couple land use attorneys and see if anybody has any experience with the "RLUIPA" and maybe --

VICE-CHAIR GREENFIELD: Right. We want to do that also.

Proceedings

MR. O'BRIEN: Right, you want -- want to talk about it?

VICE-CHAIR GREENFIELD: Yeah.

MR. O'BRIEN: And if worse comes to worst, Pat -- Pat and I can have a --

CHAIRMAN SHAPIRO: Okay, fine.

MR. O'BRIEN: -- we'll go back and forth and we can -- you can run things off both of us.

CHAIRMAN SHAPIRO: All right.

MR. O'BRIEN: But I'll reach out to a couple people. I have a few people in mind.

VICE-CHAIR GREENFIELD: Okay, good.

CHAIRMAN SHAPIRO: Great.

MR. O'BRIEN: Thank you.

VICE-CHAIR GREENFIELD: It doesn't have to be Bonesso. And then especially if he doesn't have any cases before us. And I don't want him to say --

MR. O'BRIEN: Good -- good man, William Bonesso.

VICE-CHAIR GREENFIELD: Yeah.

(Discussion held among Board Members off the record.)

Proceedings

VICE-CHAIR GREENFIELD: Well, we don't have to do this on the record. I know you mean that.

CHAIRMAN SHAPIRO: Off the record.

VICE-CHAIR GREENFIELD: Off the record. Okay.

(Discussion held among Commissioners off the record.)

VICE-CHAIR GREENFIELD: Motion to adjourn.

COMMISSIONER FORMAN: Second.

VICE-CHAIR GREENFIELD: So moved.

Goodbye, everybody.

MR. HOESL: Thank you. You too.

MR. O'BRIEN: You too.

(The meeting was concluded at 10:31 a.m.)

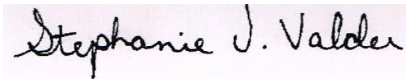
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C E R T I F I C A T I O N

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



_____

STEPHANIE J. VALDER,

Stenographer

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