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INCORPORATED VILLAGE OF FREEPORT

ZONING BOARD OF APPEALS

MUNICIPAL BUILDING

46 North Ocean Avenue  
Freeport, NY 11520

February 15th, 2024  
6:00 p.m.

M E M B E R S:

- JENNIFER CAREY                      CHAIRPERSON
- ANTHONY MINEO                      MEMBER
- CHARLES HAWKINS                      MEMBER
- BEN JACKSON                      MEMBER

\*   \*   \*

- LISA DEBOURG                      DEPUTY VILLAGE CLERK
- REMY WATTS                      SECRETARY TO THE ZONING  
BOARD OF APPEALS
- JENNIFER UNGAR                      DEPUTY VILLAGE ATTORNEY

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APPLICANTS' EXHIBITS

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(None.)

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2 DEPUTY CAREY: Welcome

3 everyone to the February 15th meeting  
4 of the Zoning Board of Appeals.

5 Please join me now in the  
6 Pledge of Allegiance.

7 (Whereupon, the Pledge of  
8 Allegiance was said.)

9 DEPUTY CAREY: Thank you.

10 I will entertain a motion to  
11 enter into Executive Session.

12 MEMBER JACKSON: So moved.

13 MEMBER HAWKINS: Second.

14 THE CLERK: All in favor?

15 MEMBER JACKSON: Aye.

16 MEMBER HAWKINS: Aye.

17 MEMBER MINEO: Aye.

18 DEPUTY CAREY: Aye.

19 THE CLERK: Any oppose?

20 (Whereupon, there was no  
21 response given.)

22 DEPUTY CAREY: We'll be back  
23 again shortly.

24 (Whereupon, the Board entered  
25 into Executive Session.)

2 DEPUTY CAREY: Okay. So thank  
3 you for your patience tonight.

4 I would like everyone to,  
5 again, join me in the Pledge of  
6 Allegiance as we go into Legislative  
7 Session.

8 (Whereupon, the Pledge of  
9 Allegiance was said.)

10 DEPUTY CAREY: So at this  
11 point, we'd like to ask for approval  
12 of the meeting minutes from the last  
13 meeting.

14 MEMBER HAWKINS: So moved.

15 DEPUTY CAREY: Second?

16 MEMBER JACKSON: Second.

17 THE CLERK: All in favor?

18 MEMBER JACKSON: Aye.

19 MEMBER HAWKINS: Aye.

20 MEMBER MINEO: Aye.

21 DEPUTY CAREY: Aye.

22 THE CLERK: Any oppose?

23 (Whereupon, there was no  
24 response given.)

25 DEPUTY CAREY: And, I would

2 like to also ask if there's any  
3 Affidavits of Publication or Posting  
4 to be entered into the record this  
5 evening as exhibits?

6 THE CLERK: Yes. We have one  
7 Affidavit of Posting and one  
8 Affidavit of Publication to be placed  
9 on the record as Board Exhibits.

10 (Affidavit of Posting was  
11 marked as Board Exhibit 1, for  
12 identification, as of this date.)

13 (Affidavit of Publication was  
14 marked as Board Exhibit 2, for  
15 identification, as of this date.)

16 DEPUTY CAREY: Are there any  
17 requests for adjournments this  
18 evening?

19 THE CLERK: No requests for  
20 adjournments.

21 DEPUTY CAREY: If anyone would  
22 like to speak for or against any  
23 applications tonight, there are slips  
24 in the back that you can fill in and  
25 bring to the Clerk, and then we'll

1  
2 make sure that you have a chance to  
3 speak for or against any  
4 applications, if you want to speak.  
5 If you're not the applicant, you're  
6 allowed to do so.

7 Thank you.

8 Also, I'd like to ask that the  
9 secretary to call the first  
10 application, please.

11 THE CLERK: Application Number  
12 2024-1 - 261 South Long Beach Avenue,  
13 Residence AA - Section 62/Block  
14 122/Lot 13 - Jiereh Bowen.

15 Legalize existing 12 feet by  
16 24 feet in-ground pool and 8 feet by  
17 8 feet hot tub. Variance: Village  
18 Ordinance 210-6A Conformity Required.  
19 210-35C(2)(3). Required yards.

20 We also have an Affidavit of  
21 Mailing to be placed on the record as  
22 a Board Exhibit for this application.

23 (Affidavit of Mailing was  
24 marked as Board Exhibit 1, for  
25 identification, as of this date.)

2 DEPUTY CAREY: Okay. Is there  
3 anyone who would like to speak for or  
4 against this application tonight?

5 Okay. You just need to be  
6 sworn in, sir.

7 (WHEREUPON, the Applicant,  
8 J-I-E-R-E-H B-O-W-E-N was sworn in  
9 by the Court Reporter.)

10 MR. BOWEN: Yes. Good evening  
11 to the Board. I'm Jierreh Bowen,  
12 owner of 261 South Long Beach Avenue,  
13 in Freeport.

14 MS. UNGAR: Mr. Bowen, if I  
15 may, before you begin.

16 MR. BOWEN: Yes.

17 MS. UNGAR: It has come to the  
18 Board's attention that there was a  
19 variance omitted from the denial  
20 letter. It is a section dealing  
21 specifically with pools and the  
22 location of pools that requires pools  
23 specifically be 5 feet from the fence  
24 line, and that was not included in  
25 the original denial letter, and as

1 such, was not published for this  
2 hearing.

3 Zoning meetings are about  
4 notice to the public about all of the  
5 variances being sought. So the Board  
6 will not be able to make any kind of  
7 final determination this month  
8 because it needs to be republished  
9 for next months meeting, including  
10 all of the applicable variances.

11 So you have the option of, if  
12 you'd like and speak and present  
13 tonight, or if you'd rather adjourn  
14 and do everything next month all at  
15 once.

16 Either way, next month if  
17 there were public comments or  
18 questions that came up, you would  
19 presumably want to be here to address  
20 those if they came up.

21 MR. BOWEN: Okay.

22 If I may ask, what date will  
23 next month's meeting be?  
24

25 MS. UNGAR: It's the third

1 Zoning Board of Appeals - February 15, 2024 10

2 Thursday of the month.

3 MR. BOWEN: Okay.

4 MS. UNGAR: March 21st.

5 MR. BOWEN: Okay. I'll wait  
6 then to --

7 MS. UNGAR: You want to wait  
8 till March 21st and present  
9 everything all at once?

10 MR. BOWEN: Yes. Because,  
11 like you said, there won't be no  
12 judgement tonight.

13 MS. UNGAR: Correct.

14 MEMBER JACKSON: Correct.

15 MR. BOWEN: So I will wait  
16 till next month.

17 MS. UNGAR: Okay.

18 So you should expect within  
19 the next week or two to get an  
20 amended denial letter that includes  
21 that section of the Zoning code that  
22 pertains specifically to pools.

23 MR. BOWEN: Okay.

24 MS. UNGAR: Okay. And that  
25 way you can include that in whatever

1 Zoning Board of Appeals - February 15, 2024 11

2 presentation you're going to make to  
3 the Board.

4 MR. BOWEN: Okay.

5 MS. UNGAR: Okay?

6 MR. BOWEN: Thank you very  
7 much.

8 MS. UNGAR: Thank you.

9 DEPUTY CAREY: Thank you so  
10 much.

11 MR. BOWEN: Thank you.

12 MEMBER HAWKINS: Thank you.

13 MS. UNGAR: Madam Chair, can  
14 we have a motion to adjourn this  
15 hearing?

16 DEPUTY CAREY: Yes.

17 At this time, I would like to  
18 entertain that motion.

19 MEMBER JACKSON: So moved.

20 MEMBER HAWKINS: Second.

21 THE CLERK: All in favor?

22 MEMBER JACKSON: Aye.

23 MEMBER HAWKINS: Aye.

24 MEMBER MINEO: Aye.

25 DEPUTY CAREY: Aye.

2 THE CLERK: Any oppose?

3 (Whereupon, there was no  
4 response given.)

5 DEPUTY CAREY: And we'll be  
6 notifying people for, as beginning  
7 next month that the public hearing  
8 won't start to 6:30, so you might  
9 want to check when you get the  
10 letter, it says what time it will be,  
11 just to know so you don't have to  
12 wait.

13 MR. BOWEN: Thank you.

14 DEPUTY CAREY: Thank you so  
15 much.

16 The next application, please.

17 THE CLERK: Application Number  
18 2024-2 - 159 Hanse Avenue, Industrial  
19 B - Section 62/Block 230/Lot 65 -  
20 Oscar Molatt - Proposed roof raised  
21 (match existing height 19.42 feet),  
22 new 15 loading docks, walkway 308  
23 square feet and rebuild 2 retaining  
24 walls. Variances Village Ordinance  
25 210-6A, 210-172A(10). Required

2 parking spaces.

3 We also have one Affidavit of  
4 Mailing to be placed on the record as  
5 a Board Exhibit for this application.

6 (Affidavit of Mailing was  
7 marked as Board Exhibit 1, for  
8 identification, as of this date.)

9 MEMBER JACKSON: Madam Chair,  
10 I have to disclose that I did some  
11 work on this project. I don't  
12 believe I'll be doing it. I don't  
13 feel that this would impede me from  
14 making a fair and impartial decision  
15 on this case.

16 DEPUTY CAREY: Would Counsel  
17 like to suggest if we can go forward?

18 MS. UNGAR: I mean, there's no  
19 obligation for you to recuse.

20 If you, as the applicant, have  
21 any concerns, you are welcome to  
22 speak.

23 MR. MUNISTERI: Nope.

24 MS. UNGAR: No?

25 MR. MUNISTERI: I don't.

2 DEPUTY CAREY: Thank you.

3 MR. MUNISTERI: Thank you,  
4 though. I appreciate the  
5 opportunity.

6 (WHEREUPON, the Applicant,  
7 M-A-R-K A-N-T-H-O-N-Y  
8 M-U-N-I-S-T-E-R-I was sworn in by the  
9 Court Reporter.)

10 MR. MUNISTERI: My name is  
11 Mark Anthony Munisteri. Architect.  
12 My office is located 1563 Bellmore  
13 Avenue in Bellmore.

14 And, tonight I'm here  
15 representing on behalf of my clients  
16 of Natural Foods.

17 Sitting here to the left is  
18 Oscar, I don't want to mess his name  
19 up, Molatt, and that's his associate,  
20 Brian Cardoza (indicating).

21 The company deals with  
22 approximately ten different brands of  
23 eggs and multiple egg farms.

24 For the most part the eggs in  
25 your fridge tonight have pretty much

1 passed through their facility.

2  
3 They have a facility presently  
4 now in Inwood. It's a little bit too  
5 crunched. They take on quite a bit  
6 of eggs. It's a fast transfer. As  
7 you can imagine the egg industry, the  
8 eggs come in, they separate to who  
9 they're going to break it down to and  
10 they distribute out.

11 So, in this case, particular  
12 case, although we are going for  
13 off-street parking, as I like to call  
14 it off-street parking, believe it or  
15 not, to run this facility on an  
16 extraneous basis that through the  
17 cycles that it works would be pushing  
18 it saying 30 people there. Typically  
19 there's half of that, 15 people  
20 moving the trucks around, loading the  
21 trucks up. The truck drivers  
22 themselves are in the trucks and they  
23 load the truck up and the truck take  
24 takes off. That usually happens  
25 between 4:00 and 6:00 a.m. that's

1 done. And, then for a portion of the  
2 day, there's nothing. A lot of them  
3 go home. Then there's another shift  
4 that comes in that takes on the  
5 deliveries for the tractors that  
6 unload it. And basically you can  
7 imagine there's a 63,000 square foot  
8 facility, it's basically a giant  
9 refrigerator.  
10

11 So although we do have shy  
12 what we're asking for, our request  
13 tonight is to decrease the required  
14 64 parking spaces to 31 would be  
15 deficient of 33 spaces. The truth is  
16 they wouldn't even need the 31 that  
17 they have now. They don't have 31  
18 parking spaces there.

19 A lot of the workers  
20 sometimes, tell me if I'm wrong here,  
21 they work for a half an hour, an  
22 hour, they're done, they go home,  
23 they come together, they take the  
24 same vehicle. Some of them ride  
25 their bikes there. It's not a big

2 parking issue. Plus, they have 15 --  
3 or our retention says 15 spots also  
4 as well in the front where all the  
5 trucks would be parked. There will  
6 be no trucks that go into the back of  
7 the building to mess with either of  
8 the sites for both buildings on  
9 either side.

10 I'll answer any questions, if  
11 the Board has any.

12 DEPUTY CAREY: You seem to  
13 know a lot about the egg business  
14 because you must be, as the  
15 architect, the person's who gotta  
16 help them store these eggs. So I  
17 have a question for you: You knew  
18 about the 4:00 to 6:00 a.m. shift and  
19 I don't know what the actual shift  
20 time is, but when the second shift --  
21 then you mentioned people go home and  
22 a second shift happens; do you know  
23 what time that second shift happens;  
24 is it like after 5:00 p.m.?

25 MR. MUNISTERI: So let me just

2 be clear.

3 What the first shift is, is  
4 actually loading the eggs into the  
5 distributors truck, their trucks.

6 Between 4:00 and 6:00, usually  
7 earlier they're off and away.

8 What time do the deliveries  
9 that come with the new eggs, roughly?

10 THE WITNESS: After 7:30 p.m.

11 DEPUTY CAREY: You have to be  
12 sworn in.

13 MR. MUNISTERI: I apologize.

14 DEPUTY CAREY: Okay.

15 MR. MUNISTERI: Their  
16 deliveries are usually done after  
17 7:30 p.m.

18 So if you notice, there's no  
19 big -- and I'm sure that everybody  
20 here on the Board understands that  
21 the whole commercial area that's  
22 back, the industrial area that's back  
23 there, there's not a big load of  
24 trucks that's going to be there,  
25 trucks sitting around parked waiting

2 overnight or anything like. That's  
3 not what happens. The trucks come,  
4 they unload, those sit in the  
5 refrigerator, later when the trucks  
6 are done with their deliveries they  
7 come back, they sit there in their  
8 respective parking spots, the 4:00,  
9 6:00 a.m. come in, they load the  
10 trucks, away they go. They're done.  
11 That is the day. It's not like a  
12 constant thing, there's someone there  
13 4:00 to 6:00 to 8:00 and 10:00 and  
14 12:00 and they continue moving on.  
15 That isn't how it works.

16 DEPUTY CAREY: Okay. Got it.

17 Another question is, how big  
18 are these trucks that you're talking  
19 about? Are they step trucks; are  
20 they 18-wheeler trucks; or what are  
21 they?

22 MR. MUNISTERI: So the  
23 delivery trucks are theirs are step  
24 trucks but they do vary in size.

25 DEPUTY CAREY: You know what,

2 we'll have him talk.

3 MR. MUNISTERI: Come on up.

4 Brian runs the day-to-day.

5 (WHEREUPON, the Applicant,  
6 B-R-I-A-N C-A-R-D-O-Z-A was sworn in  
7 by the Court Reporter.)

8 MR. CARDOZA: Brian Cardoza,  
9 664 East Walnut Street, Long Beach,  
10 New York 11561.

11 So our smallest trucks are  
12 about 24 feet. Our biggest truck's  
13 are about 26 feet. They're just  
14 regular box trucks. Refrigerated box  
15 trucks.

16 MEMBER MINEO: And, at no time  
17 do you utilize any type of tractor  
18 trailer?

19 MR. CARDOZA: We don't. No.

20 So the only time tractor  
21 trailers come to us is during the  
22 nightshift after 7:30 p.m., and  
23 that's when we're receiving  
24 deliveries from the pharmacy.

25 MEMBER MINEO: And what's the

2 average size of the tractor trailer  
3 itself; 53-foot boxes, or are they  
4 smaller than that?

5 MR. CARDOZA: I'd say smaller  
6 than that. 53 at most. It depends  
7 on how much we're receiving from the  
8 pharmacy.

9 MEMBER HAWKINS: With the  
10 larger trucks, the 53-footers, how  
11 long will they be there?

12 MR. CARDOZA: So they're only  
13 there to offload. So they would get  
14 to our facility, they would back up  
15 to our loading docks, we would unload  
16 the product and then our team would  
17 worry about putting everything away  
18 in it's respective place later on.  
19 So we get them out fairly quickly.

20 MEMBER HAWKINS: So would  
21 they -- I know they back the trailer  
22 in. Would the trucks still be  
23 attached to it while they're  
24 unloading or --

25 MR. CARDOZA: If -- so the way

2 our loading docks are set up, it  
3 should be sufficient for it not to  
4 stick out into the street. And if it  
5 is, not much. But if we need to  
6 un-detach and move the truck over to  
7 the side to just unload the trailer,  
8 that wouldn't be an issue.

9 DEPUTY CAREY: And, again, you  
10 said it would only be happening after  
11 7:30 p.m. and --

12 MR. CARDOZA: We don't receive  
13 during the day. During the day  
14 operations are only to load up the  
15 trucks. And that means --

16 DEPUTY CAREY: And what time  
17 in the morning of the hour do you  
18 stop getting deliveries, like 4  
19 o'clock in the morning or something?

20 MR. CARDOZA: At most. Yes.

21 DEPUTY CAREY: Chickens lay  
22 eggs in the morning.

23 And only eggs are in there;  
24 that's all you do is eggs?

25 MR. CARDOZA: As of right now

2 that's all we do is eggs. Yes.

3 DEPUTY CAREY: Okay.

4 MR. MUNISTERI: It's a lot of  
5 eggs.

6 MR. CARDOZA: It's a lot of  
7 eggs. Yeah.

8 MS. UNGAR: I'm looking at the  
9 plans which show kind of the shortest  
10 area of the loading dock area's 34.9  
11 feet and --

12 MR. MUNISTERI: Yep. That  
13 would be the south side of it.

14 MS. UNGAR: -- I dont see --

15 MR. MUNISTERI: Yep. The  
16 south side.

17 MS. UNGAR: I don't see a  
18 number on the north side.

19 MR. MUNISTERI: I apologize.  
20 It's the north side. You're  
21 correct.

22 MS. UNGAR: The north side is  
23 34.9.

24 I don't see a number for how  
25 deep the loading dock is. But if --

2 I'm trying to just visualize the  
3 53-foot tractor trailer in that 34.9  
4 loading spot plus the --

5 MR. MUNISTERI: So that would  
6 be where their trailer is, the  
7 Natural Foods trailer's going to load  
8 up. The box trucks would load up on  
9 the north end.

10 On the south end, I can try  
11 and give you that dimension. Just  
12 one moment.

13 DEPUTY CAREY: So on the --

14 MS. UNGAR: Give it a second.

15 DEPUTY CAREY: Sorry.

16 MR. MUNISTERI: So on the far  
17 side, it's 55 feet. What I would  
18 call the south side is 55 feet.

19 DEPUTY CAREY: So can you --  
20 I'm looking at the two sides of the  
21 building. Are you -- are the bigger  
22 trucks -- because in the photograph  
23 on your key plan there is a large 18  
24 wheel truck that's parked parallel to  
25 the front of the building, if you can

2 see it, it's got a red body and a  
3 white cab.

4 Do you see that?

5 MR. MUNISTERI: Yes.

6 DEPUTY CAREY: Now, is that  
7 where the trucks would be unloading,  
8 or that's only where your box trucks  
9 would be unloading; and they're going  
10 to be going around and unloading in  
11 the back and then coming out the  
12 other side?

13 MR. MUNISTERI: No, ma'am.

14 DEPUTY CAREY: 'Cause I see a  
15 truck scale built in.

16 MR. MUNISTERI: So I got your  
17 question.

18 DEPUTY CAREY: Okay.

19 MR. MUNISTERI: This picture  
20 itself is just a Google Earth  
21 picture. So this is previous to my  
22 client purchasing the building. So  
23 that building -- that truck sort of  
24 happens to just be sitting there.  
25 It's not one of ours, per se ours.

2 There will be no trucks going  
3 to the back of the building. There  
4 will be no trucks going to the back  
5 of the building.

6 DEPUTY CAREY: Okay. Got it.

7 MR. MUNISTERI: The only thing  
8 going to the back of the building  
9 would be for employee parking.

10 DEPUTY CAREY: Go it.

11 MR. MUNISTERI: The problem  
12 that even doing that, although we are  
13 taking a small portion away from the  
14 building, which is kinda rotten,  
15 we're actually taking square footage  
16 from the building, it would be  
17 virtually impossible to bring one of  
18 those trucks back there and come back  
19 around. So it would just be backed  
20 into the stall.

21 It's a relatively quick  
22 operation of what they do. They have  
23 these electric pallets that move  
24 pretty darn fast. They would unload  
25 it, obviously to exit, goes right

2 into the refrigeration. They  
3 separate it into the refrigeration.  
4 When they're done then they wait for  
5 the other trucks to come back, they  
6 load them, they go on air  
7 conditioning until they're picked up  
8 in the morning and they're gone.

9 DEPUTY CAREY: Got it.

10 I just happened to see an  
11 existing truck scale --

12 MR. MUNISTERI: Yes.

13 DEPUTY CAREY: -- so I thought  
14 maybe there was some kind of truck  
15 route there. But okay. Got you.

16 MR. MUNISTERI: Yeah.

17 DEPUTY CAREY: Thank you --

18 MR. MUNISTERI: You go it.

19 DEPUTY CAREY: -- for  
20 clarifying.

21 MEMBER JACKSON: How many  
22 tractor trailers at any one time  
23 would be there?

24 MR. CARDOZA: At one time?

25 MEMBER JACKSON: Yes.

2 MR. CARDOZA: At most, four.

3 We only plan on using the  
4 south-most four, maximum five loading  
5 docks for big trailers. But I'd say  
6 up to four at most.

7 MEMBER JACKSON: So the other  
8 days are just for your smaller  
9 trucks?

10 MR. CARDOZA: The smaller  
11 trucks. Yeah.

12 MR. MUNISTERI: The smaller  
13 trucks are the bigger part of the  
14 operation, believe it or not.

15 MEMBER JACKSON: Sure.

16 MR. MUNISTERI: The bigger  
17 trucks are bringing in the bulk,  
18 right; and again, you'd have to be in  
19 the facility that they have now and  
20 understand, it's like -- it's a lot  
21 of eggs; any way, so when they take  
22 the eggs then they break them down to  
23 where they're going to the  
24 mom-and-pop, different places where  
25 they go.

2 MEMBER HAWKINS: You said the  
3 larger are 53, you said; is that  
4 correct?

5 MR. MUNISTERI: 55.

6 DEPUTY CAREY: 55 feet long?

7 MR. MUNISTERI: 55 feet long.  
8 That's to the property line. Yes,  
9 ma'am.

10 MS. UNGAR: Yes. The longest.

11 DEPUTY CAREY: Yes. The  
12 longest.

13 MR. MUNISTERI: At the most --

14 DEPUTY CAREY: 34.9 at the  
15 shortest?

16 MR. MUNISTERI: You are  
17 correct. Just shy of 35 on the north  
18 side and 55 on the south side.

19 MEMBER JACKSON: So even at 55  
20 a tractor trailer would still stick  
21 out to the street, a 53 foot trailer  
22 with the cab on the front.

23 MR. MUNISTERI: I'd say it's  
24 possible. I'd say it's possible.

25 I mean, I went there -- I go

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2 to their place now just for  
3 demonstrating, at 55, which is a big  
4 full size, I don't think you can fit  
5 one there at where they are now. So  
6 I would be truly surprised if they  
7 have it. I'm not trying to deny it  
8 saying that they're not going to have  
9 a 55 footer there, but I would think  
10 they're going to be more of the 43's  
11 and less than that. And, remember,  
12 these are conditioned units. So the  
13 conditioned units are usually a  
14 little bit smaller of a unit.

15 MEMBER JACKSON: But a 43 box  
16 with a 25-foot cab is still 68  
17 feet --

18 MR. MUNISTERI: Yes.

19 MEMBER JACKSON: -- with a 53  
20 foot spot.

21 MR. MUNISTERI: You're right.

22 MEMBER JACKSON: So that's  
23 taking up half the lane on Hanse  
24 Avenue.

25 MR. MUNISTERI: It -- I would

2 think that they're going to have to  
3 stick out a little bit. Yes.

4 MEMBER JACKSON: The concern  
5 is, and we've had this in the past,  
6 they're been fires down there and you  
7 can't get passed the trucks. Because  
8 everybody does it and --

9 MR. MUNISTERI: Yeah.

10 MEMBER JACKSON: -- I've seen  
11 it down there. And with the trucks  
12 sticking out you're actually blocking  
13 traffic. So that's a concern.

14 MR. MUNISTERI: And I believe  
15 in that concern.

16 The fortunate thing is, is  
17 this particular block of where it  
18 actually sits is one of -- I don't  
19 want to say the wider, but it's a  
20 wider block, meaning it has where the  
21 buildings are pushed back quite a  
22 bit, they're not brought up a like a  
23 Queens style that they're brought up  
24 to the property lines.

25 MEMBER JACKSON: Yep.

2 MR. MUNISTERI: They're in a  
3 prorating way I can say.

4 DEPUTY CAREY: In the Google  
5 maps, I know you said it's an older  
6 picture, because I know how Google  
7 Maps, it varies, you don't know what  
8 the age of this photograph is, but  
9 you can see the opposite your  
10 building there is a truck that's  
11 sticking out and there's shadows  
12 going quite into the street. But you  
13 see how it goes into the street and  
14 how it could become a hazard if  
15 there's a lot of that kind of  
16 activity?

17 MR. MUNISTERI: A hundred  
18 percent.

19 That's also, though, just the  
20 opposite of the way ours would be.  
21 So they're on the shallow end where  
22 ours would be on the deep end.

23 DEPUTY CAREY: Right. Right.

24 But your deep end would be --  
25 so it would be almost like the fire

2 trucks would have to make a little  
3 maunder through there, but -- you  
4 know, we're just concerned about  
5 things like that and how that would  
6 affect your parking, which we didn't  
7 know. Now you've kind of explained  
8 that. So -- see, the two are not  
9 really connected as we had thought.

10 MEMBER HAWKINS: So you said  
11 an option is unhook the cab from the  
12 trailer, correct?

13 MR. CARDOZA: If need be.

14 MEMBER HAWKINS: Right.

15 MR. MUNISTERI: The actual  
16 problem with that is they're not  
17 there that long.

18 MEMBER HAWKINS: That long.  
19 Right.

20 MR. MUNISTERI: They're there  
21 a for a very short period of time.

22 MEMBER HAWKINS: Right.

23 MR. MUNISTERI: You know,  
24 it's -- they pull in, they're  
25 waiting, they're waiting there.

2 There's five guys waiting with these  
3 trucks and they are pulling this  
4 stuff off; like, you do not want to  
5 get in the way; and they empty the  
6 truck out; and as soon as that truck  
7 is done, closed, it's gone.

8 MS. UNGAR: How long are we  
9 talking? How long?

10 MR. MUNISTERI: How long?

11 MR. CARDOZA: To unload the  
12 truck? At most, 25 minutes.

13 MEMBER JACKSON: So I have a  
14 question, and you can think about  
15 this, would you consider having  
16 restrictions on this variance to the  
17 hours of operation you're describing?

18 MR. CARDOZA: I'm sorry.  
19 Could you repeat that?

20 MEMBER JACKSON: If you  
21 were -- well, let's say you were  
22 restricted to those hours that you're  
23 describing, you take deliveries at  
24 night from whatever the times you  
25 said and your other trucks -- the

2 other trucks wouldn't really be an  
3 issue, so that wouldn't be a concern,  
4 but when your tractor trailer's  
5 there -- in other words, if it's  
6 during the day, it's busy down there,  
7 if you're there at 7 o'clock at night  
8 there's nobody there, it's a ghost  
9 town.

10 MR. CARDOZA: Nothing's going  
11 on.

12 MEMBER JACKSON: Right.

13 Would you be able to accept --  
14 would you be willing to accept  
15 restrictions on evening operations,  
16 let's even say from 5:00 to 5:00 in  
17 the morning for tractor trailers?

18 MR. MUNISTERI: So I just want  
19 to make sure what you're asking.

20 Did that include parking?  
21 Because their trucks are going to  
22 park there.

23 MEMBER JACKSON: I'm saying  
24 for tractor trailers.

25 If you have a truck that's not

2 sticking out in the street that's not  
3 a concern. You're on you're own  
4 property and it can't be a concern.  
5 My concern is the ones that are  
6 sticking out into the street. My  
7 opinion, I'd rather see that at night  
8 when nobody's there. If it works. I  
9 mean, if doesn't work you just tell  
10 me.

11 MR. MUNISTERI: I apologize.

12 MEMBER JACKSON: That's okay.

13 MR. MUNISTERI: I understand  
14 exactly what the question is.

15 Can I get a little leeway in  
16 each direction in case somebody's  
17 running late?

18 MEMBER JACKSON: Well, in --

19 MR. MUNISTERI: 4:00 a.m.,  
20 4:00 a.m. and 7:30.

21 MR. CARDOZA: So, as of right  
22 now we currently only receive at  
23 night and it's really just kind of  
24 not to obstruct traffic and getting  
25 in people's way. We literally do it

2 for that reason. We're not  
3 restricted to it but we do do it for  
4 those reasons. And I think we would  
5 be okay with that. If we were  
6 restricted to receiving tractors only  
7 say, give or take, from 7:00 p.m. to  
8 4:00 a.m., it's something that we can  
9 work with.

10 MEMBER JACKSON: Yeah. In my  
11 opinion it wouldn't even be -- you  
12 know, it could be 5:00 p.m. to 5:00  
13 a.m., you know, we have plenty of  
14 give you leeway. I just want -- you  
15 know, I'm concerned about the safety  
16 of everybody down there, including  
17 yourself.

18 MR. CARDOZA: Yeah. No. It's  
19 something we are open to. I think  
20 it's okay.

21 MEMBER JACKSON: Okay.

22 MR. CARDOZA: We're already  
23 dealing with that. That's what we  
24 currently do. So we don't see it  
25 being an issue.

2 MEMBER JACKSON: Okay. Fair  
3 enough.

4 DEPUTY CAREY: And we're  
5 brining these up as not part of the  
6 parking variance but as -- well, as  
7 part of the parking variance, but  
8 it's really it's in Section 210.13  
9 public safety and fire hazard that we  
10 have to make sure that these  
11 variances don't promote or create  
12 one. So that's why we're asking to  
13 put the stipulation on as we're  
14 asking --

15 MR. CARDOZA: Understood.

16 DEPUTY CAREY: -- if you'd be  
17 willing to do that.

18 MR. CARDOZA: Understood.

19 DEPUTY CAREY: So now that we  
20 gotten that more talked out, we're  
21 still how many parking spots short;  
22 30?

23 MS. UNGAR: So 64 required and  
24 they're providing 31.

25 MR. MUNISTERI: Correct. We

2 are 33 shy.

3 DEPUTY CAREY: And how many  
4 employees do you currently have now;  
5 like, I know you said on weird shifts  
6 and they come and they go, but how  
7 many are there at maybe one  
8 particular -- the most busiest time  
9 of the day?

10 MR. MUNISTERI: In total it's  
11 about 40 employees.

12 DEPUTY CAREY: And they're all  
13 there at one particular time with --

14 MR. MUNISTERI: No.

15 DEPUTY CAREY: So what's the  
16 maximum you have at one particular  
17 time, like, in a shift perhaps?

18 MR. CARDOZA: Pushing it, I  
19 would say about 30 people at once.

20 DEPUTY CAREY: 30 people.  
21 Okay. You said that.

22 Okay. So, and you said a lot  
23 of times they come together, they  
24 ride their bike, they're -- you have  
25 a bike lot for the little bike

2 spot, a bike storage area or no; just  
3 stick them somewhere?

4 MR. MUNISTERI: As long as you  
5 don't mind them cold there's plenty  
6 of room inside.

7 DEPUTY CAREY: All right. So  
8 that was helpful.

9 And these people are working  
10 all through the night as well so it's  
11 not often that they're all there at  
12 the same time?

13 MR. MUNISTERI: And I  
14 apologize. Can you say that one more  
15 time? I'm sorry.

16 DEPUTY CAREY: I said, these  
17 people are all working shifts  
18 throughout the day and night, so  
19 they're not all there at the same  
20 time?

21 MR. MUNISTERI: Correct. So  
22 there's a very small group of people  
23 that work the long shift, but then  
24 they need help that come in for  
25 literally sometimes an hour. They

2 help move everything around,  
3 everything comes off. Sometimes it  
4 will sit and then they reload when  
5 the trucks come back for the next  
6 mornings, we call it morning before  
7 5:00 a.m., leave. Yes.

8 DEPUTY CAREY: All right.

9 MEMBER JACKSON: So does that  
10 30 employees at one time include any  
11 kind of office staff or is that going  
12 to be out of another location?

13 MR. CARDOZA: That would be --  
14 it wouldn't really be office staff.  
15 So it's our sales representatives.  
16 They come in and let's say they come  
17 in and start to doing paperwork,  
18 dropping off whatever they need to  
19 drop off, invoices, etcetera,  
20 etcetera and they're done.

21 MEMBER JACKSON: And so that's  
22 part of the 30 you're talking about,  
23 people?

24 MR. CARDOZA: Yes. At most,  
25 yes.

2 DEPUTY CAREY: And do you have  
3 administrative offices in this  
4 building, or do you just use it as  
5 the warehouse and your administrative  
6 office are elsewhere?

7 MR. CARDOZA: Just storage.

8 DEPUTY CAREY: Just storage?

9 MR. CARDOZA: Yeah.

10 DEPUTY CAREY: I don't think I  
11 have anymore questions.

12 MEMBER JACKSON: I'm good.

13 DEPUTY CAREY: I think  
14 we're -- we have no further  
15 questions.

16 But was there anyone here who  
17 would like to speak for or against  
18 this application?

19 (Whereupon, there was no  
20 verbal response.)

21 DEPUTY CAREY: Hearing none.

22 So at this point, if you have  
23 nothing further to add --

24 MR. MUNISTERI: No, ma'am.

25 DEPUTY CAREY: -- I'd like to

2 entertain a motion to close this  
3 application -- this hearing for  
4 further testimony and to reserve  
5 decision.

6 MEMBER JACKSON: So moved.

7 MEMBER HAWKINS: Second.

8 THE CLERK: All in favor?

9 MEMBER JACKSON: Aye.

10 MEMBER HAWKINS: Aye.

11 MEMBER MINEO: Aye.

12 DEPUTY CAREY: Aye.

13 THE CLERK: Any oppose?

14 (Whereupon, there was no  
15 response given.)

16 DEPUTY CAREY: At this point,  
17 it is time for us to read some  
18 decisions into the record.

19 So could we have the first  
20 decision to be entered into the  
21 record.

22 THE CLERK: Application Number  
23 2023-32 66 Independence Avenue -  
24 Residence A - Section 55/Block  
25 364/Lot 142 Nelson Vintimilla.

2 MEMBER MINEO: Chairman,  
3 regarding Application #2023-32 for  
4 the premises located at 66  
5 Independence Avenue, Freeport:

6 The Applicant comes before  
7 this Board seeking a variance from  
8 Village Ordinances §210-6A, 210-43C2  
9 seeking approval to maintain a  
10 reconstruction of a 19' x 19' garage  
11 due to fire damage.

12 I, Anthony Mineo, move that  
13 this Board make the following  
14 findings of fact:

15 A public hearing was held on  
16 January 18, 2024 wherein applicant  
17 Nelson Vintimilla spoke on his own  
18 behalf. He explained that there was  
19 not a sufficient side and rear yard  
20 setback for the garage he built. He  
21 paid an architect. This was a  
22 reconstruction of a garage that was  
23 damaged in a fire about two years  
24 prior. Mr. Vintimilla explained that  
25 he needed new plans drawn, and built

1  
2 the new garage on the same slab as  
3 the original garage. The Board notes  
4 that there was a previous garage  
5 approved in 2013 for a 18' by 19'  
6 garage, whereas the new one proposed  
7 is 19' by 19'. The Board suspects  
8 that the original garage may have  
9 been built larger than what was  
10 approved, so when the applicant  
11 sought to build on the same slab, it  
12 was larger than what was originally  
13 approved. Thus, applicant had to  
14 appear before the Board.

15 On balance, the benefit to the  
16 applicant by the granting of this  
17 variance is not outweighed by the  
18 detriment to the health, safety and  
19 welfare of the neighborhood or  
20 community if such variance were to be  
21 granted. The Board has determined:

22 A. That an undesirable change will not be  
23 produced in the character of the neighborhood  
24 and a detriment to nearby properties will not  
25 be created by the granting of the area

1 variance. By applicant's testimony, the  
2 garage built is in the same footprint as the  
3 original garage, with need of a rear and side  
4 yard setback variance, due to the slightly  
5 larger size than the garage approved in 2013.

6 B. That the benefit sought by the applicant  
7 cannot be achieved by some method, feasible  
8 for the applicant to pursue, other than an  
9 area variance;  
10

11 C. That the requested area variance is  
12 insubstantial;

13 D. That the proposed variance will not have  
14 an adverse effect or impact on the physical or  
15 environmental conditions in the neighborhood  
16 or district; and

17 E. That the alleged difficulty was not  
18 self-created. Applicant reconstructed the  
19 garage on the existing slab.

20 2. The Board, as lead agency has determined  
21 that this action is a Type II action and under  
22 SEQRA and no further review is required.

23 I further move that this  
24 application be granted subject to the  
25 following conditions:

1  
2 1. Applicant/Owner must comply with  
3 all the Rules and Regulations of the  
4 Village of Freeport.

5 2. Applicant must obtain the  
6 required permits from the Building  
7 Department.

8 3. This application for variance(s)  
9 is being granted on the basis of the  
10 specific use proposed. If anything  
11 in this application is to change, the  
12 applicant must return to the Board  
13 for further review.

14 MEMBER JACKSON: I Second.

15 THE CLERK: All in favor?

16 MEMBER MINEO: Aye.

17 MEMBER JACKSON: Aye.

18 MEMBER HAWKINS: Aye.

19 DEPUTY CAREY: Aye.

20 THE CLERK: Any oppose?

21 (Whereupon, there was no  
22 response given.)

23 THE CLERK: Application Number  
24 2023-29 - 300 Archer Street,  
25 Residence AA-Section, 62/Block

1 Zoning Board of Appeals - February 15, 2024 48

2 129/Lot 15 Walter Ellis.

3 MR. JACKSON: Madam Chair,  
4 Chairman, regarding Application  
5 #2023-29 for the premises located at  
6 300 Archer Street, Freeport, the  
7 Applicant comes before this Board  
8 seeking a variance from Village  
9 Ordinances §210-6A, 210-35C1 and 2  
10 seeking approval to maintain a cabana  
11 with chimney 18' by 20' square foot.

12 I, Ben Jackson, move that this  
13 Board make the following findings of  
14 fact:

15 A public hearing was held on  
16 December 21, 2023 wherein applicant  
17 Walter Ellis represented himself.  
18 The Board explained that the variance  
19 required for a secondary front yard  
20 setback had been omitted from the  
21 denial letter, so the case would have  
22 to be adjourned. However, applicant  
23 made his presentation that night,  
24 with the plan to answer any further  
25 questions the next month if any

1 questions were to arise. Mr. Ellis  
2 explained that the cabana was built a  
3 couple of years ago. They did not  
4 have 5 feet from the fence to the  
5 chimney. There is 3 feet 7 inches  
6 from the structure to the rear fence.  
7 He submitted a letter from his  
8 neighbor in support of the  
9 application. Additionally, the  
10 cabana was built in the secondary  
11 front yard. A 20 foot secondary  
12 front yard is required and the cabana  
13 is 9.1 feet from the sidewalk.  
14 The hearing was adjourned to the  
15 January 19, 2024 zoning meeting to  
16 allow for the publication of the  
17 additional variance. At that  
18 meeting, there were no further  
19 questions from the Board or any  
20 public comment.  
21

22 1. On balance, the benefit to the applicant by  
23 the granting of this variance is not  
24 outweighed by the detriment to the health,  
25 safety and welfare of the neighborhood or

community if such variance were to be granted.

The Board has determined:

A. That an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the area variance. The structure has been in existence for 2 years and the application has the support of the neighbor next door to the cabana.

B. That the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance;

C. That the requested area variance is insubstantial;

D. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

E. That the alleged difficulty was not self-created, however, this factor is not dispositive.

2. The Board, as lead agency, has

1           Zoning Board of Appeals - February 15, 2024 51  
2           determined that this action is a Type II  
3           action and under SEQRA and no further review  
4           is required.

5                       I further move that this  
6                       application be granted subject to the  
7                       following conditions:

8           1.       Applicant/Owner must comply with all the  
9           Rules and Regulations of the Village of  
10          Freeport.

11          2.       Applicant must obtain the required  
12          permits from the Building Department.

13          3.       This application for variance(s) is being  
14          granted on the basis of the specific use  
15          proposed. If anything in this application is  
16          to change, the applicant must return to the  
17          Board for further review.

18                     MEMBER HAWKINS:   Second.

19                     THE CLERK:    All in favor?

20                     MEMBER JACKSON:   Aye.

21                     MEMBER HAWKINS:   Aye.

22                     MEMBER MINEO:   Aye.

23                     DEPUTY CAREY:   Aye.

24                     THE CLERK:    Any oppose?

25                     (Whereupon, there was no

1 Zoning Board of Appeals - February 15, 2024 52

2 response given.)

3 THE CLERK: Application Number  
4 2023-30 428 Roosevelt Avenue -  
5 Residence A - Section 62/Block 156/  
6 Lot 756 - Harry Ramdas.

7 MEMBER JACKSON: Madam Chair,  
8 I'm going to recuse myself from this  
9 application.

10 DEPUTY CAREY: Okay. Thank  
11 you.

12 MEMBER HAWKINS: Madam Chair,  
13 regarding Application #2023-30 for  
14 the premises located at 428 Roosevelt  
15 Avenue, Freeport, the Applicant comes  
16 before this Board seeking a variance  
17 from Village Ordinances §210-6A,  
18 210-43A2 and C2, and 210-41 seeking  
19 approval to construct a rear deck  
20 after removal of south porch,  
21 reconstruct existing upper level rear  
22 deck in mid portion and rebuild rear  
23 deck at grade. Maintain existing  
24 200.1 square foot second story  
25 addition.

2 I, Charles Hawkins move that  
3 this Board make the following  
4 findings of fact:

5 A public hearing was held on  
6 January 18, 2024 wherein applicant  
7 was represented by Robert Bennett, of  
8 RABCO Engineering. He explained that  
9 the lot coverage and setbacks remain  
10 as were previously existing.

11 Applicant had to remove portions of  
12 the decks in order to reconstruct the  
13 bulkhead. Once the bulkhead was  
14 complete, applicant sought to  
15 reconstruct what had been temporarily  
16 removed. However, variances had  
17 never been granted for the deviations  
18 from the code. The total lot  
19 coverage is 38.2% and 30% is allowed.  
20 There is 57.9% floor area ratio and  
21 50% is allowed.

22 1. On balance, the benefit to the applicant  
23 by the granting of this variance is not  
24 outweighed by the detriment to the health,  
25 safety and welfare of the neighborhood or

community if such variance were to be granted.

The Board has determined:

A. That an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the area variance. This is a reconstruction of what previously existed. Nothing new is being created.

B. That the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance;

C. That the requested area variance is insubstantial;

D. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

E. That the alleged difficulty was not self-created. Applicant had to remove the deck to reconstruct the bulkhead and wish to rebuild what was existing.

2. The Board, as lead agency, as determined

1           Zoning Board of Appeals - February 15, 2024 55  
2           that this action is a Type II action and under  
3           SEQRA and no further review is required.

4                   I further move that this  
5           application be granted subject to the  
6           following conditions:

7           1.    Applicant/Owner must comply with  
8           all the Rules and Regulations of the  
9           Village of Freeport.

10          2.    Applicant must obtain the  
11          required permits from the Building  
12          Department.

13          3.    This application for variance(s)  
14          is being granted on the basis of the  
15          specific use proposed.  If anything  
16          in this application is to change, the  
17          applicant must return to the Board  
18          for further review.

19                   MEMBER MINEO:   Second.

20                   THE CLERK:   All in favor?

21                   MEMBER JACKSON:   Aye.

22                   MEMBER HAWKINS:   Aye.

23                   MEMBER MINEO:   Aye.

24                   DEPUTY CAREY:   Aye.

25                   THE CLERK:   Any oppose?

1 Zoning Board of Appeals - February 15, 2024 56

2 (Whereupon, there was no  
3 response given.)

4 THE CLERK: Application Number  
5 2023-31 - 11 Mayfair Court -  
6 Residence AA - Section 54/Block B/Lot  
7 555 - Olga Weiss.

8 MEMBER MINIO: Madam Chair,  
9 regarding Application #2023-31 for  
10 the premises located at 11 Mayfair  
11 Court, Freeport, the Applicant comes  
12 before this Board seeking a variance  
13 from Village Ordinances §210-6A,  
14 210-31A B 1 & 2 and 210-35A 3 seeking  
15 approval for a proposed rear addition  
16 1st and 2nd floor (1,505 square feet)  
17 and finished cellar (613 square  
18 feet).

19 I, Anthony Mineo, move that  
20 this Board make the following  
21 findings of fact:

22 A public hearing was held on  
23 December 21, 2023 wherein applicant  
24 was represented by Salvatore Coscia  
25 of Permits R Us. He explained that

1 the owner Olga Weiss is proposing a  
2 two story addition which does not  
3 comply with the sky exposure plane.  
4 The side yard setback is 9.1 feet to  
5 the dwelling and 6.3 feet to the  
6 cellar entry, where 10 feet is  
7 required. The side yard aggregate to  
8 the house is 28.3 feet and 25.5 feet  
9 to the cellar entrance when 32.25  
10 feet is required. The lot is  
11 irregularly shaped and at the end of  
12 a cul-de-sac. Because of the  
13 property shape, any addition would  
14 require a variance.  
15

16 The Board understands that due  
17 to the shape of the lot, any variance  
18 requested will trigger the need for  
19 an area variance, however, the Board  
20 has concerns about the location of  
21 the cellar egress adding to the  
22 burden already being placed on the  
23 property. The Board will grant the  
24 variance subject to the relocation of  
25 the cellar entrance from the side of

the property to the rear of the property. Without this change, the Board will not approve this variance.

With the cellar entrance relocated from the side of the property to the rear, so as not to increase the side yard variance needed, the Board finds

1. On balance, the benefit to the applicant by the granting of this variance is not outweighed by the detriment to the health, safety and welfare of the neighborhood or community if such variance were to be granted.

The Board has determined:

A. That an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the area variance. With a side yard of 9.1 feet, the variance required is minimal, and should not disturb the character of the neighborhood.

The impact of the sky exposure plane penetration is also not likely to cause a negative change to the neighborhood.

B. That the benefit sought by the applicant

cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance. Applicant does not need to build an extension that goes the full length of the house. Applicant could have chosen a partial rear extension, however, in order to achieve a full house rear extension, a variance for a side yard setback is required. However, as above, the Board is not going to approve an additional variance for that cellar exit, given that the exit could be located elsewhere. Were the applicant to insist on locating the cellar entrance in the side of the property, the variance would not be granted.

C. That the requested area variance is insubstantial. A 9.1 foot side yard setback versus 10 and 28.3 versus 32.25 aggregate side yard setback is insubstantial.

D. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

E. That the alleged difficulty was not

1           Zoning Board of Appeals - February 15, 2024 60  
2           self-created. Applicant is choosing the  
3           extension, however, the irregular shape of the  
4           lot is not a self-created difficulty.

5           2.       The Board, as lead agency has determined  
6           that this action is a Type II action and under  
7           SEQRA and no further review is required.

8                        I further move that this  
9           application be granted subject to the  
10          following conditions:

11          1.       Applicant/Owner must comply with  
12          all the Rules and Regulations of the  
13          Village of Freeport.

14          2.       Applicant must obtain the  
15          required permits from the Building  
16          Department.

17          3.       This application for variance(s)  
18          is being granted on the basis of the  
19          specific use proposed. If anything  
20          in this application is to change, the  
21          applicant must return to the Board  
22          for further review.

23                       This application is being  
24          granted on the basis of a  
25          modification to the application,

2 specifically relocating the cellar  
3 entrance to the rear of the property  
4 where it will not increase the side  
5 yard setback variance needed. As  
6 applicant has no right to build the  
7 addition itself without a variance,  
8 applicant is not going to create a  
9 greater burden on the property by  
10 building the cellar entrance in the  
11 side yard setback. Applicant must  
12 submit amended plans to the Building  
13 Department before the permit can be  
14 approved.

15 MEMBER JACKSON: I second.

16 THE CLERK: All in favor?

17 MEMBER JACKSON: Aye.

18 MEMBER HAWKINS: Aye.

19 MEMBER MINEO: Aye.

20 DEPUTY CAREY: Aye.

21 THE CLERK: Any oppose?

22 (Whereupon, there was no  
23 response given.)

24 DEPUTY CAREY: That being the  
25 last application, I'd like to -- if

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2 there's no further business, I'd like  
3 to ask for a motion to adjourn the  
4 meeting.

5 MEMBER JACKSON: So moved.

6 MEMBER HAWKINS: Second.

7 DEPUTY CAREY: Thank you.

8 THE CLERK: All in favor?

9 MEMBER JACKSON: Aye.

10 MEMBER HAWKINS: Aye.

11 MEMBER MINEO: Aye.

12 DEPUTY CAREY: Aye.

13 THE CLERK: Any oppose?

14 (Whereupon, there was no  
15 response given.)

16 DEPUTY CAREY: Sorry. We're  
17 not going to adjourn the meeting,  
18 we're going to ask for a motion to  
19 enter into Executive Session.

20 MEMBER JACKSON: So moved.

21 MEMBER HAWKINS: Second.

22 THE CLERK: All in favor?

23 MEMBER JACKSON: Aye.

24 MEMBER HAWKINS: Aye.

25 MEMBER MINEO: Aye.

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DEPUTY CAREY: Aye.

THE CLERK: Any oppose?

(Whereupon, there was no  
response given.)

(Whereupon, the Board entered  
into Executive Session.)

(Time Noted: 7:37 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)

:ss

COUNTY OF NASSAU)

I, AMANDA MICILLO, a Notary Public within and for the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such an examination is a true record of the testimony given by such a witness.

I further certify that I am not related to any of these parties to this action by blood or marriage, and that I am not in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of February, 2024.



\_signature\_