

A scheduled meeting of the Zoning Board of Appeals of the Incorporated Village of Freeport was held on December 18, 2025 in the Municipal Building, Main Conference Room, 46 North Ocean Avenue, Freeport, New York, at 6:30 P.M. with the following present:

Rosa Rhoden	Chairperson	Excused
Jennifer Carey	Deputy Chairperson	
Charles Hawkins	Member	Excused
Ben Jackson	Member	
Anthony Mineo	Member	
Luis Rodriguez	Alternate Member	
Gina Terzulli	Secretary of Zoning Board of Appeals	
Jennifer Ungar	Deputy Village Attorney	
Scott Braun	Building Department Representative	

At 6:31 P.M. the Board convened in the Main Conference Room and Deputy Chairperson Carey led in the Pledge of Allegiance.

Three (3) members of the public were present.

Motion was made by Member Jackson, seconded by Alternate Member Rodriguez and carried to approve the minutes from November 20, 2025.

The Clerk polled the Board as follows:

Deputy Chairperson Carey	In Favor
Member Hawkins	Excused
Member Jackson	In Favor
Member Mineo	In Favor
Alternate Rodriguez	In Favor
Chairperson Rhoden	Excused

The Secretary of Zoning Board of Appeals presented one (1) Affidavit of Publication and one (1) Affidavit of Posting which were marked into evidence as Board Exhibits.

One (1) Affidavit of Mailing was marked into evidence as a Board Exhibit for 122 Sportsmans Avenue.

There were no requests for adjournment.

Application #2025-14 – 122 Sportsmans Avenue, Residence A-Section 62/Block 088/Lot 6 – Joseph Owadeyah Code Compliance for Apportionment to create new buildable lots A 50' x 50' and B 50' x 50' *Variances: Village Ordinance §210-6A. Conformity Required §210-40 Lot area: street frontage; lot width*

William Chimeri, Esq. presented the application.

One (1) packet was presented by William Chimeri, Esq. and marked into evidence as Applicant’s Exhibits A,B,C,D,E,F,G,and H for this application.

Motion was made by Member Jackson, seconded by Alternate Member Rodriguez and carried to close the public hearing to further evidence and testimony and reserve decision for Application #2025-14- 122 Sportsmans Avenue.

The Clerk polled the Board as follows:

Deputy Chairperson Carey	In Favor
Member Hawkins	Excused
Member Jackson	In Favor
Member Mineo	In Favor
Alternate Rodriguez	In Favor
Chairperson Rhoden	Excused

Decisions:

Application #2025-12 – 48 Harris Avenue, Residence A-Section 55/ Block 254/ Lot 115 – John Esposito Proposed 442 SF first floor addition and 418 SF second floor addition. *Variances: Village Ordinance §210-6A Conformity Required, §210-21 Permissible Extensions of Use.*

Anthony Mineo moved that this Board make the following findings of fact:

A public hearing was held on November 20, 2025 wherein architect Christopher Gray made a presentation on behalf of applicant John Esposito. He explained that the house is a two-family house, which was granted a variance under ZBA case appeal number 392 of 1953 to be used as a two-family residence. Mr. Gray explained that the house has 1 bedroom on the first floor and two on the second floor. Mr. Esposito wants to add two bedrooms and one bathroom to each floor and expand the kitchen. The size of the additions would be permitted as of right in a one family house.

In this situation, because this property had previously been granted a variance for a two-family house, any such expansion of the house is to be viewed as an area variance as opposed to a use variance. New York courts have held that because a variance has already been granted, the two-family use is a conforming use, and any such expansion is subject to the area variance standard.

Based on the denial letter and Mr. Gray’s presentation, no area variances were needed for this extension.

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

I further move that the Board overrule the Building Department's finding that a use variance is required and that this application be granted subject to the following conditions:

1. Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.
2. Applicant must obtain the required permits from the Building Department.

Second by: Member Jackson

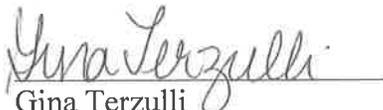
The Clerk polled the Board:

Deputy Chairperson Carey	In Favor
Member Hawkins	Excused
Member Jackson	In Favor
Member Mineo	In Favor
Alternate Rodriguez	In Favor
Chairperson Rhoden	Excused

At 7:00 P.M., motion was made by Member Jackson, seconded by Member Mineo and carried to close the meeting.

The Clerk polled the Board as follows:

Deputy Chairperson Carey	In Favor
Member Hawkins	Excused
Member Jackson	In Favor
Member Mineo	In Favor
Alternate Rodriguez	In Favor
Chairperson Rhoden	Excused


 Gina Terzulli
 Secretary of Zoning Board of Appeals