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INCORPORATED VILLAGE OF FREEPORT
PLANNING BOARD

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

May 27, 2025
8:02 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 |

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-----EXHIBITS-----

<u>BOARD'S FOR I.D.</u>	<u>PAGE</u>
1 Affidavit of Posting	4
2 Affidavit of Publication	4
3 Affidavit of Mailing (3822)	5
3 Affidavit of Mailing (3824)	23

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May 27, 2025

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

APPLICATION#	ADDRESS	PAGE
SP-3822	360 Atlantic Avenue	5-22
SP-3824	67 S. Main Street	22-26

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CHAIRPERSON HERSHBERG: Please stand,
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 to be placed on 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 requests for adjournment?

THE CLERK: No requests for
adjournment.

CHAIRPERSON HERSHBERG: Thank you.
Please call the first application.

THE CLERK: Site Plan Number 3822,
360 Atlantic Avenue, Section 65, Block 36,
Lot 153-155, Business A. Sachin Shah. New
facade on existing new building.

We have an Affidavit of Mailing to be

1 placed on the record for this application.

2 (WHEREUPON, the above-referred to
3 document was marked as a Board's Exhibit, in
4 evidence, as of this date.)

5 F R E D T O W L E,
6 having been first duly sworn by a Notary
7 Public of the State of New York, was
8 examined and testified as follows:
9

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

12 MR. TOWLE: Fred Towle, T-O-W-L-E.
13 My company is called M as in Mary, T as in
14 Tom, ACM. I'm here representing the
15 applicant, Mr. Shah tonight, along with Ralph
16 Michele.

17 COURT REPORTER: Address.

18 MR. TOWLE: 27 Park Circle, Shirley,
19 S-H-I-R-L-E-Y, New York 11767.

20 Good evening, Mr. Chairman, members
21 of the Board. I appreciate the opportunity
22 to come back, since we last spoke to you at
23 the work session. Ralph has handed out a
24 revised plan based on some of the suggestions
25 and comments that you made. There were three

1 things that we discussed at the work session.
2 I'll start with the easy one first, the
3 plantings. Obviously, anything that's died
4 or needs to be dealt with, we're dealing with
5 now, and we're also looking at doing
6 additional planting in the rear.
7

8 CHAIRPERSON HERSHBERG: Sir, I'm
9 going to -- for the benefit of the public,
10 anybody that might be viewing this at a later
11 date, because we're recording it, we have had
12 a preliminary hearing and the Board
13 understands many details of this project. We
14 had a discussion with respect to some ideas,
15 some design ideas. For the benefit of the
16 public, could you just start from scratch
17 with a few comments about the project, what
18 it is.

19 MR. TOWLE: Sure. So, the site is an
20 existing building on Atlantic Avenue which
21 was approved by the Village originally for an
22 Arby's. Unfortunately, that deal and the
23 property owner at the time, that fell apart,
24 and the property was sold to my client,
25 Mr. Shah. Mr. Shah doesn't do Arby's, he

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does Popeye's or Taco Bell. There is already a Taco Bell in the Village area, so our hope was to open up Popeye's at this location.

When we secured the property, there was a lot of maintenance and things that had to be done. The permits expired and there were different issues that we had to coordinate with the Village in order to get us to this evening to be able to present a viable plan. As I had mentioned, we had appeared at the work session and presented the draft plan, the site plan, and some renderings, and your Board had made some comments and suggestions.

The building, as I said, is completely built. There is no equipment or flooring inside. It does have some electric and plumbing. The exterior of the building is just a shell. So, mainly our request is to, obviously, produce this shell for the Popeye's and then open up the layout for the Building Department for review.

CHAIRPERSON HERSHBERG: Thank you.

MR. TOWLE: As I said, the comments

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2 that we had from you were landscaping on the
3 property. The property is completely laid
4 out, ready, the parking is laid out, the
5 dumpster is laid out, the shrubbery is put
6 in, lighting is put in; none of those things
7 will be changed with this. The only thing
8 that we're addressing is the exterior and
9 signage of the building from an Arby's and
10 their colors and designed to a Popeye's. The
11 landscaping, as I said, is dealt with.

12 We discussed with the franchise
13 company and also with the franchise owner
14 about the possibility of doing expansion of
15 the drive-thru lane. That doesn't appear to
16 be possible, but there is a good waiting lane
17 now, thanks to the fact that the waiting lane
18 is laid out and built into the parking area,
19 which is quite large, and the bulk of the use
20 of that store or any of those type of stores
21 are the drive-thru. So, we believe we have
22 enough staking there now. We just don't see
23 how it's possible to add another lane back
24 there. We're concerned with creating more
25 confusion in the back of the store that's

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very limited in space to start with.

The last issue is the colors. I'm pleased to say that we were able to honor all of your requests or suggestions with the exception of two. The corporate color of Popeye's, that orange, that you talked about is their trademark color and they wanted one awning above the drive-thru to be orange. Everything else has been changed to a neutral color, similar to what we had on the building already to match everything as far as the consistency is concerned. So, the only two places that you would see orange would be the sign, the Love the Chicken sign will be white. All the orange will be removed from the exterior of the building, as I said, with the exception of the sign on the one canopy.

So, we hope that this modification meets with the Board's pleasure. I'm happy to answer any questions or concerns that you may have.

MEMBER RYAN: I know you told me -- I think I asked this at the preliminary -- that you used the traffic study from the original.

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Can you tell me what year that was?

MR. TOWLE: I wouldn't want to give you a year without having the traffic study with me. I don't have that with me tonight. It was obviously during that application process. So, somewhere in the two or three year period.

MEMBER RYAN: Before COVID or after?

MR. TOWLE: I believe before COVID.

But again --

MEMBER RYAN: Did the Zoning Board accept the old one?

MR. TOWLE: Well, the Village, as a whole, entirety approved the building to be built, and the building is being built or has been built. There's nothing to build. The only change that we're requesting of the Board -- obviously, the use is the same, it's fast food -- is the exterior change. I'm not sure how the exterior would affect the traffic flow.

MEMBER DI SALVO: Was the fire department at the --

MR. TOWLE: Yes. As the building

1
2 lies today, it will stay. There is no square
3 footage change, no construction change, no
4 service change. The only change we're here
5 for tonight is primarily aesthetics. The
6 exterior appearance of the building.

7 MEMBER RYAN: It looks much better.

8 MR. TOWLE: Thank you. I'm glad you
9 like it. As I said, they are just adamant
10 about that signage item for the product.
11 Otherwise, they were very cooperative in
12 changing everything else. I think the tone
13 is much more neutral.

14 MEMBER DI SALVO: It feels softer.

15 MR. TOWLE: I agree. I'm glad that
16 you noticed that we put a little thought in
17 this from the last meeting to now and worked
18 with them to try to come up with a plan that
19 was acceptable to you as a group.

20 MEMBER RYAN: It looks good.

21 MR. TOWLE: Any other questions?

22 MEMBER DI SALVO: I just want to
23 check the sign size. They were the same size
24 approved for the site originally or less?

25 MR. TOWLE: Nothing exceeds what was

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approved.

MEMBER DI SALVO: This drive-thru.
Where is that on the plans, whatever it is?
I'm not seeing that.

MR. TOWLE: I'm sorry, your question
one more time.

MEMBER DI SALVO: The location of the
floor signs.

CHAIRPERSON HERSHBERG: Over what
sign?

MEMBER DI SALVO: The floor signs.

MEMBER RYAN: The floor signs.

MEMBER DI SALVO: Are there --

MEMBER DAWSON: Here and here.

MEMBER DI SALVO: Are there two: One
to the left and one to the right of the
double drive-thru.

R A L P H M I C H E L E,
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. MICHELE: Ralph Michele. 255

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West Main Street, Smithtown, New York.

There are two signs: One at the entrance, one at the exit. So, the image on the bottom shows both sides of each sign.

MEMBER DI SALVO: Right.

MR. MICHELE: You'll see going into the drive-thru, into the restaurant itself, there's a note that says, "Directional sign, drive-thru, color tangerine." And there's one in the exit going out that says do not enter, no left turn.

MEMBER DI SALVO: That is the smaller sign.

MR. MICHELE: Those are both the same size. They're both rectangle signs.

MEMBER DI SALVO: They're both orange?

MR. MICHELE: Correct.

MEMBER DI SALVO: No left turn is orange facing that side, facing the parking lot side?

MR. MICHELE: When you driving out of getting your food, it tells you where you're not going on the street. Tells you don't

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come in there. On the other side is tells you welcome, and that's where the drive-thru is.

CHAIRPERSON HERSHBERG: What is the size of that sign?

MR. MICHELE: They're standard size. Three foot by two feet and six inches thick.

MEMBER DI SALVO: The one that is placed when you're leaving the drive-thru, on one side it says "Thanks you all"?

MR. MICHELE: Yes.

MEMBER DI SALVO: But not no left turn?

MR. MICHELE: We had to modify that so it reads what you see in the writing.

MEMBER DI SALVO: It's a rendering here. The elevation is not matching.

MR. MICHELE: That's the standard sign. From what I remember in this case, you can't make a left turn. That basically tells you. And it's tilted in two different directions. One is facing perpendicular and one is parallel. So, you wouldn't be able to read it on the way out.

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MEMBER DI SALVO: Back to the other side, right where the lines are for the handicap. There's a small non-illuminated stop sign set back four foot minimum from the property line. That is for people approaching that exit?

MR. MICHELE: Right. That way you can -- basically you're being told to stop before you get into the walkway. If you put it outside, where the sign is, you're stopping people walking past where you should be stopped already. It's also not the street, so it doesn't follow the same legal location for a stop sign.

MEMBER DI SALVO: Do you have any photometrics? Have you submitted them in the main set of plans showing the lights on the poles illuminating the parking lot or are they singular directional? Is there a detailed plan?

MR. TOWLE: There is no light plan, because the lights are already installed. They were approved by the Village originally. Obviously, those plans were originally

1
2 approved for the Arby's. We're leaving the
3 lights to be exactly where they are on the
4 site yesterday, today, tomorrow. There is no
5 change to the lights whatsoever.

6 As I said, the only thing that we're
7 focused on changing was the approved exterior
8 of the building, which was Arby's. Now we're
9 proposing a Popeye's. Same square footage,
10 same building, same everything.

11 MEMBER RYAN: Did you beef up the
12 plan for the landscaping?

13 MR. TOWLE: Yes. As I said earlier
14 in my presentation, we'll replace anything
15 that is dead, and we're going to attempt to
16 put additional landscaping in the back of the
17 building, which was an area of concern
18 regarding the abutting residences.

19 MEMBER RYAN: I think we made that
20 point when it was Arby's. So, I'm not really
21 thinking that will affect the neighbors to
22 the rear.

23 MR. TOWLE: Not that I'm looking to
24 discard your concern, but I think the bulk of
25 that had been addressed.

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MEMBER DI SALVO: I wasn't on the Board then.

MR. TOWLE: Nor was I. That was approved, I believe, reading through the minutes of the plan.

MEMBER RYAN: I'm pretty sure you're talking about the direction of lights, because of people living in close proximity.

MEMBER DI SALVO: There are no conditions on approval. Tell me the material of the trash enclosure. I understand there's block around the side. Is that something you can see, is it a chain link? Do you know what that is.

MR. TOWLE: It's already assembled.

MEMBER DI SALVO: It's assembled?

MR. TOWLE: It's already been there.

MEMBER DI SALVO: Are there gates there?

MR. TOWLE: Gates are there. I think I had the container removed, when I first started because, obviously, people were going on the property. I've had the property secured with a fence, so that would stop. We

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obviously have the property maintained, but that structure is already in place.

As I said, every aspect of the plan, to the best of my knowledge, has been installed in the site with the exception of the exterior of the building and the exterior for material signage.

MEMBER DI SALVO: I'm a little bit --

MR. TOWLE: Me too. I came to a building to get approved that already exists. What? Run that by me one more time. I have to say, this was a first. I don't normally get a building already ready to go.

MEMBER DI SALVO: Are there any other questions?

MEMBER WELCH: I do have a question about the no left turn. Whose sign is that? Really, who's dictating that? Is that Arby's or is that Popeye's?

MR. TOWLE: The Village dictated to the last approval no left hand turn sign be placed. There were following your instruction at the Village. We're putting the same sign there.

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MEMBER WELCH: The reason why I'm asking is because I know that there is -- not that it has too much to do with you -- on Grand Avenue, once people realize that it's not the Village or a municipality that put it up, it was the restaurant, people felt they could turn all the time.

MEMBER DI SALVO: They're going to make it anyway.

MR. TOWLE: My understanding is that was part of the original approval. That was one of the conditions that no left hand turn sign had to be put up. They agreed to that. We're, obviously, continuing with that. If the Board decides they don't want that sign, we can remove it or leave it. That's your call, as a Board.

MEMBER RYAN: Same thing over in Taco Bell. I don't think people do make it, go across two lanes of traffic on Merrick Road.

MR. TOWLE: I think from a reference point of view, it's probably a safety issue. I don't see any down side of discouraging people from making that left turn. If eight

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out of ten people don't make it because of the sign, great. If we have can additional enforcement from the Village, we can obviously take it. People are not compliant with the sign, obviously.

MEMBER DI SALVO: Just confirming, those signs were not illuminated from within?

MR TOWLE: No.

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

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.)

(WHEREUPON, the Board entered into executive session from 8:28 p.m. to 8:40 p.m., after which the following

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transpired:)

CHAIRPERSON HERSHBERG: Please join us again. I'm not certain if there was any other testimony that you wanted to give us. I did want to express to you thank you for your open discussion with the Board, with respect to the facade of the building and the adjustments with the colors from the original design. I think what you have done will be much more fitting to the community.

Were there any other comments that you wanted to make?

MR. TOWLE: No, we're done on our end, unless there were any other questions or issues.

CHAIRPERSON HERSHBERG: Any other questions or comments from the Board?

MEMBER TAYLOR: No.

CHAIRPERSON HERSHBERG: I'll entertain -- excuse me. Before that. Are there any comments from the public?

(No response was heard.)

CHAIRPERSON HERSHBERG: There are no comment from the public, motion from the

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Board.

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 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 3824, 67 South Main Street, Section 55, Block 205, Lot 19, Business B. 67 South Jara, LLC. Maintain 55 square foot front addition on first floor.

We have one Affidavit of Mailing to be placed on the record as a Board's exhibit.

(WHEREUPON, the above-referred to

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document was marked as a Board's Exhibit, in evidence, as of this date.)

CHAIRPERSON HERSHBERG: Good evening.

MR. CURCIO: Good evening Chairman, members of the Board. My name is Anthony Curcio of Curcio Law, PLLC. 40 Marcus Drive, Suite 100, Meville, New York 11747, representing the applicant, 67 South Jara, LLC.

We requesting approval of 55 square foot front addition to first floor premises located at 67 South Main Street, Section 55, Block 205, Lot 19, Business B zone. The proposed work is de minimus in nature, but overall makes a huge impact on the look and feel of the building. The proposed work essentially will meet the footprint of the first floor identical to the cellar plan and second floor as well. It will also make an impact because it will prevent homeless people from sleeping in front of the building and doing drugs, which has been the current shape of the building and sort of activity to be shielded from the elements and the public.

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The front will be finished with thin brick sheets from Brick Web in a color called Castle Gate, which is a distinct blend of reds, grays and blacks with a weathered look. Same as the first application that was provide, similar to the other buildings in the area. This weathered brick look will be similar to the other storefronts throughout South Main Street, keeping the architecture and color and character of the neighborhood.

The first floor will also contain double glass doors, similar to retail, and separate glass door entrances to the residential space above.

That's all I have. I'll take any questions from the Board.

MEMBER DI SALVO: Do I understand from the record this is to maintain, not proposed?

MR. CURCIO: Right. Did I say proposed? I'm sorry.

MEMBER DI SALVO: It looks great.

MR. CURCIO: I wish I could take credit for it.

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MEMBER DI SALVO: Any questions from the Board.

MEMBER RYAN: You're just matching what's there, right?

MR. CURCIO: Basically.

CHAIRPERSON HERSHBERG: In your professional capacity, in speaking to an architect or somebody else, to have a project, particular a commercial property completed prior to review of the Planning Board. Frankly, with this Board, it's pretty rare and kind of a -- with some risk. So, we appreciate you guiding clients in the future to not having done the situation where it didn't have to come to approval.

MR. CURCIO: I appreciate that. It's been a long road between the variance hearing and everything else. So, she's very happy.

MEMBER DI SALVO: Thank you.

CHAIRPERSON HERSHBERG: Are there any other questions/comments from the Board?

Are there any questions or comments from the public?

(No response was heard.)

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CHAIRPERSON HERSHBERG: Hearing none, motion from the Board.

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 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.)

MEMBER RYAN: Thank you so much.

CHAIRPERSON HERSHBERG: I'll seek a motion from the Board to go into executive session to discuss matters with counsel -- do we have any more items on the calendar?

THE CLERK: No.

CHAIRPERSON HERSHBERG: We're going to review the applications for possible decisions. Motion from the Board.

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MEMBER TAYLOR: Motion to go into executive.

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?

(WHEREUPON, the Board entered into executive session from 8:47 p.m. to 8:52 p.m., after which the following transpired:)

THE CLERK: Site Plan Number 3822, 360 Atlantic Avenue.

MEMBER WELCH: Chairman, regarding Application SP-3822 for the premises located at 360 Atlantic Avenue, the applicant comes before this Board seeking approval to have a new facade on existing new building.

I, Deborah Welch, move that this 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 4/15/25, 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 the 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.

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 permits.

The 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.

This approval is subject to any and all decisions imposed by the Zoning Board of Appeals, if any, in its decision dated

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2 9/27/2018. The Zoning Board of Appeals, as
3 lead agency, has determined that this is a
4 Type II action under SEQRA and the Planning
5 Board as no further review.

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

9 MEMBER RYAN: Second.

10 THE CLERK: All in favor.

11 MEMBER DAWSON: Aye.

12 MEMBER TAYLOR: Aye.

13 MEMBER WELCH: Aye.

14 MEMBER DI SALVO: Aye.

15 MEMBER RYAN: Aye.

16 CHAIRPERSON HERSHBERG: Aye.

17 THE CLERK: Any opposed?

18 (No response was heard.)

19 THE CLERK: Site Plan Number 3824, 67
20 South Main Street.

21 MEMBER TAYLOR: Chairman, regarding
22 Application SP-3824 for the premises located
23 at 67 South main Street, the applicant comes
24 before this Board seeking approval to
25 maintain a 55 square foot front addition on

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the first floor.

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

The site plan and/or artist rendering, dated 5/5/25, has been submitted by the applicant, reviewed and approved by the Planning Board. Said site plan and/or artist rendered 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

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the applicant's site and have fully considered all documents and testimony concerning this application.

I further move that the 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 permits.

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

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review by the Planning Board.

The Planning Board, as lead agency, accepts the recommendation 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.

MEMBER DI SALVO: 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 3820, 21 Van Buren Street.

MEMBER RYAN: Chairman, regarding application SP-3820 for the premises located at 21 Van Buren Street, the applicant comes

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before this Board seeking approval to construct a new 2,760 square foot three-story one-family dwelling with attached garage.

I, Carole Ryan, 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 conforming and 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 4/2/25, 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

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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 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

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review by the Planning Board.

The Planning Board, as lead agency, accepts the recommendation 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.

Other conditions:

The roofing will be pewter gray architectural shingles.

The siding is in Harbor Blue, three elevations, have Dutch Lap style, shake siding on the front elevation.

Ten inch square columns on front porch in white with 16 inch Azek Pyfon raised panel piers under the columns.

White lattice laid straight under the front porch.

The windows are six over one double hung in white.

The siding will be extended down over the scratch code approximately four feet, so

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the windows can be trimmed like all the others.

The front door will be wood stained fiberglass with sidelights in a Craftsman style.

The decking is a Trex gray color on all porches, decks and stairs.

Black asphalt driveway with gray paver border.

White raised panel garage door with no glass.

White steel entry doors.

White decorative lantern lighting in rear, and security lighting over the front garage door.

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?

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(No response was heard.)

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

MEMBER DAWSON: Chairman, regarding Application SP-3800 for the premises located at 14 Forest Avenue, the applicant comes before this Board seeking to construct a ten foot by 17 foot rear first floor addition.

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

The site plan, survey print and/or artist rendering, dated 4/14/25, has been

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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 must comply will all the Rule and Regulations of the Village of Freeport.

Applicant/Owner execute and 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

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sets of stamped original final plans incorporating all conditions and modifications to 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 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.

MEMBER WELCH: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

MEMBER TAYLOR: Aye.

MEMBER WELCH: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

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CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

CHAIRPERSON HERSHBERG: Can I get a motion from the Board for approval of the meeting dated April 22nd?

MEMBER WELCH: I'll make a motion to accept the minutes from April 22, 2025.

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?

(Time Ended: 9:04 p.m.)

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May 27, 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 31st day of May, 2025.

BethAnne Mennonna
BETHANNE MENNONNA