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INCORPORATED VILLAGE OF FREEPORT  
PLANNING BOARD

MUNICIPAL BUILDING  
46 North Ocean Avenue  
Freeport, NY 11520

November 26, 2024  
7:00 p.m.

M E M B E R S:

- |                    |                  |
|--------------------|------------------|
| ANNEMARIE DI SALVO | ACTING CHAIR     |
| CAROLE RYAN        | MEMBER           |
| DEBORAH WELCH      | MEMBER           |
| JOY FERNANDEZ      | ALTERNATE MEMBER |

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- |                   |                         |
|-------------------|-------------------------|
| LISA DEBOURG      | DEPUTY VILLAGE CLERK    |
| ROBERT McLAUGHLIN | DEPUTY VILLAGE ATTORNEY |
| SCOTT BRAUN       | BUILDING DEPARTMENT     |

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-----EXHIBITS-----

BOARD'S FOR I.D. PAGE

1 Affidavit of Publication 4

2 Affidavit of Posting 4

3 Affidavit of Mailing (3783) 5

3 Affidavit of Mailing (3786) 5

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November 26, 2024

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

| APPLICATION# | ADDRESS               | PAGE |
|--------------|-----------------------|------|
| SP-3783      | 292 North Main Street | 5-8  |
| SP-3786      | 73 Smith Street       | 8-26 |

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2 ACTING CHAIR DI SALVO: I'll call the  
3 meeting to order. Will everyone please stand  
4 for the Pledge of Allegiance.

5 (Pledge of Allegiance recited.)

6 ACTING CHAIR DI SALVO: Are there any  
7 Affidavits of Publication and Posting to be  
8 entered into the record?

9 THE CLERK: We have one Affidavit of  
10 Publication and one Affidavit of Posting and  
11 two Affidavit's of the publication (sic), one  
12 for each application to be placed on the  
13 record as Board exhibits.

14 (WHEREUPON, the above-referred to  
15 documents were marked as Board's  
16 Exhibits 1 & 2, for identification, in evidence.)

17 ACTING CHAIR DI SALVO: Are there any  
18 requests for adjournment?

19 THE CLERK: There are no requests for  
20 adjournment.

21 ACTING CHAIR DI SALVO: Any  
22 Affidavits of Mailing?

23 THE CLERK: We have two Affidavits of  
24 mailing.

25 (WHEREUPON, the above-referred to

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documents were marked as Board's Exhibits 3, in evidence, as of this date.)

THE CLERK: May I proceed?

ACTING CHAIR DI SALVO: Yes, please.

THE CLERK: Site Plan Number 3783, 292 North Main Street, Section 55, Block 370, Lot 250, Business B. Jose Reyes and Mario Hernandez. Replacement of front door.

L U I S R O D R I G U E Z, 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. RODRIGUEZ: Luis Rodriguez. 92 Atlantic Avenue, Freeport, New York 11502.

Good evening, ladies and gentlemen of the Board. Long time no see. We are here for the project at 292 North Main Street. It's a simple transition to the front door. The business owners wanted to create a take-out window. So, that's basically what they're doing. The window in the middle is an operational window that basically flaps up

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and closes down, so at night they technically don't have to be opened to the public, and people could pick up the orders. It's a lot safer.

MEMBER RYAN: It's not the front door, it's the panel?

MR. RODRIGUEZ: Panel is to the left. But that panel it's currently -- that panel, is glass right now.

MEMBER RYAN: You're going to change it to two separate --

MR. RODRIGUEZ: Actually, it will be three. Look at them as sidelights with divisions in the middle. The one in the middle will be operational. A lot of the businesses now use the Grub Hub, the Uber Eats. So, they could pick up their food right at that window and it will be a lot faster.

MEMBER RYAN: Are you going to keep the same black anodized aluminum?

MR. RODRIGUEZ: Exactly the same to match what's existing.

ACTING CHAIR DI SALVO: Can you tell

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us about the sign change?

MR. RODRIGUEZ: Well, they have it on there. That's a separate application. So, they're going to be filing for an application through the sign company to install a nice sign for business. We're strictly here just for the glass in the door.

ACTING CHAIR DI SALVO: We've been getting a lot of sign applications lately. So, I didn't know if it was on this application as well.

MR. RODRIGUEZ: They're going to file their own application with the sign builders.

ACTING CHAIR DI SALVO: All the stone is staying the same, everything else is staying the same?

MR. RODRIGUEZ: Everything stays in tact. We don't want to touch any of that stuff, because you're not going to find that anywhere.

ACTING CHAIR DI SALVO: Any other questions from the Board?

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

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reserve decision.

MEMBER WELCH: The public.

ACTING CHAIR DI SALVO: Any comments from the public?

(No response was heard.)

ACTING CHAIR DI SALVO: Motion again.

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

MEMBER WELCH: Second.

THE CLERK: All in favor.

MEMBER FERNANDEZ: Aye.

MEMBER WELCH: Aye.

MEMBER RYAN: Aye.

ACTING CHAIR DI SALVO: Aye.

THE CLERK: Any opposed?

(No response was heard.)

ACTING CHAIR DI SALVO: Thank you.

THE CLERK: Site Plan Number 3786, 73 Smith Street, Section 62, Block 76, Lot 27, Residence A. A. Andre Reviero. Maintain garage 550 square feet, deck 388 square feet, cellar entrance and framed overhangs on the east side of the property and proposed 105

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square foot addition on west side and repair fire damage.

C H R I S T I N A B R A V I 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.

MS. BRAVIN: Christina Bravin.  
Morano Expediting. 2938 Hempstead Turnpike,  
Levittown.

Good evening, members of the Board.

ACTING CHAIR DI SALVO: I'm sorry,  
it's Christina --

MS. BRAVIN: Christina Bravin.  
B-R-A-V-I-N.

ACTING CHAIR DI SALVO: Nice to meet  
you.

MS. BRAVIN: Nice to meet you as well. So, I first would like to request an amendment to this application. We would like to withdraw the portion of the request that contains to the cellar entrance and the gazebo. Those structures will be removed.

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ACTING CHAIR DI SALVO: So the cellar stairs as well as the gazebo?

MS. BRAVIN: Correct.

ACTING CHAIR DI SALVO: Is the structure that is sort leading to shed like roof over the cellar stairs, is that remaining?

MS. BRAVIN: That is remaining as part of this application, yes.

So, we are requesting permission to maintain that roof over the detached garage, the deck and the one-story addition. The house suffered a fire in November of 2023 which originated in the first floor bath in the rear of the home. During the planning phase, it was determined that the improvements before the Board were done without the benefit of a permit. All of these improvements existed prior to Mr. Reviero purchasing the home in 2018. Any repair work resulting from the fire will restore original the features with materials and designs that are the same as the existing house and that were previously in place.

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2 The siding, the trim size and color,  
3 windows will match the existing home. All  
4 those details and specifics were laid out in  
5 the material list that were included in the  
6 packet. If you want to go over them, I'm  
7 happy to do so.

8 MEMBER RYAN: I have one question  
9 regarding the house versus the garage and the  
10 non-cohesiveness of one is blue with white  
11 trim and the house is white with green trim.  
12 If you're changing that or doing something,  
13 maybe you can make them more cohesive, like  
14 white with blue trim, then the garage is blue  
15 and white trim or something similar.

16 MS. BRAVIN: I do see what you're  
17 pointing out. Although it's not part of the  
18 application and it's not called out on the  
19 plans, I think we can propose something of  
20 that nature to bring that into design  
21 cohesiveness. It is a fairly newly sided  
22 structure. Again, it was there prior to him  
23 purchasing the house.

24 MEMBER RYAN: Maybe just changing the  
25 green to blue, the green fascia.

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ACTING CHAIR DI SALVO: Are you changing the siding?

MS. BRAVIN: No, just the repair of that one portion on the southwest corner of the home.

ACTING CHAIR DI SALVO: So, there's no plans to reside the house?

MS. BRAVIN: No. So, it would incur a huge cost to either repaint the entire trim on the house or reside the garage. It's just a small portion of the repair that this is related to.

MEMBER RYAN: Is he going to power wash it, the entire home?

MS. BRAVIN: I don't know if they have plans to do that. Perhaps in the spring.

ACTING CHAIR DI SALVO: The way this application exists, and because it's a maintain, this is not something that we would ever approve. We would never approve a blue garage, a white house with green trim. I understand that your client is in a difficult situation because this is the way they bought

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it. He bought it in 2018?

MS. BRAVIN: He did, yes.

ACTING CHAIR DI SALVO: The fire was when?

MS. BRAVIN: 2023, November.

ACTING CHAIR DI SALVO: 2023. So the illegal bathroom, that was an existing condition?

MS. BRAVIN: Everything.

ACTING CHAIR DI SALVO: Wow.

MS. BRAVIN: Did not make any improvements. So, it originated on the first floor bathroom and damaged the second floor as well. Again, it's only the southwest corner of the home. So, that small area had to replace the window, do the siding, paint the trim to match, and repair the deck as well.

ACTING CHAIR DI SALVO: I wonder how this cleared title with so many illegal conditions. It's not for you to answer.

MS. BRAVIN: In my 20 years, I have seen quite some interesting things that have happened. I don't understand how. I really

1  
2 don't. I don't know why we have to have an  
3 attorney in New York State for purchase and  
4 sale of a home and in other states you don't,  
5 yet these things happen. Unfortunately, the  
6 home owner pays the price. And he did,  
7 literally and figuratively. It's been a long  
8 process with the Village trying to make  
9 everything right.

10 ACTING CHAIR DI SALVO: We do  
11 appreciate that. We appreciate you coming  
12 before us and explaining to us.

13 What's going to happen, once they  
14 close that cellar door; is that going to  
15 become an egress window?

16 MEMBER RYAN: Bring the siding down?

17 MS. BRAVIN: Let me look at the  
18 plans. I'm not 100 percent on that.  
19 Potentially an egress window. Let me check  
20 the plans, just to verify that.

21 MEMBER RYAN: The siding looks like  
22 it's up around the door. Being they are  
23 taking it out, maybe you can bring the siding  
24 down to be the same height as the other  
25 siding.

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MS. BRAVIN: It does not show an egress window placement on the plans. It only states the contractor will fill in the stairwell.

MEMBER RYAN: With cement?

MS. BRAVIN: Correct. That would be on the first floor plan, which is sheet three of five. Drawings Number A-03.03. So, midway up the page on the left-hand side.

ACTING CHAIR DI SALVO: There are other egress windows in the foundation, like little shed windows -- awning windows, excuse me.

We're in a tough position on this one. If we approve it as is, it gives precedence to other people to do whatever they want in whatever colors and there's no cohesion in the neighborhood, and that's not what we do. We look for some conformity. This does not conform in so many different ways. Even putting all of that aside, the easiest fix -- I don't want to cause any undue burden on the home owner, but it's not something that we would not approve as is.

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2 Can you think of a way to -- an easy  
3 possible way to either side the garage or  
4 paint the trim? You don't have answer me  
5 now, you can confer. But I think I speak for  
6 everyone, when I say this is not anything  
7 that's like the rest of the neighborhood. We  
8 try to maintain as best as we can some sort  
9 of design cohesion throughout the  
10 neighborhood, and this does not,  
11 unfortunately, fit in with everything else.

12 MEMBER WELCH: What brings you here  
13 right now? I didn't mean it the way it  
14 sounds. Is the home owner looking to do  
15 something? This sounds like this has been  
16 going on for quite some time.

17 MS. BRAVIN: Right. He purchased the  
18 home in 2018 exactly as it appears today:  
19 White house, green trim, white windows, blue  
20 garage. Happily ever after until 2023  
21 there's a fire. He does the right thing,  
22 contacts the Village, says, "I want to get  
23 this done the right way, the legal way. How  
24 do I go about doing that?" Then he is faced  
25 with a myriad of sudden now, "You have all

1  
2 these violations and you need to take care of  
3 them." So, that's the process he's been  
4 going through, which is now to maintain  
5 everything on the property as he bought it.  
6 That's what brings us here today, because of  
7 the fire.

8           So, had there been no fire, I don't  
9 know that this ever would have come before  
10 the Board for colors, design, any of that  
11 nature. He's not trying to change the  
12 current. If you're just looking at the  
13 property today, nobody would know that the  
14 fire happened and that these repairs were  
15 taking place. In essence, from an onlooker,  
16 you wouldn't even know this was occurring,  
17 that a big change was happening. Everybody  
18 drives by, they are looking at the same house  
19 they have been looking at.

20           I understand the Board's position  
21 about setting precedence. However, he's not.  
22 Essentially, from the front elevation,  
23 there's no change. If you look back at the  
24 photos over the years, it's the same house.

25           MEMBER RYAN: You can't see the

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garage from the front of the house?

MS. BRAVIN: It's really set back. I can't give you actual dimensions, but I have plenty of photos here. I can get a good one. So, the garage is located --

MEMBER RYAN: On the left side.

MS. BRAVIN: Yeah.

ACTING CHAIR DI SALVO: That gazebo is out?

MS. BRAVIN: That gazebo is coming down, correct.

ACTING CHAIR DI SALVO: I have detailed pictures of the right side of the house.

MS. BRAVIN: Behind it, yes. So, opposite the garage.

ACTING CHAIR DI SALVO: The fence that's covering the back driveway, that's typically closed? It looks like a six foot high white vinyl fence.

MS. BRAVIN: White vinyl fence. I'm not sure. The garage is blocked partially by the home and is set back more than 100 feet from the front.

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ACTING CHAIR DI SALVO: And there's a six foot fence covering the driveway.

MS. BRAVIN: In the very, very front entrance. I apologize. I thought you meant set all the way back on the garage. Yes, it is called out on the survey. There is a gate. That survey is dated December of 2023 shortly after the fire.

Any other questions?

MEMBER RYAN: I'll make motion to adjourn for five minutes.

THE CLERK: What are you making a motion for?

MEMBER RYAN: We wanted to confer with counsel for five minutes, to step out.

ACTING CHAIR DI SALVO: Motion to adjourn.

MR. McLAUGHLIN: Executive session.

MEMBER RYAN: Enter into executive session.

MEMBER WELCH: Second.

THE CLERK: All in favor.

MEMBER FERNANDEZ: Aye.

MEMBER WELCH: Aye.

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MEMBER RYAN: Aye.

ACTING CHAIR DI SALVO: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(WHEREUPON, the Board went into executive session from 7:21 p.m. to 7:27 p.m., after which the following transpired:)

MEMBER RYAN: So, we feel as a Board that the evidence presented doesn't fit into the character of the community. With that, we feel like we should adjourn this and maybe you should talk to your client and see what they're willing to do to make it fit into the character of the neighborhood.

MS. BRAVIN: The request specifically is to reside the garage to match the house?

ACTING CHAIR DI SALVO: We're not requesting anything.

MEMBER RYAN: We're not requesting anything. We feel like it doesn't fit in the way it is now. The evidence you presented with the green trim, the white siding and the garage with blue siding and all of that.

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2 ACTING CHAIR DI SALVO: We're asking  
3 you to resubmit your application. I think  
4 that we've made it pretty clear there are a  
5 couple of different directions the home owner  
6 could take to become more compliant with the  
7 character of the community. But that's going  
8 to be up to them, what they choose to do.  
9 Discuss it with them and come back to us and  
10 present the evidence again.

11 MS. BRAVIN: Okay. When is the next  
12 hearing?

13 THE CLERK: In January.

14 MS. BRAVIN: Can we adjourn until  
15 January?

16 THE CLERK: I'm sorry?

17 MS. BRAVIN: Will we be able to get  
18 on the January hearing?

19 THE CLERK: Once you present the  
20 submission.

21 MS. BRAVIN: Okay. So, just the  
22 typical set of plans. Any new mailings?  
23 Everything has to go back out?

24 MR. McLAUGHLIN: It's an amendment of  
25 the present. You're not going to have

1  
2 another fee. It's just to amend the plans,  
3 to show whatever changes you make for the  
4 house. Will you not pay another fee. It's  
5 just taking whatever plans you have now and  
6 amending, making the changes.

7 MS. BRAVIN: Okay. Thank you.

8 MEMBER WELCH: Our goal is not to  
9 make anybody spend any money, but the way it  
10 stands right now, it would be very difficult  
11 for us to approve it the way it is. Do you  
12 understand?

13 MS. BRAVIN: I understand. It's a  
14 difficult position to be a home owner and to  
15 have to incur the cost of somebody else's  
16 mistakes. Had he not done the right thing  
17 and came for help, he probably wouldn't have  
18 to spend any money and the house would stay  
19 the way it is. It's a hard pill to swallow.  
20 He has to do whatever he had to do, at this  
21 point, to appeal to the Board to have the  
22 repair done, because the house, as it sits,  
23 is exposed now to the elements. Without the  
24 siding on, there could be more damage through  
25 the winter. So, we want to expedite the

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process. That's why I'm hoping to get on the January hearing and get this closed up as quickly as possible. Thank you so much for your time. Have a nice holiday.

ACTING CHAIR DI SALVO: Are there any comments from the public?

MS. OLOROSO: I have one.

S U L E I D I O L O R O S O,  
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.

MS. OLOROSO: Suliedi Oloroso. 26 West Seaman Avenue, Freeport, New York 11550.

ACTING CHAIR DI SALVO: How are you?

MS. OLOROSO: I'm good. How are you? I think I should have asked this before everything happened. I don't think we're here for, like, the same house. My father was present on the site plan meeting. I don't think you guys are talking about the same house we were supposed to be present for.

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MEMBER RYAN: What address?

MS. OLOROSO: The address is 26 West Seaman Avenue, Freeport.

ACTING CHAIR DI SALVO: West Seaman is not on our calendar for tonight.

MS. OLOROSO: We were sent a letter for today.

THE CLERK: That was to let you know there is a public hearing on that address.

MR. McLAUGHLIN: What happens is, when there's a project within a certain distance of the residence, we send letters out to let them know there is a hearing taking place, so you would have the ability to speak for or against the application. It's not that you are required to be here, it's something we do. It's an open hearing; that way the local neighbors have the ability to express anything they want to express.

Where do you live?

MS. OLOROSO: Right now, the current address? 26 Seaman; that's the home. Right now we're in a home in Westbury.

MR. McLAUGHLIN: You're the

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applicant?

THE CLERK: This is a different house.

MS. OLOROSO: A different house. I heard the information about the house description, and it doesn't match our house.

THE CLERK: Okay. Did you submit an application to the Building Department?

MS. OLOROSO: I think. I'm not sure. I'm just the daughter. I came in case --

THE CLERK: Call me tomorrow.

MEMBER RYAN: What's the address?

MS. OLOROSO: 26 West Seaman Avenue, Freeport.

MEMBER RYAN: 26 West Seaman. Had you seen anything? They had a fire?

MR. BRAUN: I haven't seen anything yet. It's not my area. It would have been assigned to somebody else. I could check.

ACTING CHAIR DI SALVO: We know you didn't think this was a wasted night. We know this was a riveting hearing and you're dying to come back.

MEMBER RYAN: I'll make a motion to

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adjourn this application, pending  
resubmission in January.

MEMBER WELCH: Second.

THE CLERK: All those in favor.

MEMBER FERNANDEZ: Aye.

MEMBER WELCH: Aye.

MEMBER RYAN: Aye.

ACTING CHAIR DI SALVO: Aye.

THE CLERK: Any opposed?

ACTING CHAIR DI SALVO: Can I have an  
approval for the previous minutes --

THE CLERK: November 12th.

ACTING CHAIR DI SALVO: (Continuing)--  
of November 12th?

MEMBER RYAN: I'll make a motion to  
approve the minutes of the meeting of  
November 12th.

MS. WELCH: Second.

THE CLERK: All in favor.

MEMBER FERNANDEZ: Aye.

MEMBER WELCH: Aye.

MEMBER RYAN: Aye.

ACTING CHAIR DI SALVO: Aye.

THE CLERK: Any opposed?

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ACTING CHAIR DI SALVO: Motion to go into executive session.

MEMBER WELCH: Motion to go into executive session.

MEMBER RYAN: Second.

THE CLERK: All in favor.

MEMBER FERNANDEZ: Aye.

MEMBER WELCH: Aye.

MEMBER RYAN: Aye.

ACTING CHAIR DI SALVO: Aye.

THE CLERK: Any opposed?

(WHEREUPON, the Board entered into executive session from 7:36 p.m. to 7:53 p.m., after which the following transpired:)

THE CLERK: Site Plan Number 3783, 292 North Main Street.

MEMBER WELCH: Chairperson, regarding Application SP-3783 for the premises located at 292 North Main Street, the applicant comes before this Board seeking approval for replacement of front door sidelight.

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

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

The site plan, dated 10/16/24, has been submitted by the applicant, reviewed and approved by the Planning Board. Said site plan and/or artist rendering has been stamped, approved and signed by the applicant and/or the chairperson 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

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be granted, subject to the following conditions:

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

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

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

The Planning Board, as lead agency, accepts the recommendation of the Building Department Superintendent's negative SEQRA

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2 declaration and has determined that this  
3 action is a Type II action under SEQRA.

4 Applicant/Owner must obtain the  
5 appropriate permits from the Building  
6 Department prior to any construction.

7 Second?

8 MEMBER RYAN: Second.

9 THE CLERK: All in favor.

10 MEMBER FERNANDEZ: Aye.

11 MEMBER WELCH: Aye.

12 MEMBER RYAN: Aye.

13 ACTING CHAIR DI SALVO: Aye.

14 THE CLERK: Any opposed?

15 (No response was heard.)

16 ACTING CHAIR DI SALVO: Is it time  
17 for a motion to adjourn?

18 THE CLERK: A motion to close the  
19 meeting.

20 MEMBER RYAN: Make a motion the close  
21 the meeting. Do I get a second?

22 MEMBER WELCH: Second.

23 THE CLERK: All in favor.

24 MEMBER FERNANDEZ: Aye.

25 MEMBER WELCH: Aye.

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November 26, 2024

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MEMBER RYAN: Aye.

ACTING CHAIR DI SALVO: Aye.

THE CLERK: Any opposed?

(Time Ended: 7:56 p.m.)

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November 26, 2024

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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 4th day of December, 2024.

*BethAnne Mennonna*  
BETHANNE MENNONNA