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INCORPORATED VILLAGE OF FREEPORT  
PLANNING BOARD

MUNICIPAL BUILDING  
46 North Ocean Avenue  
Freeport, NY 11520

January 28, 2025  
6:45 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      |

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

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January 28, 2025

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-----EXHIBITS-----

BOARD'S FOR I.D. PAGE

1	Affidavit of Posting	4
2	Affidavit of Publication	4
3	Affidavit of Mailing (3786)	4
3	Affidavit of Mailing (3798)	4

\* \* \*

APPLICANT'S FOR I.D.

SP-3798 PAGE

A	Material List	7
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January 28, 2025

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

APPLICATION#	ADDRESS	PAGE
SP-3786	73 Smith Street	4-5 & 11-16
SP-3798	172 Independence Avenue	5-10

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CHAIRPERSON HERSHBERG: Please rise for the Pledge of Allegiance.

(Pledge of Allegiance recited.)

CHAIRPERSON HERSHBERG: Madam Clerk, do we have any Affidavits of Publication or Posting?

THE CLERK: Yes. We have one Affidavit of Posting and one Affidavit of Publication and an Affidavit of Mailing for each application to be put in the record as Board exhibits.

(WHEREUPON, the above-referred to documents were marked as Board's Exhibits, in evidence, as of this date.)

CHAIRPERSON HERSHBERG: Thank you. Do we have any request for adjournment?

THE CLERK: No request for adjournment.

CHAIRPERSON HERSHBERG: Thank you. Could you please call the first application?

THE CLERK: Site Plan Number 3786. 73 Smith Street, Section 62, Block 76, Lot 27, Residence A. Andre Reviero. Maintain garage 550 square feet, deck 388

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square feet, cellar entrance and framed overhangs on the east side of the property and proposed 105 square foot addition on the west side and repair fire damage.

CHAIRPERSON HERSHBERG: Is the applicant for 72 Smith Street here?

(No response was heard.)

CHAIRPERSON HERSHBERG: We'll give the applicant a chance to appear this evening and we'll call the next application. We will recall this at the end of the session. There's only two applicants before us today, so they'll be called after the applicant that we call now.

THE CLERK: Site Plan Number 3798. 172 Independence Avenue, Section 55, Block 361, Lots 851 and 852, Residence A. Raymond Fiallos. Construct 400 square foot detached two-car garage.

A R T E M M Y A G K O V,  
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

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name and address for the record.

MR. MYAGKOV: Artem Myagkov.

A-R-T-E-M M-Y-A-G-K-O-V. Address is Six  
Sealey Avenue, Apartment 5F, Hempstead,  
New York.

MEMBER RYAN: Welcome.

MR. MYAGKOV: Thank you for having  
me. I'm the architect on the project.

CHAIRPERSON HERSHBERG: Thank you.  
You're the architect. Thank you.

MR. MYAGKOV: As you can see, there's  
a garage on the property. They demolished  
the old garage; it was a whole different  
ordeal. The garage will match the siding --  
the stucco will match the existing house. As  
you see in the pictures, typical asphalt  
roofing. The lighting and the doors and  
windows are typical double hung doors, double  
hung windows to match the house, white colors  
pretty much everywhere.

I think that's about it about the  
project. Pretty simple.

MEMBER RYAN: Is the roofing going to  
be like that reddish-brown like the house?

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MR. MYAGKOV: If you want, I can submit additional exhibits for you to look at. I have material samples printed out.

MEMBER RYAN: That would be great.

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

MR. MYAGKOV: It shows the siding colors. The garage door, the door, the windows, and the second page is the roofing.

MEMBER DI SALVO: I looks like a charcoal.

MEMBER RYAN: Are you changing the color?

MR. MYAGKOV: There's a name for it. Pewter grey is the color.

MEMBER WELCH: Pure?

MR. MYAGKOV: Pewter.

MEMBER RYAN: Maybe a reddish-brown would be better.

MEMBER DI SALVO: To match the house.

MEMBER RYAN: Closer to the house color.

MR. MYAGKOV: Okay. Sure.

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MEMBER RYAN: You could probably put some trim around the windows to match that brownish tutor trim so it's cohesive with the home.

MR. MYAGKOV: Let me see. Okay, yeah, I see. Okay. Sure.

So, I'm not sure if I should take responsibility or wait for the owner to confirm this.

CHAIRPERSON HERSHBERG: What is an option for us this evening, if the Board votes to approve -- this looks like a fairly simple application where I wouldn't expect any complications -- we can condition these changes on the application.

MR. MYAGKOV: Okay.

MEMBER RYAN: If the owner is amenable.

CHAIRPERSON HERSHBERG: Another option would be to adjourn it. Then you have to come back to the next public hearing. I don't know what your time table is like. I'm not sure which is really simpler. Maybe if the Board was inclined to approve with

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conditions, if you didn't like it you could come back.

Lisa, would there be additional fees in the event he should have to come back to appear again?

THE CLERK: No.

CHAIRPERSON HERSHBERG: We'll leave it up to you.

MEMBER DI SALVO: Can you get the owner on the phone?

MR. MYAGKOV: Yeah, I could call him. He's driving from Manhattan right now; I know that. Want me to do that now?

CHAIRPERSON HERSHBERG: You can do that now.

MEMBER RYAN: We have nobody waiting. We can wait.

MR. MYAGKOV: Thank you.

CHAIRPERSON HERSHBERG: Come back within five minutes, sir. Thank you.

MR. MYAGKOV: Sure.

(WHEREUPON, there was a pause in the proceedings, after which the following transpired:)

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MR. MYAGKOV: I wasn't able to reach the owner, but I think we'll take conditional approval and figure it out. I think the owner would be okay with this change.

CHAIRPERSON HERSHBERG: Sounds good. Are there any other questions or comments?

MEMBER TAYLOR: No further questions or comments.

CHAIRPERSON HERSHBERG: 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.

THE CLERK: All in favor.

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, sir.

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MR. MYAGKOV: Thank you very much.  
Have a good night.

CHAIRPERSON HERSHBERG: Please recall  
SP-3786.

THE CLERK: Site Plan Number 3786, 73  
Smith Street, Section 62, Block 76, Lot 27.

MR. REVIERO: My rep said she was  
going to be here at 7:00. I could speak.

MEMBER WELCH: Do you want to speak?

MEMBER TAYLOR: She may come while  
he's speaking.

THE CLERK: Section 62, Block 76, Lot  
27, Residence 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  
square foot addition on west side and repair  
fire damage.

A N D R E R E V I E R 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.

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MR. REVIERO: Andre Reviero. 73  
Smith Street, Freeport 11520.

MEMBER DI SALVO: Good evening. How  
are you?

MR. REVIERO: Doing well.

CHAIRPERSON HERSHBERG: Good evening.

MR. REVIERO: Okay. So, I know my  
rep was here back in November and there was  
an issue with the color of the garage  
matching the house. We did say that we were  
going to comply with matching the colors of  
the garage to the house. And that was the  
only thing that I think was an issue, unless  
there was something else that we were  
missing. We did say that we were going -- we  
did have an architect match that with color  
renderings, which was submitted to you guys.  
So, basically, it was just complying with  
that.

MEMBER RYAN: I didn't know if you  
were -- we talked about power washing or  
bringing the siding I guess -- you were going  
to re-side the garage, you said?

MR. REVIERO: Yeah. We were going to

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match the color of the garage.

MEMBER RYAN: To the house?

MR. REVIERO: To the house because, apparently, that was an issue, because the color of the garage is blue and the house is white.

MEMBER RYAN: You're going to do it all in white?

MR. REVIERO: Yeah. The cost of re-doing the house is \$40,000 and we just don't have that.

MEMBER RYAN: Okay. You're going to match the trim and --

MR. REVIERO: Yeah, we'll match it 100 percent to whatever it needs to be.

CHAIRPERSON HERSHBERG: I was not present, although you were in good hands, on the November 26th meeting. So, I just want to make sure that I am up-to-speed with everything that has happened. You came before the Board to maintain the detached garage, deck, cellar entrance, roofing overhand and one-story addition.

At that meeting, what I'm hearing now

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is, there were some questions with respect to the matching of colors with the garage. So you're appearing on that item only today. Am I correct in my understanding?

MR. REVIERO: Correct. This is my rep. She has information.

CHAIRPERSON HERSHBERG: We need to swear you in, if you're going to speak.

D I A N A L A S P I S A,  
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. LASPISA: Diana Laspisa. That's Morano Expediting Services. P.O. Box 39, Bethpage 11714.

I do apologize. There was a little traffic getting here that rerouted me. That is correct, we were before the Board last, I believe, November 26th. The main comments were regarding the house being white with green trim and the garage remaining the blue. So, Andre has spoken with his contractor,

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they went over everything in detail, and they will be replacing the garage to match the house, so now it will be white.

MEMBER RYAN: With the green trim.

MS. LASPISA: Correct, which was original. The white with the green trim is original. It's, obviously, a little bit cheaper to go that route as opposed to reverse, the blue. But I believe that was really the only comment from the Board and the main concern.

MEMBER RYAN: That's what I have as well. Okay. If there's nothing else.

CHAIRPERSON HERSHBERG: Any other questions or comments?

(No response was heard.)

CHAIRPERSON HERSHBERG: Motion from the Board please.

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 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.)

MEMBER RYAN: Thank you.

CHAIRPERSON HERSHBERG: Good luck.

MEMBER WELCH: Make a motion to go  
into executive session to discuss matters  
with counsel.

MEMBER TAYLOR: Second.

THE CLERK: All in favor.

MEMBER TAYLOR: Aye.

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 7:05 p.m. to  
7:10 p.m., after which the following  
transpired:)

1  
2 THE CLERK: Site Plan Number 3800, 14  
3 Forest Avenue.

4 MEMBER DI SALVO: Chairman, regarding  
5 Application SP-3800 for the premises located  
6 at 14 Forest Avenue, the applicant comes  
7 before this Board seeking approval to  
8 construct a 10 by 17 rear first floor  
9 addition.

10 I, AnnMarie di Salvo, move that this  
11 board make the following findings of fact:

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

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

20 This application, as submitted, will  
21 not negatively alter the neighborhood, if the  
22 conditions below are met.

23 The site plan, survey print and  
24 artist rendering, dated 1/13/25, has been  
25 submitted by the applicant, reviewed and by

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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 the 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

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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 recommendations of the Building  
Department Superintendent's negative SEQRA  
declaration and has determined that this  
action is a Type II action under SEQRA.

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

Second?

MEMBER RYAN: Second.

THE CLERK: All in favor.

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 3786, 73  
Smith Street.

MEMBER WELCH: Chairman, regarding  
Application SP-3786 for the premises located  
at 73 Smith Street, the applicant comes  
before this Board seeking approval to  
maintain garage 550 square feet, deck 388  
square feet, cellar entrance and framed  
overhangs on the east side of the property  
and proposed 105 square foot addition on the  
west side and repair fire damage.

I, Deborah Welch, 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 applicant, as amended, will  
produce an aesthetically and conforming  
positive addition to the surrounding area, if  
the conditions below are met.

This application, as amended, will  
not negatively alter the appearance of the

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neighborhood, if the conditions below are met.

The site plan, dated 10/23/24, 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 Village Clerk's Office as a prerequisite for

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issuance of any permit.

Applicant/Owner is to provide two sets of stamp 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 this approved plan are subject to further review by the Planning Board.

This approval is subject to any and all conditions imposed by the Zoning Board of Appeals, if any, in its decision dated 8/15/24.

The Zoning Board of Appeals, as lead agency, has determined this to be a Type II action under SEQRA and the Planning Board has no further review.

Applicant/Owner must obtain the appropriate permits from the Building Department.

Other conditions:

Garage to be white with green trim to

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match existing house.

MEMBER RYAN: Second.

THE CLERK: All in favor.

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 3798,  
172 Independence Avenue.

MEMBER RYAN: Chairman, regarding  
Application SP-3798 for the premises located  
at 172 Independence Avenue, the applicant  
comes before this Board seeking approval to  
construct a 400 square foot detached two-car  
garage.

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

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positive addition to the surrounding area, if 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, dated 1/6/25, 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

1  
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 permits.

7 Applicant/Owner is to provide two  
8 sets of stamped original final plans  
9 incorporating all conditions and  
10 modifications for the Building Department,  
11 along with a signed Affidavit of Compliance  
12 to the Village Clerk's Office before issuance  
13 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 is to obtain the  
23 appropriate permits from the Building  
24 Department prior to any construction.

25 Other conditions:

1  
2 The roof color on the garage should  
3 be a brown color to match the house. The  
4 trim around the garage windows and doors  
5 should be a brown color to match the house.

6 MEMBER DI SALVO: Second.

7 THE CLERK: All in favor.

8 MEMBER TAYLOR: Aye.

9 MEMBER WELCH: Aye.

10 MEMBER DI SALVO: Aye.

11 MEMBER RYAN: Aye.

12 CHAIRPERSON HERSHBERG: Aye.

13 THE CLERK: Any opposed?

14 (No response was heard.)

15 CHAIRPERSON HERSHBERG: Can we have a  
16 motion to approve the minutes of 1/14/25.

17 MEMBER DI SALVO: Make a motion to  
18 approve the minutes of January 14, 2025.

19 MEMBER WELCH: Second.

20 THE CLERK: All in favor.

21 MEMBER TAYLOR: Aye.

22 MEMBER WELCH: Aye.

23 MEMBER DI SALVO: Aye.

24 MEMBER RYAN: Aye.

25 CHAIRPERSON HERSHBERG: Aye.

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THE CLERK: Any opposed?

(No response was heard.)

CHAIRPERSON HERSHBERG: Motion to extend the meeting until next week. No? Is there any other motion on the floor?

MEMBER RYAN: No, not that one.

MEMBER DI SALVO: Make a motion to close the meeting.

MEMBER RYAN: Second.

THE CLERK: All in favor.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(Time Ended: 7:20 p.m.)

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January 28, 2025

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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 February, 2025.

*BethAnne Mennonna*

BETHANNE MENNONNA