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INCORPORATED VILLAGE OF FREEPORT
PLANNING BOARD

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

April 23, 2024
7:00 p.m.

M E M B E R S :

- | | |
|--------------------|-------------|
| MICHAEL HERSHBERG | CHAIRPERSON |
| CAROLE RYAN | MEMBER |
| DEBORAH WELCH | MEMBER |
| LADONNA TAYLOR | MEMBER |
| ANNEMARIE DI SALVO | MEMBER |
| HEATHER DAWSON | MEMBER |

- | | |
|-------------------|-------------------------|
| LISA DEBOURG | DEPUTY VILLAGE CLERK |
| ROBERT McLAUGHLIN | DEPUTY VILLAGE ATTORNEY |

-----EXHIBITS-----

BOARD'S FOR I.D. PAGE

1	1	Affidavit of Publication	4
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6	3	Affidavit of Mailing (3702)	5
7	3	Affidavit of Mailing (3713)	5
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SP-3716 for I.D.

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April 23, 2024

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-----I N D E X-----

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SP-3702	9 Rosedale Avenue	4 & 78-83
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2 CHAIRPERSON HERSHBERG: Good evening
3 everyone. Please rise for the Pledge of
4 Allegiance.

5 (Pledge of Allegiance recited.)

6 CHAIRPERSON HERSHBERG: Do we have
7 any Affidavits of Publication or Posting?

8 THE CLERK: Yes. We have one
9 Affidavit of publication and one Affidavit of
10 Posting to be placed on the record as Board
11 exhibits.

12 (WHEREUPON, the above-referred to
13 documents were marked as Board's Exhibits 1 &
14 2, for identification, as of this date.)

15 CHAIRPERSON HERSHBERG: Do we have
16 any requests for adjournment?

17 THE CLERK: No requests for
18 adjournment.

19 CHAIRPERSON HERSHBERG: Thank you
20 please call the first application.

21 THE CLERK: Site Plan Number 3702, 9
22 Rosedale Avenue, Section 55, Block 232, Lot
23 6, Residence Apartment. Jean Panier.
24 Replace existing 1,239 square foot driveway
25 and steps.

1
2 We have an Affidavit of Mailing to be
3 placed on the record as a Board exhibit.

4 (WHEREUPON, the above-referred to
5 document was marked as Board's Exhibit 3, for
6 identification, as of this date.)

7 MEMBER DI SALVO: Is the applicant
8 here?

9 CHAIRPERSON HERSHBERG: 9 Rosedale
10 Avenue. We'll table this. If they show up,
11 we can hear them at the end of the meeting.

12 Next application please.

13 THE CLERK: Site Plan Number 3713.
14 168 Atlantic Avenue, Section 62, Block 113,
15 Lot 218, Business B. 168 Atlantic Avenue
16 LLC. Interior and exterior alterations to
17 the building.

18 We have Affidavit of Mailing to be
19 placed on the record as a Board exhibit.

20 (WHEREUPON, the above-referred to
21 document was marked as Board's Exhibit 3, for
22 identification, as of this date.)

23 MR. MINERVA: Dominick Minerva from
24 Minerva and D'Agostino, 107 South Central
25 Avenue, Valley Stream, New York, attorney for

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the applicant.

Good evening.

CHAIRPERSON HERSHBERG: Good evening.

MR. MINERVA: I'll give you a brief overview. As stated, the subject property is 168 Atlantic Avenue. This is an application for approval for a building permit for interior and exterior alterations with associated site improvements to the existing restaurant. The purpose for conversion of the restaurant located at that premises from a Boston Market to Starbucks without the drive-thru. It's located on the northwest corner of Atlantic Avenue and Guy Lombardo Boulevard known as Section 62, Block 113 --

MR. McLAUGHLIN: Counsel, can you turn it so the public can see the board that has the pictures?

MR. MINERVA: No problem.

Section 62, block 113, lot 218 on the Nassau County land and Tax Map. The existing doors and windows are to remain. The existing canopy is to be replaced. Right now it's a red and white canopy. It will be a

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black canopy. The lower portion of the building facade, which is existing CMU block wall is to be painted in Sherman William Gauntlet gray. I have that sample I will submit as part of the record.

The upper portion of the north and part of the east and west elevations, which is existing EFIS, is to be painted Sherwin William Black Fox. I have that paint sample as well.

The south facade and the remaining portions of the east and west, which will be the upper portions, are the elevations that will have wood siding. We have a sample of that wood siding.

As requested by the Board at the preliminary, the brought a rendering tonight and we did add landscaping to the southwest corner. The architect does have a color miniature landscape plan that we'll submit as well.

CHAIRPERSON HERSHBERG: We'll submit those now.

(WHEREUPON, the above-referred to

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documents were marked as Board's Exhibits A, B, C & D, for identification, as of this date.)

MEMBER DI SALVO: Clarification. On the word portion, is that composite wood?

MR. MINERVA: It's real.

MEMBER DI SALVO: We thank you for the sample. It's self-explanatory.

MR. MINERVA: Okay. Otherwise I'd have the architect put his appearance on the record if you want it to be stated.

MEMBER DI SALVO: No. Love it.

MR. MINERVA: That concludes my direct presentation. If you have any questions. Like I said, I have the architect for the project present, a representative from the owner of the property, and a representative from the Starbucks.

CHAIRPERSON HERSHBERG: Give us a moment, please.

MEMBER DI SALVO: Where will the lights be located?

MR. MINERVA: So I'll have the architect put his appearance on the record

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and talk about the site lighting on the building.

C R I S C R A N S,
having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

COURT REPORTER: Please state your name and address for the record.

MR. CRANS: Chris Crans, WFC Architects. 12-01 Technology Drive, East Setauket, New York.

MR. MINERVA: Please describe to them the site lighting.

MR. CRANS: There is existing pole lighting in the parking lot that is going to be reused to light the parking lot. And then the building itself will have wall sconces around the perimeter with indirect lighting reflecting back on the building like a glow. There will be some lighting underneath the canopies to shine light down onto the sidewalk so the public can navigate around the building. Then the Starbucks word mark and the logo will also be illuminated from

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within.

MEMBER DI SALVO: From within?

MR. CRANS: Yes.

MEMBER DI SALVO: Thank you. Any landscape lighting?

MEMBER RYAN: Do we have a tear sheet of the sconces?

MR. CRANS: I'm sorry.

MEMBER RYAN: A tear sheet of what the scones look like.

MR. CRANS: I don't have one in there. I can provide it.

CHAIRPERSON HERSHBERG: Can you give us a complete description, so that we don't have to delay anything for you?

MR. CRANS: It's a cylindrical type light that's probably about a foot and a half tall, makes six inch diameter.

MEMBER RYAN: Up and down light?

MR. CRANS: Up and down. Yeah, it shines light up and down the wall. Washes up and down on the wall.

CHAIRPERSON HERSHBERG: The placement of those lights, sir.

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MR. CRANS: Around the perimeter, probably every ten feet or so.

MEMBER RYAN: And they're black, correct?

MR. CRANS: Black in color, yeah.

MEMBER RYAN: That's a good description. Thank you.

MEMBER DI SALVO: Any landscape lighting?

MR. CRANS: Not at the moment. There's lighting in the ground.

MEMBER DI SALVO: I know there was some talk at the preliminary about water, the additional area that will be landscaping. Is there water there or irrigation?

MR. CRANS: There is existing irrigation, sprinkler heads in that southwest corner.

MEMBER DI SALVO: Thank you.

MEMBER RYAN: What are the hours of the location?

MR. CRANS: The hours of operation. Do you have it?

MR. MINERVA: I don't have it.

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2 MR. CRANS: They do vary from project
3 to project, but I think normally around -- I
4 don't know if we have that on this one. It's
5 usually around 6:00 a.m. in the morning, give
6 or take half an hour, to 10:00 p.m. It
7 depends. I don't know if it's officially
8 established yet, the operations crew.

9 MEMBER RYAN: Okay. The sign is lit
10 or it's just -- how is the Starbucks name or
11 logo, whatever you call that?

12 MEMBER DI SALVO: The one on the
13 building or the parking lot?

14 MEMBER RYAN: The one on the
15 building. The word Starbucks.

16 MEMBER TAYLOR: I think he said
17 inside light.

18 MEMBER RYAN: Inside light?

19 MR. CRANS: Yes. Actually it's a
20 very thin narrow line word mark, nowadays.
21 They used to be a lot boxier, thicker.
22 They've gotten much better. It's just
23 individual letters with thin acrylic cover
24 with LED lighting on the inside.

25 MR. MINERVA: I think that detail is

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on the plans.

MEMBER RYAN: Is that a lattice and ladder going up to the roof?

MR. CRANS: Yeah, there is a new exterior ladder being put on the back of the building to access the rooftop. Code requirement now that is placed on all the buildings.

MEMBER RYAN: You won't be able to get in there, they'll have a lock on the chain link fence?

MR. MINERVA: They list is as a security door.

MR. CRANS: The fence in front of it an elevation, that's were the trash enclosure is. There is a steel plate that is locks, padlocked from the bottom rung up to six feet. Nobody can climb the ladder without opening the lock. We don't want people on the roof.

MEMBER RYAN: Are you not allowed to paint electrical meters, that's why they're that color?

MR. CRANS: They're that gray color.

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I don't know if it's allowed or not. I've never seen it painted.

MR. McLAUGHLIN: It's not allowed.

MEMBER RYAN: I figured.

MR. CRANS: They're all in the back of the building.

MEMBER RYAN: It's funny. They painted it red.

MR. CRANS: Who? Boston Market?

MEMBER RYAN: Boston Market. I don't have any other questions.

CHAIRPERSON HERSHBERG: No other questions from the Board, are there any comments from the public? Hearing none, motion from the Board please.

MEMBER WELCH: I'll make a motion that we close to further evidence and testimony and reserve decision.

MEMBER RYAN: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

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MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MEMBER TAYLOR: Thank you.

CHAIRPERSON HERSHBERG: Thank you.

THE CLERK: Site Plan Number 3724,
177 Atlantic Avenue, Section 62, Block 82,
Lot 40, Business B. Azin Tarifard. Exterior
alteration to existing commercial building.

I have an Affidavit of Mailing to be
placed on the record for this application.

(WHEREUPON, the above-referred to
document was marked as Board's Exhibit 3, for
identification, as of this date.)

P A T R I C I O S O L A R,
having been first duly sworn by a Notary
Public of the State of New York, was
examined and testified as follows:

COURT REPORTER: Please state your
name and address for the record.

MR. SOLAR: My name is Patricio
Solar. I'm the architect for the applicant.
Office is Combined Resources. 155 First

1
2 Street, Suite 102, Mineola, New York 11501.

3 MEMBER DI SALVO: I'm so sorry, your
4 name again?

5 MR. SOLAR: Patricio Solar.

6 CHAIRPERSON HERSHBERG: Go ahead.

7 MR. SOLAR: Again, my name is
8 Patricio Solar. We are here before you to
9 present an application for the exterior
10 alteration to the existing Dairy Barn located
11 at 177 Atlantic Avenue. As you can see
12 before you the existing Dairy Barn is in
13 disrepair and we have a client who is here,
14 Rob, from a company or a business called
15 Ready Coffee. They are up in Hudson Valley
16 currently with locations throughout Hudson
17 Valley from Hyde Park, Poughkeepsie,
18 Wappingers Falls, now as far as Middle Town.
19 Rob can answer a couple of questions. They
20 are looking to make their presence here on
21 Long Island.

22 A little bit of history. We are
23 starting construction in a couple of
24 different locations. There will be about 14
25 of these on the Island, different Dairy

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2 Barns. We've already started in Lynbrook,
3 Glen Cove, Baldwin. We have five locations
4 in the Town of Hempstead, different
5 locations; three are already approved, we
6 getting approval on the other two. We have a
7 couple out east, one in Center Moriches,
8 Babylon, Lindenhurst, the other one in East
9 Northport.

10 MEMBER DI SALVO: Welcome to
11 Long Island.

12 MR. SOLAR: Again, before you, as you
13 can see, the idea behind the construction
14 here, the building is going to stay the same
15 shape, so there is no enlargement to the
16 building. The old texture 111 paneling is
17 going to be removed, exposing the existing
18 block wall, which on top of the wall, as you
19 can see there, it's going to get the face
20 brick, thin brick applied. As part of that
21 thin brick, that does get painted, which is
22 that beige color that you see.

23 MEMBER RYAN: Under the wood?

24 MR. SOLAR: And then the accent
25 that's in between will be that -- it's called

1
2 Nichiha, a fiber cement panel board similar
3 to Hardie Board in a sense, but it comes in
4 panels. So, that's going to give the accent
5 you see in the gray along the top and then
6 coming down along the doors and entrances.

7 As you can see the two pictures on
8 the right are two existing locations in the
9 Hudson Valley. So, it gives you a presence
10 of what it's going to look like, fairly.
11 It's a little bit different, the size of that
12 building, but ours are going to remain as is,
13 no enlargement to the existing structure.

14 MEMBER RYAN: Do you think you can
15 turn that around to show the camera, so
16 everyone can see that for the record.

17 MR. SOLAR: Very simple process of
18 stripping it down, covering the existing
19 block with the thin brick, painting the thin
20 brick, then the Nichiha fiber cement panel.
21 The trim and lighting around the building
22 will all be a dark bronze color to match.
23 The capping, window frames, door frames are
24 all going to be dark bronze. Then on the
25 upper right-hand corner I have a sample of

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the light fixture that's going to be on the building. It does have shooting up as well as down.

MEMBER RYAN: This looks taller than the existing building. Are you adding onto it?

MR. SOLAR: No, were capping it. So if you know --

MEMBER RYAN: Because it has a little peaked roof?

MR. SOLAR: If you know the Dairy Barns, at the highest point is where we're keeping our high point, but what we're basically doing is leveling the building all the way around. So, that does require a little bit of adding some block to flatten it out. If you're in the neighborhood, Baldwin?

MEMBER RYAN: Is the GFC turning into one of these?

MR. WACHTEL: Yes. We torn it down to the block and we're redoing the whole thing.

MEMBER DI SALVO: I have a question. The thin brick that you're using three

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quarters of the way up, that beautiful tone of limestone washed brick, you're painting that?

MR. WACHTEL: Yes.

MEMBER DI SALVO: I have to ask why?

MR. WACHTEL: That's been their pallet, their model. Again, this is probably gone through number ten or so, eight or so on Long Island already. So, they have done this already, and this is the colors that they have already established going forward. I agree with you. I like that little distressed look that it has.

MEMBER DI SALVO: It's just so charming.

MEMBER DAWSON: I agree.

MEMBER DI SALVO: It lends such ice homey feel to it. And you're painting over mortar joints, all of it?

MR. WACHTEL: Yes.

R O B E R T W A C H T E L,
having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

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COURT REPORTER: Please state your name and address for the record.

MR. WACHTEL: Robert Wachtel, W-A-C-H-T-E-L. Ready Coffee. 7 Nancy Court, Wappingers Falls, New York.

MEMBER DI SALVO: Go ahead. Tell me why you are getting rid of the beautiful brick.

MR. WACHTEL: So, this is the color. It's not that different than the existing color.

MEMBER DI SALVO: Oh, come now.

MR. WACHTEL: It just -- we just found it's a very clean look and it works very well with the grayish and the red of our sign.

MEMBER RYAN: Your upper locations in the Hudson Valley don't have brick, those are stacked stone.

MR. WACHTEL: This was an existing bank built in the late 70's early 80's that we converted into our store, and all we did was left the place painted that same color. Our other buildings are -- and this one is

1
2 big. This has got sit down plus the
3 drive-thru. All of our other sites are just
4 500 square foot drive-thru only buildings
5 that we stick built from scratch, and that's
6 just the color pallet that we have used. It
7 works nicely.

8 MEMBER RYAN: Is this always the
9 brick that you use, the split or the thin
10 brick face?

11 MR. WACHTEL: Yes. These finishes
12 are the same finishes that we use on all of
13 our new construction buildings. That is why
14 we are going down to the block on all of
15 these, so that we can then build it back up.

16 MEMBER DAWSON: Given that is a
17 drive-thru and you are painting that white,
18 is there a problem with it staying that white
19 with the exhaust coming off?

20 MR. WACHTEL: No. Our oldest store
21 if five years old and it look like it was
22 built yesterday.

23 Look, the CEO is a stickler on
24 detail. So, we're going to be out here all
25 the time. If something doesn't look right,

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he gets right on it.

MEMBER DAWSON: So that is not --
there will be the river rocks, whatever it
is, along with the --

MR. SOLAR: Correct. On this one, on
the front, there is a small patio up front.
You see the site plan? It will be the river
rock as well as some plantings, as you see
similar. That's why I added those pictures.
Very similar to that site. Boxwoods, small
grasses and stuff. You're going to get the
same look in the front.

MR. McLAUGHLIN: Is it your plan to
do the exterior first?

MR. SOLAR: The plan is to do
everything at the same time. What he is
doing currently in new construction --

MR. McLAUGHLIN: You mean
construction.

MR. WACHTEL: Exterior first.

MR. McLAUGHLIN: You're aware there
is a nuisance hearing going on regarding the
property, correct?

MR. SOLAR: Sorry?

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MR. McLAUGHLIN: You're aware of the nuisance hearing going on with the present property, correct?

MR. SOLAR: No.

MR. McLAUGHLIN: This is subject to a nuisance hearing because the property is in disarray.

MR. SOLAR: Yes, we heard that.

MR. WACHTEL: That's what I mean. We are ready to start the day we receive the permit on the exterior. Obviously, there will be fencing, just like on all sites and we'll begin construction.

CHAIRPERSON HERSHBERG: Sir, can I ask you to step to the podium? Your voice won't come across on the video.

Could you give that answer again? I didn't hear it myself.

MR. WACHTEL: Sure. I'm sorry, your name?

MEMBER TAYLOR: What was Rob's question?

MR. McLAUGHLIN: I was asking when they were going to be starting on the

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exterior, as this property is the subject of a nuisance hearing of the Village Board. I wanted to make sure that they are aware the exterior has to get done.

MR. WACHTEL: We're ready to do construction, as soon as we receive the permit. As I said, we're 1.8 miles up the road. The same screw is going to come and start working here. We'll immediately put up construction fencing and start the exterior demolition to take off the paneling.

IS there a silo on this one?

MR. SOLAR: No.

MEMBER RYAN: Is there a landscape plan that you have, because I don't have that in my packet. I know you're describing some rocks and gravel.

MEMBER DAWSON: It's in the pictures of the other store.

MEMBER RYAN: Right. You didn't do one for this location?

MR. SOLAR: That's correct. It's just the site plan that shows the parking, it shows the patio, it shows the area that's

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going to get hardscaped. It does not call out the actual boxwoods.

MEMBER RYAN: Will that be on this location?

MR. SOLAR: Yes, absolutely.

MEMBER RYAN: You'll have it -- there's irrigation? You'll have irrigation for it, so it doesn't all dry up?

MR. WACHTEL: Yeah. We try to stay away from grass, so we don't have to mow it. And we use drip irrigation on any of the low plantings that we install.

MEMBER RYAN: Okay.

MEMBER TAYLOR: We like grass.

MEMBER DAWSON: More grass and plants than rocks.

MEMBER DI SALVO: I have few questions. Freeport has an array of different styles and different architecture. There are some contemporary buildings throughout the, and they have done a good job of fitting in. I don't know if painting this brick is going to give us that look. I don't know if painting it just this cloud cover

1 white is going to fit in with other things.
2 There's a lot of things that are going on
3 that the Board is involved in that are coming
4 up for approval soon. So, we have a little
5 bit of a bigger picture than just this piece.
6 So, I'm not sure if he's married to painting
7 that brick or if he's open to potentially
8 leaving it.
9

10 And then as far as the landscaping is
11 concerned, this location that you have given
12 us in the packet, this is a very sparse plan.
13 Now I hear you. We're a waterfront
14 community, there is flooding occasionally.
15 We want everybody's plants to be able to
16 survive that. There are plants in this area
17 that do really well. This all seems really,
18 really low.

19 Now you have three quarters of the
20 building painted in this white brick.
21 There's nothing soft here. I just feel with
22 the other things we know that are coming up
23 in the Village a change to Atlantic, Main,
24 the Nautical Mile, things like that. I don't
25 know if this sort of austere, almost

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Arizonian feel fits in with the Village.

Does anybody else have any --

MEMBER DAWSON: I think the same thing. The brick as it is, without the white, fits better in. More plants rather than extra rocks as are in the other buildings. I think if we had more indigenous plants in the front will soften that look of that modern look, fit in better with the rest of the community.

MEMBER RYAN: You could make that look with succulents and a lot other green items that require not a lot of water and things like that, if you're going for more of a desert feel.

MEMBER DI SALVO: Even Junipers grow nice and tall.

MEMBER RYAN: Soften up the building and the surrounding area.

MR. SOLAR: I do have a planting list here of what they have done in the past. Boxwoods, arborvitaes, butterfly bush, lilacs, boxwood shrubs, daylilies, feather green grass, burning bush, eastern red bush.

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MEMBER DI SALVO: That's a much more extensive planting list than these few minimalistic grasses.

MR. SOLAR: I can submit it, if you'd like.

MEMBER DI SALVO: The thing is you need a plan. Are you doing one of each? We get into the weeds a little bit with the landscaping.

MR. SOLAR: Is that the recommendation? The building and everything else, I guess, is okay for now. Come back with some sort of a landscaping plan.

MR. McLAUGHLIN: I think what they're saying is right now is you don't have a landscaping plan. Maybe when you're proposing the final, you have to present some type of landscaping. I know it's a small property, but they need to know what landscaping you're doing. Correct me if I'm wrong.

CHAIRPERSON HERSHBERG: I think that there were two. I know there were two parts of Member di Salvo's comments. The other

1
2 part was with respect to the brick and the
3 color. So, I concur with her comments. When
4 we look at Freeport, at all of our main
5 streets, commercial streets, we don't really
6 have this modern type of style building
7 existing. I think we agree that that's a
8 good thing.

9 MEMBER RYAN: There's a lot of
10 asphalt too.

11 CHAIRPERSON HERSHBERG: Being that
12 they're so far minimal recommendations with
13 respect to any changed suggestions, these
14 seem like fairly minor points. We do have
15 franchise businesses, we do have businesses
16 that like their own particular look and
17 marketing and we appreciate that. I don't
18 think that the suggestion is a radical one.
19 We're not changing -- we're just changing a
20 little bit of the facade, the covering.
21 We're not making any major architectural
22 changes to the building, so that hopefully
23 you will -- well, what are your thoughts now,
24 having heard that?

25 MR. WACHTEL: It's totally fine.

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CHAIRPERSON HERSHBERG: Not painting the brick.

MR. WACHTEL: It's a color difference that, from our prospective, is very minor. If that's what the Board recommends, we're happy to oblige. In terms of planting, every one of our locations is a little bit different on how it's set up. If you look at Baldwin, for instance, it's such a small lot that there's really nothing to do there. This lot is pretty big. If you go out to Farmingville, we're on three quarters of an acre, so it's huge, there's going to be a lot of grass.

So, what we're happy to do -- what we'd like to do is get started on this as soon as possible, in terms of the building, and come back to the Board. If we can get building plans approved, come back with a landscape plan which will show you exactly what the landscape would be with the number of plantings, etcetera.

MR. SOLAR: Locations.

CHAIRPERSON HERSHBERG: Counsel,

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procedurally, is that a viable approach with the Building Department?

MEMBER DI SALVO: With a condition and have the landscaping come in.

MR. McLAUGHLIN: What they would be doing is filing a change to this application. So, you put a condition that any landscaping will be subject to a separate application.

MR. SOLAR: That would be the next hearing.

MR. McLAUGHLIN: Take a step back. I mean, are you going to be starting within the next month? We move fairly quick. It might be better to adjourn this and have one application, because then you are paying for a second application. It might be more logical to adjourn and present the landscape plan and then have one decision with everything including the landscaping.

MEMBER DI SALVO: We meet in two weeks.

MR. McLAUGHLIN: It will be a month. I assume you're not -- it's up to you.

MR. WACHTEL: I guess the problem is

1
2 with the distressed property designation.
3 Right now we don't own the property. Our
4 closing is conditioned upon receipt of the
5 permit. So, we can't start any work, nor
6 will the existing property owner do any work
7 until the closing occurs until we own the
8 property. So, we are concerned about the
9 distressed property designation, since you
10 did address that.

11 MR. McLAUGHLIN: I'm the attorney
12 that. We can adjourn that. The case is back
13 on in front of the village board -- it might
14 be before this next hearing date. The next
15 hearing date on that is May 13th and we're
16 here May 14th. We can adjourn that one, as
17 long as the Board is seeing progress.

18 What the Village Board, under the
19 nuisance hearing program, they want to make
20 sure that the progress is going forward.
21 Obviously, we're here and the process is
22 going forward. We can adjourn the 13th date,
23 which probably will be on that date, on the
24 14th you can get permits and you may not have
25 to go back and deal with that. Do you know

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2 what I'm saying? It makes no sense. If
3 you're not building within the next month,
4 maybe we just get the decision in next month
5 with everything in, the landscaping.

6 MR. SOLAR: How soon do you need the
7 drawings and updated plans so we can be on
8 the next calendar.

9 THE CLERK: For the next calendar, by
10 the first week of May.

11 MR. SOLAR: Okay.

12 MEMBER RYAN: Is that doable?

13 MR. SOLAR: Yeah, it's doable.

14 MR. McLAUGHLIN: It makes more
15 logical sense to get it all done.

16 CHAIRPERSON HERSHBERG: If we have
17 the landscape plan in front of us,
18 hypothetically, for some reason it doesn't
19 come out the way that anybody on the Board
20 expected, making alterations when we have a
21 plan in front of us is very doable. To start
22 from scratch right now and lay out a
23 landscape plan doesn't make as much sense.
24 My confidence is very high that if you come
25 back expecting a reasonable landscape plan,

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that even if we have to make some minor adjustments, that we're going to be able to do that at the next meeting. That's my expectation.

MR. McLAUGHLIN: We're not the Town of Hempstead. It runs quickly.

MEMBER DI SALVO: So, along with the landscape plan, if you could just make the change to the material list with the color and what it is, that's a simple change.

MR. SOLAR: Yeah.

MEMBER DAWSON: Also, is there anything with lighting around the area?

MEMBER RYAN: You have bollards.

MR. SOLAR: We have bollards in the outdoor seating area. The building itself has sconces surrounding the entire building, and there are poles in the parking that you'll see on the site plan.

MEMBER DAWSON: That's the only thing.

MEMBER RYAN: The ice machine storage structure.

MR. SOLAR: All gone.

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MEMBER RYAN: That's all there,
correct?

MR. SOLAR: No, that will all
disappear. All the garbage is gone.

CHAIRPERSON HERSHBERG: Does that
sound like fair approach.

MR. WACHTEL: Absolutely.

MR. SOLAR: I can get everything back
to Lisa within a week.

CHAIRPERSON HERSHBERG: Based on
that, I'll entertain a motion from the Board
to adjourn pending submission of a landscape
plan and adjustments to the application
addressing the brick and the -- I'm sorry,
delay that for a moment.

Are there any comments from the
public? Hearing none, I'll entertain that
motion.

MEMBER DI SALVO: Make a motion to
adjourn pending a landscaping plan and a
change to material and the brick color.

MEMBER DAWSON: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

April 23, 2024

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MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed.

(No response was heard.)

CHAIRPERSON HERSHBERG: Good luck.

See you soon.

Next application please.

THE CLERK: Site Plan Number 3716, 6
St. Mary's Place, Section 62, Block 230, Lot
56, Industrial B. Esmeralda & Son, LLC.
Maintain replacement of windows and front
door.

We have an Affidavit of Mailing to be
placed on the record for this application.

(WHEREUPON, the above-referred to
document was marked as Board's Exhibit 3, for
identification, as of this date.)

J O S E M A R T I N E Z,
having been first duly sworn by a Notary
Public of the State of New York, was
examined and testified as follows:

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COURT REPORTER: Please state your name and address for the record.

MR. MARTINEZ: My name is Jose Martinez, the owner of Esmeralda & Son, LLC. 6 St. Mary's Place, Freeport, New York.

The reason we have this meeting is to maintain windows and doors. We actually bought this property. We're trying to put it together, but we just need to review the plans. That's pretty much it. The house is going to stay the way it is.

MR. McLAUGHLIN: What is it going to be used for?

MR. MARTINEZ: I'm going to use it for office. I own a company.

MR. McLAUGHLIN: Nobody will be living in it?

MR. MARTINEZ: I don't have any plans to have anybody live there yet.

MR. McLAUGHLIN: Just to let you know, it's not zoned for people to live.

MR. MARTINEZ: Yeah, no. It's for the business use.

MR. McLAUGHLIN: You can explain what

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you're doing.

MR. MARTINEZ: When we bought the property, we bought it with siding, new windows, new roof, everything. We're the new owners. We submit all the paperwork to the Village just to get -- it was with open permits. We submit all the paperwork. Everything was approved, but we have to come here for maintain windows and door.

MR. McLAUGHLIN: You bought it as is?

MR. MARTINEZ: As is.

MR. McLAUGHLIN: You didn't put it up?

MR. MARTINEZ: No, I didn't put it up. I bought it.

MEMBER DAWSON: This is a maintain.

MEMBER DI SALVO: It's a maintain. He purchased it this way is with open permits.

MS. DIAZ: It's in the packet, but these are the close ups.

O N E I D Y D I A Z,
having been first duly sworn by a Notary Public of the State of New York, was

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examined and testified as follows:

COURT REPORTER: Please state your name and address for the record.

MS. DIAZ: Oneidy Diaz. 6 St. Mary's Place, Freeport, New York. Owner of Esmeralda & Son, LLC.

MR. MARTINEZ: This is the first time we're at a board meeting.

CHAIRPERSON HERSHBERG: That's okay. Just relax. We have formalities. Just relax.

MS. DIAZ: Here you are. Like I said, I don't have the big board like everybody else. We couldn't physically --

CHAIRPERSON HERSHBERG: Just a moment. We're going to take that into evidence. And you have few you are going to hand to us, after we take it into evidence, and then you are going to go back and speak at the microphone. There some people can't be here, so we videotape and won't here you. Just give her a second to put a sticker on that and take it into evidence.

(WHEREUPON, the above-referred to

1 documents were marked as Applicant's Exhibit
2 A, for identification, as of this date.)

3 MS. DIAZ: Like I was saying, in the
4 packet already you have pictures of windows
5 we're just going to maintain. What I just
6 submitted to t you guys are the close-ups of
7 the windows and the door, just so you see
8 more detail. I can't physically bring a door
9 or a window. I spoke to Lisa and she said it
10 was fine. That's why I blew it up for you
11 guys.
12

13 MEMBER RYAN: Thank you for doing
14 that.

15 MEMBER DI SALVO: I have a question.
16 In the photograph of the door --

17 MS. DIAZ: That was previous. That's
18 been taken down.

19 MR. MARTINEZ: I think we did that
20 because of the flooring.

21 MS. DIAZ: We decided to take it
22 down.

23 MEMBER DI SALVO: No worries.

24 MEMBER RYAN: Very helpful. Thank
25 you.

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MEMBER DI SALVO: Is that channel for the removable flood gate, but they removed it.

MEMBER DAWSON: Thank you.

CHAIRPERSON HERSHBERG: Are there any other questions from the Board? Are there any comments from the public? Hearing none, motion from the Board please.

MEMBER DI SALVO: I'll make a motion to close to further evidence and testimony and reserve decision.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

CHAIRPERSON HERSHBERG: Good luck to you.

THE CLERK: Site Plan Number 3720, 131 West Merrick Road, Section 62, Block 108,

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2 Lot 23, Business B. Freeport Realty, LLC.
3 Remove canopy over existing dispensers,
4 install 49 by 42 foot canopy over four new
5 dispensers and convert existing 2,365 square
6 foot service station building to convenience
7 store with associated site improvements.

8 We have an Affidavit of Mailing to be
9 placed on the record as a Board exhibit for
10 this application.

11 (WHEREUPON, the above-referred to
12 document was marked as Board's Exhibit 3, for
13 identification, as of this date.)

14 MR. INGBER: Good evening. For the
15 applicant, Matthew Ingber from the Law Firm
16 of Brown, Altman and DiLeo. 538 Broad Hollow
17 Road, Suite 301, Melville New York. With me
18 this evening is Nicholas Buscemi from High
19 Point Engineering who is available to discuss
20 the site plan, as well as the proposed
21 revisions that were made from the site plan
22 that was approved by this Board back on
23 February 28, 2023.

24 As will be more discussed, this
25 application is less intense than what was

1 previously approved by this Board in 2023.

2 As the principle change is that the
3 drive-thru for the Tim Horton's Coffee Shop
4 is no longer proposed. So, we're here for
5 Bolla's amended site plan application to
6 redevelop the gasoline fueling station and to
7 develop a Bolla Market convenience store with
8 a Tim Horton's Coffee Shop at the property at
9 131 West Merrick Road.
10

11 The site plan that is before the
12 Board this evening seeks to make the
13 following changes: First, the drive-thru is
14 no longer proposed. So as such, all the
15 drive-thru equipment, such as the vehicle
16 height bars, the digital menu boards,
17 drive-thru directional signs, the drive-thru
18 pick-up window have all been removed.

19 Second, the applicant will no longer
20 be making a 200 square foot expansion to the
21 rear of the building. Instead, the existing
22 2,365 square foot building will be repurposed
23 as a Bolla Market convenience store with a
24 Tim Horton's.

25 The third, the parking layout will be

1
2 slightly reconfigured, based on removal of
3 the drive-thru. We note that the parking is
4 now compliant with the Village Zoning Code,
5 as eight stalls are required and eight are
6 now proposed. Previously, as part of the
7 prior site plan application that was
8 approved, the applicant had obtained a
9 parking variance to allow for six stalls
10 where seven were required.

11 The gasoline fueling dispensers and
12 the associated canopy that was previously
13 approved by this Board, that will remain as
14 it was previously approved.

15 We also note that the repurposed
16 building will be substantially similar to
17 what was approved by the Board in 2023, as
18 this building also includes crown moulding
19 trim, columns, siding with brick panels,
20 fiber cement wall finish consistent with
21 architectural details of other Bolla Markets,
22 just as the Board had previously approved.

23 With that, I'll keep it brief. The
24 project engineer is here, if there are any
25 questions that you have on revisions to the

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site plan.

CHAIRPERSON HERSHBERG: Let me clarify my current understanding. Other than the removal of the drive-thru, are there any other changes to the building materials, color, any other architectural features, besides the removal? Is everything the same that was approved back of last year.

N I C H O L A S B U S C E M I, having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

COURT REPORTER: Please state your name and address for the record.

MR. BUSCEMI: Nicholas Buscemi from High Point Engineering. Office is at 1860 Walt Whitman Road, Suite 600, Melville, New York 11747.

Yes, all the architecture will be the same as was previously approved.

CHAIRPERSON HERSHBERG: Thank you.

MEMBER DI SALVO: The size of the building for the market, Tim Horton's, that is exactly the same as it was before or

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smaller.

MR. BUSCEMI: It's the same size building. The footprint is the same as the existing building. What we were doing in the previous application was we were cutting out a 12 foot wide area where the drive-thru would be; so, the convenience store itself was smaller, it took less of a footprint, but that was because of the drive-thru. Now we're utilizing the entire building.

MEMBER DI SALVO: Same amount of pumps?

MR. BUSCEMI: Correct. No change to any pump canopy, gas service pump service station, anything like that.

MEMBER RYAN: It's going to be taller, right?

MR. BUSCEMI: The building is the same height.

CHAIRPERSON HERSHBERG: Any changes to any of the curb cuts or the entrance?

MR. BUSCEMI: No change to access, ingress/egress in and out of the site; all remaining exactly the same. We did re-file

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2 it with Nassau County Public Works, just
3 because of the change from the drive-thru,
4 because there are certain traffic impact
5 fees, mostly the driver of why we needed to
6 resubmit. That's under review by them. Per
7 my discussion preliminarily, they don't have
8 issues, there isn't any intensification of
9 the project. They are on board and have all
10 the applications with them.

11 CHAIRPERSON HERSHBERG: Counsel, are
12 we okay proceeding under those circumstances
13 where they are still awaiting?

14 MR. McLAUGHLIN: Yes. What they're
15 waiting for would be what they deal with.
16 The final permit has nothing to do with our
17 decision.

18 MEMBER DI SALVO: Is there any change
19 to the landscape plan?

20 MR. BUSCEMI: There are minor
21 changes. I do have an exhibit here I'll show
22 you. It might be a little easier to see.
23 What this exhibit is showing is the plan
24 proposed in black, and the red that you see
25 there is where the old drive-thru was. So

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2 you'll notice there is a little change in
3 that little strip of grass area which would
4 have been adjacent to the building, as well
5 as the two corners on the site, that has been
6 modified a little bit. All other landscaping
7 on the site remain with the low level
8 lighting and the same schedule which was
9 previously submitted.

10 MEMBER RYAN: I have a question on
11 the sign. The old height of the sign that
12 was approved, can you tell me what the height
13 of it was? This one looks very high. We
14 really don't like them to go up past --
15 lately it's been eight to ten feet.

16 MR. BUSCEMI: Not this sign? On the
17 building?

18 MEMBER RYAN: I'm talking about the
19 corner one. That sign.

20 CHAIRPERSON HERSHBERG: So then the
21 yes or no question would be: Have there been
22 any changes made to what we just referenced
23 with that standalone sign?

24 MR. BUSCEMI: No. The standalone
25 sign was previously presented to the Zoning

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Board which they approved. We're presenting it to this Board as it was previously approved by the Zoning Board.

MEMBER DI SALVO: At what height?

MR. BUSCEMI: 23.

MEMBER RYAN: All along, like Taco Bell, all along Merrick Road where you are, all the signs have been taken down quite a bit. This is extremely high.

What is the other Bolla Market sign on Bayview on Merrick Road?

MR. BUSCEMI: Our office didn't do that application. I have to look into it. My guess would be probably the same range. Again, I have to go back and.

MR. McLAUGHLIN: The sign was on the application before the Planning Board.

MR. INGBER: It was in front of the Planning Board. It was larger. Based on the recommendations, we decided to trim it down, and that's what we presented to the Zoning Board, which was ultimately approved.

MR. McLAUGHLIN: Based on this Board.

MR. INGBER: Again, this Board did

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make a recommendation.

MEMBER TAYLOR: This sign is eight foot by eight foot. He's proposing six foot. I have the decision right here.

MEMBER RYAN: Just the Shell sign here is eight by eight. He proposed a six foot system where the main Shell is six by six, removal the panel and reduce the Tim Horton's logo, increased clearance beneath the sign to allow seven feet for the motorist to able to see. The overall sign was reduced by 75 square feet. The ground sign is nonconforming to height.

MEMBER DI SALVO: Counsel, can we have some clarification regarding the approval?

MR. INGBER: What does the approval say?

MR. McLAUGHLIN: If I may. I don't think it's whether Zoning approved it or not, it's whether or not this sign that's there now is on the prior application.

MEMBER RYAN: We'd have to find it.

MEMBER DI SALVO: We have to pull the

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record to see back then.

MR. McLAUGHLIN: This sign is that sign that was approved --

MR. INGBER: By the Zoning Board?

MR. McLAUGHLIN: By the Planning Board. We're site plan.

MR. INGBER: This plan that was presented to the Planning Board in 2023, it was a larger sign than what was approved by the Zoning Board. The look is substantially similar.

MR. McLAUGHLIN: Take a step back. Forget the Zoning Board. What was approved by Site Plan in 2023?

MR. BUSCEMI: The six foot by six foot sign, which we are showing here, that is what was approved. If the concern is have we gone larger? No, we will not go any larger than what was previously approved under the original sign application.

Listen, if some reason it was 18 feet and on this plan we're showing 20 feet, we have no issue going to the sign originally approved. We are not planning on increasing

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that sign under the amendment.

MR. McLAUGHLIN: The prior application to Site Plan had that sign?

MR. BUSCEMI: Correct. Again, if it makes it easier procedurally, I would say go with the approval that was approved back in 2021 or 2022, whenever it was. We have no issue with that, we have no qualms, if that will save you an extra step. However you guys want to treat it.

MR. McLAUGHLIN: Your application is to amend the prior approval. That's why we're asking what was approved. Maybe it was approved last time, but your amendments on this application may be to take away the drive-thru. Besides the drive-thru, are there any changes?

MR. BUSCEMI: Just parking and landscaping, obviously, because of the layout changes.

MEMBER DI SALVO: All we're saying is sometimes when you amend that --

(Too much side chatter.)

CHAIRPERSON HERSHBERG: I'm sorry,

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2 there's too much conversation. We can't
3 catch all of this, so we need to speak one at
4 a time. The voice that stuck out of my head
5 was here. I don't know if there was a
6 question from the board over here.

7 MEMBER DI SALVO: What we were just
8 discussing was that sometimes when you make
9 an amendment and you change a plan repeatedly
10 or there are different versions, occasionally
11 a portion of the file will come in and it's
12 the incorrect size, type whatever. What they
13 are saying, what Mr. Buscemi is saying is
14 that he's fine with us stating in the record
15 that if this graphic is incorrect they will
16 revert it back to what was approved last year
17 or whenever it was.

18 MEMBER TAYLOR: If I may. It says
19 the sign should be under a separate
20 application.

21 MEMBER RYAN: Right. That's why I'm
22 questioning it, because it wasn't before this
23 Board ever.

24 MR. McLAUGHLIN: I think it was.

25 CHAIRPERSON HERSHBERG: It was

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referred to the Building Department. I have my original notes.

MEMBER TAYLOR: You have to file a separate application with the Building Department.

MEMBER DI SALVO: If you filed that, that application portion never came before us.

MR. INGBER: The original proposal pylon sign, the Board made comments on it. The comment was it was too high, too large, which got us to reduce it in our next application to the Zoning Board.

MEMBER TAYLOR: In the original application -- she pulled it up -- it says you have to file a separate permit.

MR. McLAUGHLIN: That's the original decision. The original application and plans had -- their decision said they had to go to the Building Department for their application. The sign is a separate application.

MR. INGBER: Right.

MR. McLAUGHLIN: Which you

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probably --

MR. INGBER: We have.

MR. McLAUGHLIN: You already filed, because they came to us and the Zoning Board. Then the Building Department referred to us. This application is not a referral, the Building Department's application to amend based on the changes that they need.

CHAIRPERSON HERSHBERG: Procedurally, how did the Zoning Board -- why was the Zoning Board commenting rather than the Building Department on the sign?

MR. McLAUGHLIN: The sign was probably a violation of zone. I would assume the process was they applied for the sign application, they got denied for the size, and then, therefore, because they were denied for the size, they went to the Zoning Board of Appeals to get a waiver from the code.

CHAIRPERSON HERSHBERG: So all that being said, my current understanding, and I was at the meeting back in February, is that we did not comment -- you may have heard comment on the sign -- we can look at the

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transcript whether or not we commented -- it was referred to the Building Department.

MR. INGBER: Correct.

CHAIRPERSON HERSHBERG: Ultimately, you are showing an approval from the Zoning Board for the sign.

MR. INGBER: Correct.

CHAIRPERSON HERSHBERG: All that being said, would you consider anything different with respect to the height of the sign so that it fits more with the other businesses that are on that street. I mean we have a number of them. Certainly we want your business to be visible to consumers. However, from what we're seeing on this plan here, it looks like it will be exceptionally high with respect to the other signs on the street. Would you consider lowering it, despite -- in spite of the fact it appears that zoning has already given you approval for it?

MR. INGBER: No, we have no intention of lowering it. The Zoning Board has reviewed it with the character of the

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neighborhood. Based off the determination application that --

CHAIRPERSON HERSHBERG: You mentioned the Zoning Board took into account the character of the neighborhood?

MR. INGBER: Yes, they have, to village Law.

MR. McLAUGHLIN: Required by Village Law.

CHAIRPERSON HERSHBERG: It may be here and I didn't see that in their decision.

MR. McLAUGHLIN: It's under state law, one of five factors in order for a variance.

MEMBER DI SALVO: Are there any other questions?

MEMBER TAYLOR: No further questions.

CHAIRPERSON HERSHBERG: Are there any questions from the public? Hearing none, motion from the Board please.

MEMBER RYAN: I'll make a motion to close to further evidence and testimony and reserve decision.

MEMBER TAYLOR: Second.

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THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

CHAIRPERSON HERSHBERG: Good luck to
you.

THE CLERK: Site Plan Number 3723,
284 North Columbus Avenue, Section 55, Block
357, Lot 866, Residence A. Franklin De Los
Santos. Construct a new 3,135 square foot
two-story one-family residence.

I have an Affidavit of Mailing to be
placed on the record as a Board exhibit.

(WHEREUPON, the above-referred to
document was marked as Board's Exhibit 3, for
identification, as of this date.)

M I G U E L R A M I R E Z,
having been first duly sworn by a Notary
Public of the State of New York, was

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examined and testified as follows:

COURT REPORTER: Please state your name and address for the record.

MR. RAMIREZ: Miguel Ramirez. 33 Lamont Place, West Babylon, New York 11704.

MEMBER RYAN: Hello again.

MEMBER WELCH: It's been a long time.

MR. RAMIREZ: So, can I begin?

CHAIRPERSON HERSHBERG: Yes, go ahead.

MR. RAMIREZ: Let's start with the roofing. This is a proposed two-story one-family residence. And the roofing will be burnt Sienna, as you see in the rendering, color rendering, the tone is like brown. So, following the roofing would be the siding. The siding will be vinyl siding, Dutch lap and the bottom will be a slate, a natural slate. It's as you see here, a dark gray. I will show you here. It will be the actual one.

MEMBER RYAN: Natural slate.

MEMBER DI SALVO: Please continue.

MEMBER TAYLOR: You can continue.

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2 MR. RAMIREZ: So, following will be
3 the stone veneer. Will be one inch thickness
4 stone veneer. The model will be Clear Water
5 by El Dorado stone manufacturer. And then
6 this is a combination of a light gray and
7 some brown and like a sandy color.

8 MEMBER DI SALVO: Do you have a
9 sample?

10 MR. RAMIREZ: It's a blend.

11 MEMBER DI SALVO: Do you have a
12 sample of the stone or a brochure?

13 MR. RAMIREZ: I got a picture here
14 from the distributor.

15 MEMBER DI SALVO: I see. Clear Water
16 color.

17 MR. RAMIREZ: Yes. Sometimes you
18 take a look at the rendering, it's not so
19 clear.

20 CHAIRPERSON HERSHBERG: Just speak at
21 the podium, please.

22 MR. RAMIREZ: So continuing, we have
23 portico, front portico, we have two columns,
24 12 inches square, tapered. This is a
25 Craftsman style on top of the base, three

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feet high base, wrap around Azek, vinyl. Let me show you. I have some sample here.

MEMBER DI SALVO: Is it round or square?

MR. RAMIREZ: It's squared. Continuing, the windows will be double hung windows with four inch trim, white trim. Would be vinyl frame window, glass window, white trim also.

The front door with sidelights. As you see in the rendering, will be mostly exactly the same with transom on top of it. So, all trims, the treatment on the facade, all facade will be white. The siding the same. The stone veneer will be only applied on the front facade. All around will be the concrete foundation, natural foundation color, I mean. In the back we got stoops. If you take a look at the rear facade, we're going to have stone stoops. The only one have stone veneer.

MEMBER DI SALVO: The front will have them as well. The front portico has the stone on the risers.

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MR. RAMIREZ: What?

MEMBER DI SALVO: The front portico, front steps has the stone riser.

MR. RAMIREZ: On the risers, yes. And then what you see, all railings, handrails, will be a vinyl, white color, PVC, as you see right there.

Basically the project will look like that, as you see in the rendering.

MEMBER DI SALVO: May I ask what the front steps and the rear steps, the treads are made of? The tread, where you put your foot.

MR. RAMIREZ: The floor. We're going to use bluestone slabs, one inch thickness.

MEMBER DI SALVO: Are you doing hanging lights in the front portico or are you doing soffit high hats?

MR. RAMIREZ: Which one?

MEMBER DI SALVO: In the front portico, are you hanging a lantern light or are you doing high hats in the soffit?

MR. RAMIREZ: It will be high hats. The recessed lights.

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MEMBER DI SALVO: Front and back?

MEMBER WELCH: The back as well?

MR. RAMIREZ: Yes, the back as well.

MEMBER DAWSON: I'm a little fixated on the front of the house above the portico window, this jammy and another window. I'm wondering -- it's very busy up at the top above the portico.

MEMBER DI SALVO: Where the stone is?

MEMBER TAYLOR: No. Where the T shape thing is.

MEMBER DI SALVO: They're asking why this continues up to the upper portion?

MEMBER DAWSON: This trim extends -- I'm wondering why this extends all the way up to the top.

MR. RAMIREZ: You're talking about the trim?

MEMBER DI SALVO: They are asking why the roof line goes up.

MR. RAMIREZ: It will be clad wood, aluminum clad wood.

MEMBER DI SALVO: Is there structurally a reason to bring that right up

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to the top ridge?

MR. RAMIREZ: Yeah because that -- you see that, the wrapping coming flush with the other one. That's what you mean?

MEMBER DI SALVO: Is there a structural reason for it?

MR. RAMIREZ: There is not.

MEMBER DI SALVO: Yes, there is a structural reason?

MEMBER WELCH: Do you have to have the whole T? Can we have -- what is that?

MEMBER DI SALVO: Let me see.

MR. RAMIREZ: No, just overhang, not structural.

MEMBER RYAN: We can get rid of that?

MR. RAMIREZ: You see this is just overlay on top of the existing.

MEMBER DI SALVO: We're asking, if there is no structural reason, would you consider removing this line. It feels awkward.

MR. RAMIREZ: No, I don't think so. I mean, that is part of the facade, the design. The front facade. I don't think

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they going to remove it. It's a wood frame attached to the front facade.

MEMBER DI SALVO: It just seems like an awkward detail to extend past that gable at the same depth to go up to the other roof line. It seems like an awkward detail.

(Indecipherable chatter.)

CHAIRPERSON HERSHBERG: We have to have one person speaking at a time, please.

MEMBER DAWSON: Just wondering if that piece can be -- something can be done in that area, because it's almost like you have the portico.

MR. RAMIREZ: It's not structural. I don't know what your concern is. I don't understand. I don't understand the question. It's just about the front.

MEMBER DAWSON: It's that whole area above the portico.

MR. RAMIREZ: The roof overhang. It's a roof overhang.

MEMBER DI SALVO: We understand that portion.

MR. RAMIREZ: I don't think anybody

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is going to remove that. The construction for us should be done the way it is.

MEMBER DAWSON: This piece right here.

MR. RAMIREZ: You got a main piece going down.

MEMBER DAWSON: You want it to match the roof line going down.

MR. RAMIREZ: Exactly. Haven't you seen that before? No?

CHAIRPERSON HERSHBERG: I don't think that is a common design feature that I have seen.

MR. RAMIREZ: A big one with a small one.

MEMBER DI SALVO: Yes, of course. But typically --

MR. RAMIREZ: All of them are on the same plane. Just there's nothing bumping out. It's just in the same plane.

MEMBER DAWSON: It doesn't look symmetrical.

MEMBER DI SALVO: Typically when you see that detail, it would extend out to this

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side.

MR. RAMIREZ: Oh, yeah. Sometimes, with a small roof, it's up to the designer like that. I don't see anything wrong. I mean, as per the owner requested also. Sometimes they want something that they request, something we have to accomplish.

MEMBER DAWSON: That was requested by the designer?

MR. RAMIREZ: By the owner too. We designed it like that. The owner agree. I don't see any problem with that.

CHAIRPERSON HERSHBERG: Are you familiar with any houses in the neighborhood?

MR. RAMIREZ: I could bring you some samples of a facade looks like that.

CHAIRPERSON HERSHBERG: From the neighborhood of this home?

MR. RAMIREZ: This is going to be a new house on a vacant lot.

MR. McLAUGHLIN: What he is asking you --

MR. RAMIREZ: The existing one around there.

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MR. McLAUGHLIN: Let me finish. What the chairman is asking you is, do you have samples in the neighborhood that has that type of facade?

MR. RAMIREZ: No.

MR. McLAUGHLIN: There's no other houses in that neighborhood that has that type of facade?

MR. RAMIREZ: As far as I know.

MR. McLAUGHLIN: As far as you know what? No?

MR. RAMIREZ: No.

CHAIRPERSON HERSHBERG: I think you're hearing the comments from the Board because, in my opinion, and I believe in the minds of some of the other Board members, this is an unusual design. It may exist in other parts of Freeport. I did not recognize those other homes that had this design, and I have been living in Freeport for a number of years. So, in fact, it's that much different from all of the other homes in Freeport, that's why it's being called out, because it's unusual.

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2 The original questions posed on this
3 aspect of the design was, was there a
4 structural reason for it, and the answer that
5 we heard back was no. So, it's strictly a
6 design feature. Am I correct in what I'm
7 saying?

8 MR. RAMIREZ: Yes, I understand. Why
9 should we copy some design around. I mean, I
10 don't see that it's too much contrast with
11 the existing environment.

12 CHAIRPERSON HERSHBERG: We're not
13 suggesting copying, sir. We have a diversity
14 of homes in Freeport. We have many different
15 styles. Fortunately we don't have a lot of
16 cookie cutter homes that look very similar,
17 and we wouldn't want that appearance. But
18 when we see a design feature such as this
19 that stands out and is different from what I
20 recall seeing anywhere else, that's why I
21 asked you if you had seen this design feature
22 anywhere else in the neighborhood or in
23 Freeport. That's why we're calling it out.

24 I think the reason that you're
25 hearing us calling it out is it doesn't

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conform to the other homes in Freeport. I'm not positive of that. We have to do a little bit -- I pose the question to you, sir, if you could show that this feature exists anywhere else. If it doesn't, I don't know that we want to be cutting edge in adding this design component to what already exists.

MR. RAMIREZ: I think I can get. I I've seen it before.

MR. McLAUGHLIN: Sir. You said you have seen it before. I'm sure this is not a unique thing in the world, but what I'm saying to you and what the Board is saying to you, in that area, the location of where the lot is that you are building the house, are there houses with this design?

MR. RAMIREZ: No.

MR. McLAUGHLIN: That's all we need to know.

MR. RAMIREZ: No.

MR. McLAUGHLIN: There are no houses in that area?

MR. RAMIREZ: No. We create for you.

MEMBER DI SALVO: Are there any more

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questions about the house?

CHAIRPERSON HERSHBERG: I'm trying to just limit the conversation to one at a time.

MEMBER DAWSON: Thank you.

MEMBER DI SALVO: The landscape plan looks beautiful. Do you have colors for the brick pavers?

MR. RAMIREZ: Sorry?

MEMBER DI SALVO: Do you have a color called out for the pavers?

MR. RAMIREZ: The pavers?

MEMBER DI SALVO: The pavers in the front walk.

MR. RAMIREZ: Actually, we don't have that here.

MEMBER DI SALVO: You don't have that here.

MR. RAMIREZ: I can bring it. I can give it to Lisa. It's going to be chosen by the owner.

MEMBER DI SALVO: That's typically something in the plans that we approve.

MR. RAMIREZ: We are not calling out the color of the pavers.

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CHAIRPERSON HERSHBERG: That's a detail that we would need to know prior to approving the application.

MR. RAMIREZ: If I show you the picture, I can find it out. I can find out now. I can show you a picture of it. They didn't mind too much of that.

CHAIRPERSON HERSHBERG: Sure. Let me see what the picture is.

MR. RAMIREZ: Did you take a look at the landscaping?

MEMBER DI SALVO: Yes.

CHAIRPERSON HERSHBERG: Sir, do you want some time to find that and we'll call you back. There's one more application, and then we can call you back.

MR. RAMIREZ: Yeah.

MR. McLAUGHLIN: If I may. He can't present it as evidence. He can present it verbally.

CHAIRPERSON HERSHBERG: Mr. Ramirez, you have been before this Board before. We cannot approve an application where the owner of the house can make a choice in color after

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2 our approval. Hypothetically, if the person
3 chooses alternating yellow and purple bricks,
4 we would have nothing to say, yet that would
5 not fit in our community. We need that
6 detail of the color of the pavers prior to
7 approval. So, we can adjourn the application
8 and you can show us the color.

9 MR. RAMIREZ: Okay.

10 CHAIRPERSON HERSHBERG: Bring a
11 sample.

12 MR. RAMIREZ: If you not receive it
13 before the next hearing or it should be on
14 the next hearing? I can bring it to the
15 office. Honestly, sorry about that. I
16 forgot it.

17 CHAIRPERSON HERSHBERG: That's okay.
18 These are the kind of details that this Board
19 need to get into. We don't always need to
20 discuss them openly like this because the
21 information is already included in the
22 application. Where it's missing, we have to
23 ask.

24 MR. RAMIREZ: Okay.

25 CHAIRPERSON HERSHBERG: With that,

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I'm going to ask if there are any comments from the public?

I'm sorry, sir, I didn't want to cut you off. Go ahead.

MR. RAMIREZ: I can meet with the owner and we can bring in which paver we going to use. I can bring it back.

CHAIRPERSON HERSHBERG: Thank you. Also my suggestion would be that you mention the design feature to the front of the house that we have been discussing, that you mentioned that to the owner.

MR. RAMIREZ: Okay. No problem.

CHAIRPERSON HERSHBERG: You can sense from the Board's conversation about that, that we do not see that as a desirable architectural feature. We do not see that as something that we are familiar with appearing in the community of Freeport. It may be there, but I have not seen it. If you, sir, see other homes with that roofing design that you have on the front, if you would draw that to our attention, that would be very helpful.

MR. RAMIREZ: You know what it is,

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2 you sometimes limit to the materials in the
3 market. That's why we most of the time we do
4 it. The design looks like that because of
5 the lot size, stuff look that. But that's
6 the design that we proposed, because we
7 design in Church Street. I don't know if you
8 remember 165 Church. We designed that house.

9 CHAIRPERSON HERSHBERG: We have seen
10 your work, Mr. Ramirez. It's a minor feature
11 of the home that you have already told us
12 does not have any structural benefit. I'm
13 talking about the roof line that you have in
14 the front of the house. That's all I'm
15 referring to. We understand fitting the
16 house to the property size. We see that all
17 the time. There are very few -- you hear the
18 suggestions for changes, but you heard very
19 few suggestions for changes on this home.
20 For the most part, this is a very broad
21 designed home that for the most part we
22 really like and we feel will fit into the
23 community, with the exception of that roof
24 line that you have on the front of the home.
25 And then as I explained, we cannot approve

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something with a color to be selected later.
We cannot approve an application under those conditions.

MR. RAMIREZ: Okay.

CHAIRPERSON HERSHBERG: With that in mind, I'll ask if there are any comments from the public? Hearing none, I'm going to look for a motion to adjourn this application pending submission of sample of the pavers and also for consideration for changes to the front roof line design.

MEMBER RYAN: I'll make a motion to adjourn pending submission of the pavers and color and consideration of the roof line change.

MEMBER TAYLOR: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

THE CLERK: Site Plan Number 3702, 9
Rosedale Avenue.

I have one Affidavit of Mailing on
the record for this application.

S A M U E L P A N I E R,
having been first duly sworn by a Notary
Public of the State of New York, was
examined and testified as follows:

COURT REPORTER: Please state your
name and address for the record.

MR. PANIER: My name is Samuel
Panier. Address is 9 Rosedale Avenue,
Freeport 11550.

CHAIRPERSON HERSHBERG: Speak up a
little bit, sir.

MR. PANIER: No problem.

CHAIRPERSON HERSHBERG: I believe
that there was some information that we
received from the Building Department with
respect to this property. So, I'm going to
ask our representative from the Building
Department to address some of the information
that we became aware of.

S C O T T B R A U N ,

having been first duly sworn by a Notary
Public of the State of New York, was
examined and testified as follows:

COURT REPORTER: Please state your
name and address for the record.

MR. BRAUN: Scott Braun. 46 North
Ocean Avenue, Freeport.

This residence, 9 Rosedale Avenue,
they had filed for a permit for a fence, and
that's the fence that you see across the
front of the property. While I was there
doing the inspection for the fence, it was
noticed there was construction that was done
with the expansion of the driveway and the
front steps, along with the existing fence
that was on the side that there was no permit
for.

So, there is a permit for the fence
that's in the front, and then the application
was for the construction work for the steps
and the widening of the driveway.

CHAIRPERSON HERSHBERG: Thank you.
Some of the work in the property was already

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done prior to receiving permits, sir?

MR. PANIER: Can you repeat?

CHAIRPERSON HERSHBERG: The way the house looks now, that work was done prior to receiving permits, before you received permits.

MR. PANIER: Yes.

CHAIRPERSON HERSHBERG: Okay. So, your request is to maintain the work that was already done; is that correct?

MR. PANIER: Yes.

CHAIRPERSON HERSHBERG: Go ahead. Tell us.

MR. PANIER: So our request was can we get a permit to keep the work that's already done?

CHAIRPERSON HERSHBERG: I can't hear you.

MR. PANIER: Can we get a permit for the work that's already done?

CHAIRPERSON HERSHBERG: The reason that you're before this Board, this is the Site Plan Review Board. We review the aesthetics or the appearance of any proposed

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2 changes like this. It's the approval of this
3 Board that is required for those permits for
4 the work that was already done is the issue.
5 So that's what we're doing is reviewing the
6 appearance of this work that's already been
7 done.

8 I have seen you here for a number of
9 applications where we were discussing design
10 of -- design features that are yet to be
11 built you heard a lot of back and forth
12 discussion.

13 MR. PANIER: Yes.

14 CHAIRPERSON HERSHBERG: We don't have
15 the benefit of that in this case because you
16 have already done the work.

17 MR. PANIER: So, do we request
18 removing?

19 CHAIRPERSON HERSHBERG: We're going
20 to hear some comments from the Board
21 regarding the work that has already been done
22 and then we'll proceed from there.

23 MR. PANIER: Okay.

24 MEMBER RYAN: In my opinion, he has
25 half grass still. The walkway and steps is

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2 very nice. This is the only additional. You
3 can concrete your driveway, right, most
4 people do or asphalt it. Really he only took
5 this extra space right here, in addition to
6 what he had. And the fence is in front of
7 it, so it camouflages a lot of it.

8 In my opinion, it's not horrible.
9 That's my opinion. I don't feel it's
10 offensive.

11 CHAIRPERSON HERSHBERG: Are there any
12 other comments from the Board.

13 MEMBER WELCH: I agree with Carole.

14 CHAIRPERSON HERSHBERG: Any other
15 comments?

16 MEMBER TAYLOR: No comment.

17 MEMBER DI SALVO: No.

18 CHAIRPERSON HERSHBERG: Any comments
19 from the public? Hearing none, motion from
20 the Board please.

21 MEMBER RYAN: I'll make a motion to
22 close to further evidence and testimony and
23 reserve decision.

24 MEMBER WELCH: Second.

25 THE CLERK: All in favor.

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MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response.)

CHAIRPERSON HERSHBERG: Good luck to
you, sir.

MEMBER RYAN: You'll get a letter in
the mail.

MR. PANIER: Thank you. So we're
going get the result in the mail?

THE CLERK: Call me in the morning
and I'll let you know.

MR. PANIER: Thank you. Have a good
night.

MEMBER RYAN: I'll make a motion to
go into executive session.

MEMBER TAYLOR: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

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MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(WHEREUPON, the Board entered into executive session from 8:51 p.m. to 9:05 p.m., after which the following transpired:)

THE CLERK: Can I get a motion for the minutes of April 9th.

MEMBER TAYLOR: Motion to accept the April 9th minutes.

MEMBER DAWSON: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

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2 THE CLERK: Site Plan Number 3725.
3 255 South Ocean Avenue.

4 MEMBER DAWSON: Chairman, regarding
5 Application SP-3725 for the premises located
6 at 255 South Ocean Avenue, the applicant
7 comes before this Board seeking approval to
8 construct a 524 square foot two-story rear
9 addition and 190 square foot expanded rear
10 deck.

11 I, Heather Dawson, move that this
12 Board make the following finding of fact:

13 This application, as amended, will
14 not produce an undesirable effect on the
15 neighborhood, if the conditions below are
16 met.

17 This application, as amended, will
18 produce an aesthetically and conforming
19 positive addition to the surrounding area, if
20 the conditions below are met.

21 This application, as amended, will
22 not negatively alter the appearance of the
23 neighborhood, if the conditions below are
24 met.

25 The site plan, survey print, and/or

1
2 artist rendering, dated 4/4/2024, has been
3 submitted by the applicant, reviewed and
4 approved by the Planning Board. Said site
5 plan, survey print and/or artist rendering
6 has been stamped, approved and signed by the
7 applicant and/or the Chairman of the Planning
8 Board.

9 The members of this Board are
10 familiar with the neighborhood surrounding
11 the applicant's site and have fully
12 considered all documents and testimony
13 concerning this application.

14 I further move that this application
15 be granted subject to the follow conditions:

16 Applicant/Owner must comply with all
17 the Rules and Regulations of the Village of
18 Freeport.

19 The Applicant/Owner must execute and
20 Affidavit of Compliance and return same to
21 the Office of the Village Clerk within 30
22 days after the decision is filed in the
23 Village Clerk's Office as a prerequisite for
24 issuance of any permit.

25 Applicant/Owner is to provide two

1 sets of stamped original final plans
2 incorporating all conditions and
3 modifications for Building Department, along
4 with a signed Affidavit of Compliance, to the
5 Village Clerk's Office before issuance of a
6 building permit.
7

8 Any change and/or modification to the
9 approved plan are subject to further review
10 by the Planning Board.

11 The Planning Board, as lead agency,
12 accepts the recommendation of the Building
13 Department Superintendent's negative SEQRA
14 declaration and has determined that this
15 action is a Type II action under SEQRA.

16 Applicant/Owner must obtain the
17 appropriate permits from the Building
18 Department prior to any construction.

19 Cedar shake for the addition to match
20 entire home. First floor Behr Graphic
21 Charcoal. Second floor Behr Super Nova. New
22 rear deck is Tex Biscayne with PVC rails and
23 spindles in white.

24 MEMBER RYAN: Second.

25 THE CLERK: All in favor.

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MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

THE CLERK: Site Plan Number 3726, 9
Meadowbrook Court.

MEMBER DAWSON: Chairman, regarding
Application SP-3726 for the premises located
at 9 Meadowbrook Court, the applicant comes
before this Board seeking approval to
construct side addition.

I, Heather Dawson, move that this
Board make the following findings of fact:

This application, as amended, will
not produce an undesirable effect on the
neighborhood, if the conditions below are
met.

This application, as amended, will
produce an aesthetically and conforming
positive addition to the surrounding area, if

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the conditions below are met.

This application, as amended, will not negatively alter the appearance of the neighborhood, if the conditions below are met.

The site plan, survey print and/or artist rendering, dated 4/5/2024 has been submitted by the applicant, reviewed and approved by the Planning Board. Said site plan, survey print and/or artist rendering has been stamped, approved and signed by the applicant and/or the chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

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

Applicant/Owner comply with all the Rules and Regulations of the Village of Freeport.

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2 Applicant/Owner must execute an
3 Affidavit of Compliance and return same to
4 the Office of the Village Clerk within 30
5 days after the decision is filed in the
6 Village Clerk's office as a prerequisite for
7 issuance of any permit.

8 Applicant/Owner is to provide two
9 sets of stamped original final plans
10 incorporating all conditions and
11 modifications for the Building Department,
12 along with the signed Affidavit of
13 Compliance, to the Village Clerk's Office
14 before issuance of a Building permit.

15 Any changes and/or modifications to
16 the approved plan are subject to further
17 review by the Planning Board.

18 Applicant/Owner must obtain
19 appropriate permits from the Building
20 Department prior to any construction.

21 Bluestone risers on front step.

22 MEMBER RYAN: Second.

23 THE CLERK: All in favor.

24 MEMBER DAWSON: Aye.

25 MEMBER TAYLOR: Aye.

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MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed.

(No response was heard.)

THE CLERK: Site Plan Number 3727,
474 Archer Street.

MEMBER WELCH: Chairman, regarding
Application SP-3727 for the premises located
at 474 Archer Street, the applicant comes
before this Board seeking approval to repair
fire damage and change windows.

I, Deborah Welch, move that this
Board make the following findings of fact:

This application, as submitted, will
not produce an undesirable effect on the
neighborhood, if the conditions below are
met.

This application, as submitted, will
produce an aesthetically and conforming
positive addition to the surrounding area, if
the conditions below are met.

This application, as submitted, will

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not negatively alter the appearance of the neighborhood, if the conditions below are met.

The site plan, dated 4/8/24, has been submitted by the applicant, reviewed and approved by the Planning Board. Said site plan has been stamped, approved and signed by the applicant and/or the Chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

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

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

Applicant/Owner must execute an Affidavit of Compliance and return same to the Office of the Village Clerk within 30 days after the decision is filed in the

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2 Village Clerk's Office as a prerequisite for
3 issuance of any permits.

4 Applicant/Owner is to provide two
5 sets of stamped original final plans
6 incorporating all conditions and
7 modifications for the Building Department,
8 along with a signed Affidavit of Compliance,
9 to the Village Clerk's Office before issuance
10 of a building permit.

11 Any changes and/or modifications to
12 the approved plan are subject to further
13 review by the Planning Board.

14 The Planning Board, as lead agency,
15 accepts the recommendation of the Building
16 Department Superintendent's negative SEQRA
17 declaration and has determined that this
18 action is a Type II action under SEQRA.

19 Applicant/Owner must obtain the
20 appropriate permits from the Building
21 Department prior to any construction.

22 Other conditions:

23 New window trim to match existing
24 under window trim.

25 MEMBER RYAN: Second.

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THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

THE CLERK: Site Plan Number 3702, 9
Rosedale Avenue.

MEMBER DI SALVO: Chairman, regarding
SP-3702 for the premises located at 9
Rosedale Avenue, the applicant comes before
this Board seeking approval to replace
existing 1,239 square foot driveway and
steps.

I, Annmarie di Salvo, move that this
Board make the following findings of fact:

This application, as submitted, will
no produce an undesirable effect on the
neighborhood, if the conditions below are
met.

This application, as submitted, will

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produce an aesthetically and conforming positive addition to the surrounding area, if the conditions below are met.

This application, as submitted, will not negatively alter the appearance of the neighborhood, if the conditions below are met.

The survey print, dated 2/5/24, has been submitted by the applicant, reviewed and approved by the Planning Board. Said survey print has been stamped, approved by the applicant and/or the Chairman of the Planning Board.

The members of this Board familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

I further move that this application be granted subject to the follow conditions:

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

Applicant/Owner must execute an

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2 Affidavit of Compliance and return same to
3 the Office of the Village Clerk within 30
4 days after the decision is filed in the
5 Village Clerk's Office as a prerequisite for
6 issuance of any permit.

7 Applicant/Owner is to provide two
8 sets of stamped original final plans
9 incorporating all conditions and
10 modifications to the Building Department,
11 along with the signed Affidavit of
12 Compliance, to the Village Clerk's Office
13 before issuance of a building permit.

14 Any changes and/or modifications to
15 the approved plan are subject to further
16 review by the Planning Board.

17 The Planning Board, as lead agency,
18 accepts the recommendation of the Building
19 Department Superintendent's negative SEQRA
20 declaration and has determined that this
21 action is a Type II action under SEQRA.

22 Applicant/Owner must obtain the
23 appropriate permits from the Building
24 Department prior to any construction.

25 MEMBER RYAN: Second.

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THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRMAN HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

THE CLERK: Site Plan Number 3713,
168 Atlantic Avenue.

MEMBER WELCH: Chairman, regarding
Application SP-3713 for the premises located
at 168 Atlantic Avenue, the applicant comes
before this Board seeking approval to
interior and exterior alterations to existing
building.

I, Deborah Welch, move that this
Board make the following findings of fact:

This application, as submitted, will
not produce an undesirable effect on the
neighborhood, if the conditions below are
met.

This application, as submitted, will

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produce an aesthetically and confirming positive addition to the surrounding area, if the conditions below are met.

This application, as submitted, will not negative alter the appearance of the neighborhood, if the conditions below are met.

The site plan, dated 3/4/24, has been submitted by the applicant, reviewed and approved by the Planning Board. Said site plan has been stamped, approved and signed by the applicant and/or the chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have full considered all documents and testimony concerning this application.

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

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

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2 Applicant/Owner must execute an
3 Affidavit of Compliance and return same to
4 the Office of the Village Clerk within 30
5 days after the decision is filed in the
6 Village Clerk's Office as a prerequisite for
7 issuance of any permit.

8 Applicant/Owner is to provide two
9 sets of stamped original final plans
10 incorporating all conditions and
11 modifications for the Building Department,
12 along with a signed Affidavit of Compliance,
13 to the Village Clerk's Office before issuance
14 of a Building permit.

15 Any changes or and/or modifications
16 to the approved plan are subject to further
17 review by the Planning Board.

18 The Planning Board, as lead agency,
19 accepts the recommendation of the Building
20 Department Superintendent's negative SEQRA
21 declaration and has determined that this
22 action is a Type II action under SEQRA.

23 Applicant/Owner must obtain the
24 appropriate permits from the Building
25 Department prior to any construction.

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Other conditions:

All scones to be cylindrical, black in finish, six inch diameter, 12 to 18 inches in height with illumination from top and bottom.

CHAIRPERSON HERSHBERG: Those were sconces.

MEMBER WELCH: What did I say?

MEMBER RYAN: Scones.

MEMBER TAYLOR: Scones.

CHAIRPERSON HERSHBERG: Is there a second?

MEMBER TAYLOR: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

THE CLERK: Site Plan Number 3716, 6 St. Mary's Place.

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2 MEMBER TAYLOR: Chairman, regarding
3 Application SP-3716 for the premises located
4 at 6 St. Mary's Place, the applicant comes
5 before this Board seeking approval to
6 maintain replacement of windows and doors.

7 I, Ladonna Taylor, move that this
8 Board make the following findings of fact:

9 This application, as submitted, will
10 not produce an undesirable effect on the
11 neighborhood, if the conditions below are
12 met.

13 This application, as submitted, will
14 produce an aesthetically and conforming
15 positive addition to the surrounding area, if
16 the conditions below are met.

17 This application, as submitted, will
18 not negatively alter the appearance of the
19 neighborhood, if the conditions below are
20 met.

21 The site plan and/or artist
22 rendering, dated 3/18/24, has been submitted
23 by the applicant, reviewed and approved by
24 the Planning Board. Said site plan and/or
25 artist rendering has been stamped, approved

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and signed by the applicant and/or the chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

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

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

Applicant/Owner must execute an Affidavit of Compliance and return same to the Office of the Village Clerk within 30 days after the decision is filed in the Village Clerk's Office as a prerequisite for issuance of any permit.

Applicant/Owner is to provide two sets of stamped original final plans incorporating all conditions and modifications for the Building Department, along with a signed Affidavit of Compliance,

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2 to the Village Clerk's Office before issuance
3 of a building permit.

4 Any changes and/or modifications to
5 the approved plan are subject to further by
6 the Planning Board.

7 The Planning Board, as lead agency,
8 accepts the recommendation of the Building
9 Department Superintendent's negative SEQRA
10 declaration and has determined that this
11 action is a Type II action under SEQRA.

12 Applicant/Owner must obtain the
13 appropriate permits from the Building
14 Department prior to any construction.

15 MEMBER RYAN: Second.

16 THE CLERK: All in favor.

17 MEMBER DAWSON: Aye.

18 MEMBER TAYLOR: Aye.

19 MEMBER WELCH: Aye.

20 MEMBER DI SALVO: Aye.

21 MEMBER RYAN: Aye.

22 CHAIRPERSON HERSHBERG: Aye.

23 THE CLERK: Any opposed?

24 (No response was heard.)

25 THE CLERK: Site Plan Number 3720,

131 West Merrick Road.

MEMBER RYAN: Chairman, regarding Application SP-3720 for the premises located at 131 West Merrick Road, the applicant comes before this Board seeking approval to remove canopy over the existing dispensers, install 49 foot by 42 foot canopy over four new dispensers and convert the existing 2,365 square foot service station building to a convenience store with associated site improvements.

I, Carole Ryan, move that this Board make the following findings of fact:

This application, as submitted, will not produce an undesirable effect on the neighborhood, if the conditions below are met.

This application, as submitted, will produce an aesthetically and confirming positive addition to the surrounding area, if the conditions below are met.

This application, as submitted, will not negatively alter the appearance of the neighborhood, if the conditions below are

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met.

The site plan, survey print and artist rendering, dated 4/1/24, has been submitted by the applicant, reviewed and approved by the Planning Board. Said site plan, survey print and artist rendering has been stamped, approved and signed by the applicant and/or the Chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

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

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

Applicant/Owner must execute an Affidavit of Compliance and return same to the Office of the Village Clerk within 30 days after the decision is filed in the

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2 Village Clerk's Office as a prerequisite for
3 issuance of any permit.

4 Applicant/Owner is to provide two
5 sets of stamped original final plans
6 incorporating all conditions and
7 modifications for the Building Department,
8 along with a signed Affidavit of Compliance,
9 to the Village Clerk's Office before issuance
10 of a building permit.

11 Any changes and/or modifications to
12 the approved plan are subject to further
13 review by the Planning Board.

14 This approval is subject to any and
15 all conditions imposed by the Zoning Board of
16 Appeals, if any, in its decision dated
17 7/20/23.

18 The Zoning Board of Appeals, as lead
19 agency, has determined this is a Type II
20 action under SEQRA and the Planning Board has
21 no further review.

22 Applicant/Owner must obtain the
23 appropriate permits from the Building
24 Department prior to any construction.

25 MEMBER DI SALVO: Second.

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THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed.

(No response was heard.)

CHAIRPERSON HERSHBERG: I don't believe we have anymore business before the Board this evening.

MEMBER DAWSON: I'd like to make a motion to close the meeting.

MEMBER RYAN: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed.

(Time Ended 9:24 p.m.)

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C E R T I F I C A T E

I, BETHANNE MENNONNA, a Notary Public within and for the State of New York do hereby certify that the foregoing is a true and accurate transcript of the proceedings, as taken stenographically by myself to the best of my ability, at the time and place aforementioned.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of May, 2024.


BETHANNE MENNONNA