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ZONING BOARD OF APPEALS 1-15-2026

CHAIRPERSON RHODEN: Good evening everyone. If everyone can please join me for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was said.)

CHAIRPERSON RHODEN: Can I please have a Motion for the approval of the last Board meeting minutes?

MEMBER JACKSON: So moved.

MEMBER HAWKINS: Second.

THE CLERK: All in favor?

CHAIRPERSON RHODEN: Aye.

MEMBER HAWKINS: Aye.

MEMBER JACKSON: Aye.

MEMBER RODRIGUEZ: Aye.

THE CLERK: Any oppose?

(Whereupon, there was no verbal response given from the Board Members.)

CHAIRPERSON RHODEN: Do we have any Affidavit of Publications and Affidavit of Postings that need to be entered into the record this evening?

THE CLERK: I have one Affidavit

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ZONING BOARD OF APPEALS 1-15-2026

of Publication and one Affidavit of Posting to be entered into the record as Board exhibits for this public hearing.

(Affidavit of Publication was marked as Board Exhibit 1, for identification, as of this date.)

(Affidavit of Posting was marked as Board Exhibit 2, for identification, as of this date.)

CHAIRPERSON RHODEN: Any requests for adjournments this evening?

THE CLERK: Madam Chair, I have one adjournment this evening pending Nassau County Planning Commission recommendation for Application 2025-16, 186 Atlantic Avenue, Residence AA, Business B - Section 62, Block 113, Lot 216 - Eric Weinstein.

Proposed 1,631 story addition, Variances Village Ordinances, Section 210-6A. Conformity required, Section 210-3 Parking Space, Section 210-86A Required yards, Section 210-87 Plots

1 ZONING BOARD OF APPEALS 1-15-2026
2 abutting more restricted districts,
3 Section 210-172A(12) Required Parking
4 Spaces, and Section 210-180(C) Plots
5 abutting residential districts.

6 THE CLERK: Madam Chair, the
7 county requests additional information
8 which was forwarded to them but we
9 still have to wait for a determination
10 from the County Planning Commission.

11 CHAIRPERSON RHODEN: Can I have a
12 Motion, please, to adjourn?

13 MEMBER JACKSON: So moved.

14 MEMBER RODRIGUEZ: Second that.

15 THE CLERK: All in favor?

16 CHAIRPERSON RHODEN: Aye.

17 MEMBER HAWKINS: Aye.

18 MEMBER JACKSON: Aye.

19 MEMBER RODRIGUEZ: Aye.

20 THE CLERK: Any oppose?

21 (Whereupon, there was no verbal
22 response given from the Board
23 Members.)

24 CHAIRPERSON RHODEN: Can we call
25 the first application on tonight's

1 ZONING BOARD OF APPEALS 1-15-2026

2 calendar?

3 THE CLERK: I have one Affidavit
4 of Mailing to be entered into the
5 record as a Board exhibit for
6 Application 2025-17, 186 North
7 Columbus Avenue, Residence A, Section
8 55, Block 244, Lot 1 - Elsa Lucero
9 Castelan.

10 Maintain 12 foot by 15 foot shed
11 Variances: Village Ordinance Section
12 210-6A, conformity required, Section
13 210-43C(2) required yards.

14 (Affidavit of Mailing was marked
15 Board Exhibit 1 for identification, as
16 of this date.)

17 CHAIRPERSON RHODEN: Do we have
18 anyone here for this application this
19 evening?

20 (Whereupon, there was no verbal
21 response from the audience.)

22 CHAIRPERSON RHODEN: 186 North
23 Columbus Avenue?

24 (Whereupon, there was no verbal
25 response from the audience.)

1 ZONING BOARD OF APPEALS 1-15-2026

2 MR. MCLAUGHLIN: Madam Chair, if
3 we can second call this because no one
4 seems to be answering for the
5 property.

6 CHAIRPERSON RHODEN: Can we call
7 the next application on tonight's
8 calendar, please?

9 THE CLERK: Application 2025-13 -
10 120 Sportsman Avenue, Residence A -
11 Section 62, Block 088, Lot 1 - Ocean
12 Builders Corp.

13 Erection of 2,434 square feet
14 three-story, one family dwelling.
15 Variances Village Ordinances - Section
16 210-6A conformity required, Section
17 210-40, lot area street frontage, lot
18 width, Section 210-41 Lot coverage,
19 floor area ratio, Section 210-43A
20 required yards.

21 I have two Affidavits of Mailing
22 to be entered into the record as Board
23 exhibits for this application.

24 (Affidavit of Mailing was marked
25 Exhibit 1 for identification, as of

1 ZONING BOARD OF APPEALS 1-15-2026

2 this date.)

3 (Affidavit of Mailing was marked
4 Exhibit 2 for identification, as of
5 this date.)

6 MR. SAGLIOCCA: My name is
7 Mark Sagliocca, office is at 169
8 Orinoco Wood Drive, in Brightwaters.

9 MR. MCLAUGHLIN: Before you move
10 on, we have to wait for the
11 stenographer to swear you in.

12 (WHEREUPON, the Witness, M-A-R-K
13 S-A-G-L-I-O-C-C-A was sworn in by the
14 Court Reporter.)

15 MR. SAGLIOCCA: Mark Sagliocca,
16 169 Orinoco Drive, Brightwaters, New
17 York.

18 Hi. Good evening, Board members.

19 We are seeking to build a new
20 single-family home at 120 Sportsman
21 Avenue in Residence A.

22 I am the president of Ocean
23 Builders. I've been developing and
24 building homes for 45 years, and we're
25 seeking the variances that were just

1 ZONING BOARD OF APPEALS 1-15-2026
2 mentioned in order to do so. And we
3 hope that the Board sees it favorable
4 for us to approve us so that we can
5 move forward.

6 I have a packet here, if you'd
7 like me to distribute it (indicating).

8 MR. MCLAUGHLIN: You have to
9 describe why you should have --

10 MR. SAGLIOCCA: Well, the reason
11 why we would like to move forward with
12 the variances is based in the area and
13 other homes that we've been able to
14 look at, not only on Sportsman, but
15 some of the surrounding lot, we've
16 seen that -- it seems like we're
17 conforming with those other homes
18 where they have variances or not. So
19 I don't think we'll be in -- I don't
20 think it's an egregious ask. I just
21 think we're kinda, you know, putting
22 a, you know, the wheel and the axel
23 together to create another home.

24 So there's a number of variances.
25 One is a side yard, one is the FAR,

1 ZONING BOARD OF APPEALS 1-15-2026
2 one is the front yard. The height, we
3 meet the height requirement. It's a
4 single-family home. That's it.

5 MEMBER JACKSON: What's the lot
6 size?

7 MR. SAGLIOCCA: The lot size is
8 currently 3,750 square feet, and 5,000
9 is required. Right now the FAR is 30
10 percent. That's the code. We're
11 asking for 38.48.

12 We have a front yard setback,
13 we're providing 8.3. Front yard
14 setback required, I believe, is 20 and
15 the overall total side yards we have
16 28, required as 18. The required
17 height is 35. I believe we're 31 or
18 32. I'm not totally sure about the
19 frontage. I know we have 75 feet. I
20 I'm not totally sure of what's
21 required. The front width of the
22 lot --

23 MEMBER JACKSON: And it's single
24 and separate, this lot?

25 MR. SAGLIOCCA: Yes.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER RODRIGUEZ: Do you have a
3 survey to the property?

4 MR. SAGLIOCCA: I do have a
5 survey. My partner has it. Let me
6 grab it.

7 MR. MCLAUGHLIN: Before you give
8 it up to the Board, you just have to
9 give it to the stenographer to mark
10 into evidence.

11 MR. SAGLIOCCA: I also have a
12 packet for the Board members, if you'd
13 like to look at it.

14 (A packet was marked Applicant's
15 Exhibit A for identification, as of
16 this date.)

17 (Document was marked Applicant's
18 Exhibit B for identification, as of
19 this date.)

20 MR. SAGLIOCCA: Mr. Rodriguez
21 asked for a survey. I gave him the
22 actual survey of the property, but I
23 also have a plot plan survey.

24 Would you like this as an exhibit
25 well?

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER RODRIGUEZ: Yes.

3 (Plot Plan Survey was marked
4 Applicant's Exhibit C for
5 identification, as of this date.)

6 MEMBER JACKSON: So the building
7 is comparable in lot size and in lot
8 coverage as the surrounding area; is
9 that correct?

10 MR. SAGLIOCCA: I'm sorry, I'm a
11 little hard of hearing.

12 MEMBER JACKSON: No problem.

13 So you testified earlier that the
14 lot size and lot coverage is very
15 similar to the surrounding homes; is
16 that correct?

17 MR. SAGLIOCCA: Yes.

18 In the packet, there's one page
19 that kind of gives an aerial view of
20 some of the homes in the area. And if
21 you look at that, most of them I would
22 say are equal or even more -- the
23 percentage is much higher.

24 So we're asking for, I guess
25 8.48. I would say, you know, my

1 ZONING BOARD OF APPEALS 1-15-2026

2 personal opinion is some of them are
3 10, 12, 15 percent higher.

4 MEMBER JACKSON: Right.

5 MR. SAGLIOCCA: We did style the
6 house, you know, to meet what we think
7 is, you know, has an aesthetic value
8 of the neighborhood. And that's why I
9 wanted to put the picture with it.
10 And we meet the code for the AD -- you
11 know, FEMA code so that's why it's
12 raised up, you know, five or six feet.

13 MEMBER JACKSON: Is there parking
14 for two cars in that driveway?

15 MR. SAGLIOCCA: Well, the side
16 yard is quite big so if you did a
17 single front and back, yes. If you
18 did a double, you can actually park at
19 least two, maybe three or four, but I
20 think our plan is just to do a single.

21 MEMBER JACKSON: I know parking
22 is an issue so at least two spots
23 would be --

24 MR. SAGLIOCCA: Right.

25 MEMBER JACKSON: At least two

1 ZONING BOARD OF APPEALS 1-15-2026

2 would be --

3 MR. SAGLIOCCA: Yes.

4 MEMBER RODRIGUEZ: For the most
5 part, most of the presentations when
6 they come and present them, they bring
7 an average, you know, of all the
8 properties that are in the area and
9 they utilize them, not with just a
10 picture to depict it but more or less
11 the exact, you know, setbacks from the
12 properties.

13 Was that a thought in putting it
14 together, possibly putting together
15 like a radius map and submit that to
16 just further help --

17 MR. SAGLIOCCA: Not just my
18 personal opinion?

19 MEMBER RODRIGUEZ: Yeah.

20 MR. SAGLIOCCA: I mean, I can
21 investigate that further.

22 MEMBER RODRIGUEZ: Because this
23 looks like what it is that you're
24 saying but in all reality we can't
25 really guess what the setbacks are

1 ZONING BOARD OF APPEALS 1-15-2026
2 based on the pictures. It's just to
3 help your testimony more than
4 anything.

5 MR. SAGLIOCCA: Yes, I
6 understand.

7 Well, if you reserve decision, do
8 I have time to do that?

9 MR. MCLAUGHLIN: No, once we
10 reserve decision, the case is closed
11 for further evidence and testimony.
12 We can adjourn. We can adjourn but
13 not reserve.

14 MR. SAGLIOCCA: Again, you know,
15 it's just my observation of driving up
16 and down, doesn't seem like it's --

17 (Inaudible noise coming from the
18 audience.)

19 (WHEREUPON, the Witness,
20 V-I-N-C-E-N-T F-E-D-E-R-I-C-O was
21 sworn in by the Court Reporter.)

22 MR. FEDERICO: Vincent Federico,
23 10 Maria Court, Smithtown, New York
24 11787.

25 So if you look on the survey that

ZONING BOARD OF APPEALS 1-15-2026

1 we submitted, it does say -- it
2 doesn't have all of the variances but
3 it does show that the average front
4 yard setback along the westerly side
5 of Sportsman Avenue, 200 feet of
6 subject property is eight feet. So I
7 believe that's -- you know, we were
8 showing 8.3. That should --

10 MEMBER RODRIGUEZ: What I was
11 getting at is, when they usually
12 create a radius map, you can actually
13 see every single one of the properties
14 that are within the jurisdiction.
15 That way it just helps you, you know,
16 helps your case more than anything.

17 MR. FEDERICO: Yes.

18 MEMBER RODRIGUEZ: Because that
19 basically solidifies that there are
20 other properties that are in the area
21 that have the same exact setback. I
22 mean, I know it's in wording here, we
23 just can't say see it as per addresses
24 that actually sit on the property, you
25 know, on the street itself.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MR. SAGLIOCCA: Can I have a
3 moment, please?

4 CHAIRPERSON RHODEN: Yes.

5 MR. SAGLIOCCA: So what I'm
6 hearing is, it might be in our best
7 interest, if we can, can we adjourn
8 and we can get that information?

9 MEMBER JACKSON: Yeah, I would
10 show lot size, lot coverage, setbacks
11 compared to other homes in the area.
12 You have to kind of prove what's -- we
13 believe what you're saying but --

14 MR. SAGLIOCCA: Yeah. No, I
15 understand.

16 MEMBER JACKSON: -- it would be
17 good to have a record.

18 MR. SAGLIOCCA: Yeah, I
19 appreciate that.

20 MEMBER RODRIGUEZ: We don't want
21 to give you guys a hard time, we want
22 to help you.

23 MR. SAGLIOCCA: Yes, proof is in
24 the pudding.

25 So can we get that information

1 ZONING BOARD OF APPEALS 1-15-2026

2 right at the village hall?

3 MEMBER RODRIGUEZ: I think a
4 roadmap for the most part. Your
5 surveyor would be the correct person
6 to go to and they can get that
7 information.

8 MR. MCLAUGHLIN: That's how they
9 get the information, from the surveyor
10 about the average size itself.

11 MR. SAGLIOCCA: And he'll be able
12 to get the size of the homes also?

13 MR. MCLAUGHLIN: Well, he may be
14 able to find out if they're --

15 MR. SAGLIOCCA: Okay, we'll give
16 that a shot.

17 MEMBER RODRIGUEZ: The setbacks
18 are probably the best thing.

19 MR. SAGLIOCCA: Okay.

20 MEMBER HAWKINS: And if you can
21 list the actual addresses when do you
22 do that.

23 MR. SAGLIOCCA: Yes.

24 So if we got five or six or
25 seven, would that be enough?

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER RODRIGUEZ: We'll, he'll
3 give you an informational sheet, you
4 know, with the addresses, the
5 setbacks, and then based on that,
6 that's more or less --

7 MEMBER JACKSON: Typically it's a
8 300 foot radius.

9 MR. SAGLIOCCA: 300 foot?

10 I would appreciate it. That's
11 what we'll do then, if that's okay.

12 MEMBER JACKSON: You would like
13 to adjourn?

14 CHAIRPERSON RHODEN: Would you
15 like to adjourn --

16 MR. SAGLIOCCA: We would like to
17 adjourn.

18 CHAIRPERSON RHODEN: -- for
19 additional information?

20 MS. SAGLIOCCA: Yes.

21 CHAIRPERSON RHODEN: Perfect.
22 Thank you.

23 Can I have a Motion --

24 MR. MCLAUGHLIN: Before we have a
25 Motion, Madam Chair, we have to open

1 ZONING BOARD OF APPEALS 1-15-2026

2 any comments to the public.

3 CHAIRPERSON: Do we have anyone
4 who would like to speak for or against
5 this application this evening?

6 (Whereupon, there was a verbal
7 response from the audience.)

8 CHAIRPERSON RHODEN: And, I'm
9 sorry, before we go any further,
10 anyone who is here, who is not an
11 applicant, who's speaking for or
12 against an application this evening
13 must complete a form that's on the
14 back of that table and hand it to the
15 clerk, okay?

16 (Whereupon, there was an
17 inaudible question coming from the
18 audience.)

19 MEMBER RODRIGUEZ: 186.

20 CHAIRPERSON RHODEN: We're going
21 to call again in a little bit.
22 Thanks.

23 (WHEREUPON, the Witness,
24 M A R G A R E T M O R A N, was sworn in
25 by the Court Reporter.)

1 ZONING BOARD OF APPEALS 1-15-2026

2 THE CLERK: Margaret Moran, 20
3 Barrington Place, Melville 11747.

4 Regarding the -- I represented
5 the seller on the land and I have
6 emailed to the village about 25 or 26
7 properties right on Sportsman that
8 have the same size property, or
9 even -- some of the others had even
10 smaller. I don't have the exact
11 setback but I just would like -- I
12 just wanted to mention that I can get
13 you that.

14 MR. MCLAUGHLIN: Well, we're
15 already adjourning so you can give it
16 to your client and then we can --

17 MS. MORAN: Okay.

18 CHAIRPERSON RHODEN: You can
19 provide it and they can present it
20 next time they come in.

21 MS. MORAN: All right, very good.
22 Thank you.

23 CHAIRPERSON RHODEN: Thank you.

24 MS. MORAN: Have a good night.

25 CHAIRPERSON RHODEN: Do we have

1 ZONING BOARD OF APPEALS 1-15-2026
2 anyone else who would like to speak
3 for or against this application this
4 evening?

5 (Whereupon, there was no verbal
6 response from the audience.)

7 CHAIRPERSON RHODEN: If not, can
8 I please have a Motion to adjourn for
9 additional information?

10 MEMBER JACKSON: So moved.

11 MEMBER HAWKINS: Second.

12 THE CLERK: All in favor?

13 CHAIRPERSON RHODEN: Aye.

14 MEMBER HAWKINS: Aye.

15 MEMBER JACKSON: Aye.

16 MEMBER RODRIGUEZ: Aye.

17 THE CLERK: Any oppose?

18 (Whereupon, there was no verbal
19 response given from the Board
20 Members.)

21 CHAIRPERSON RHODEN: Can we call
22 the next application? I believe it's
23 186 North Columbus.

24 THE CLERK: Application 2025-15 -
25 435 Woodcleft Avenue --

1 ZONING BOARD OF APPEALS 1-15-2026

2 CHAIRPERSON RHODEN: No, no, no.
3 I'm sorry, can we call Columbus again?

4 THE CLERK: I'm sorry, I didn't
5 hear you.

6 CHAIRPERSON RHODEN: No problem.

7 THE CLERK: Application 2025-17
8 186 North Columbus Avenue, Residence
9 A - Section 55, Block 244, Lot 1 -
10 Elsa Lucero Castelan.

11 Maintain 12 foot by 15 foot Shed
12 Variances: Village Ordinance Section
13 210-6A Conformity Required, Section
14 210-43C(2) Required yards.

15 (WHEREUPON, the Witness,
16 A-N-T-O-N-I-O S-E-M-I-N-A-T-O-R-E was
17 sworn in by the Court Reporter.)

18 MR. SEMINATORE: Antonio
19 Seminatore, 60 West Third Street,
20 Freeport, New York.

21 (Whereupon, the Court Reporter
22 asked for clarification.)

23 MR. SEMINATORE:
24 S-E-M-I-N-A-T-O-R-E.

25 THE CLERK: I'm sorry, in

1 ZONING BOARD OF APPEALS 1-15-2026
2 addition, I do have one Affidavit of
3 Mailing to be entered into the record
4 for the application, 186 North
5 Columbus Avenue.

6 (Affidavit of Mailing was marked
7 as Exhibit 1 for identification, as of
8 this date.)

9 MR. SEMINATORE: Good evening
10 everyone. Once again, I apologize for
11 my tardiness.

12 I was hired by the client at 186
13 North Columbus. They're looking -- or
14 they already installed a shed along
15 the property line in the back corner
16 of the property.

17 They're also doing additional
18 work that we covered in the Site plan
19 review meeting but they installed a
20 shed. I believe it's 12 by 15 in the
21 corner of the property. So much of
22 the shed they claim they had
23 previously there. If you look on the
24 overview map, all the neighbors in the
25 surrounding area, including the one

1 ZONING BOARD OF APPEALS 1-15-2026
2 adjacent to the property all have
3 adjacent -- accessory structures,
4 including sheds or garages in the same
5 back corner of the property within
6 like one or two feet of the property
7 line. Some of them are literally
8 right on the property line, like, for
9 example, the neighbor of 182 which is
10 next door neighbors, same case, so
11 when they built the shed, granted they
12 should have got a permit but they just
13 assumed it was, you know, correct as
14 it was previously there and everyone
15 else is there too.

16 So I'm here looking for a
17 variance to maintain the shed in that
18 current location.

19 MEMBER JACKSON: What type of
20 shed is it?

21 MR. SEMINATORE: It's just
22 basically, you know, lawn equipment,
23 lawn chairs, stuff like that, just a
24 regular kind of barn-style double door
25 open shed. It's not a garage or

1 ZONING BOARD OF APPEALS 1-15-2026

2 anything like that. It's has like
3 a -- you know, stuff going in to it
4 so.

5 MEMBER JACKSON: Is it something
6 that could be moved; is it like a
7 prefab shed?

8 MR. SEMINATORE: It's a -- looks
9 like one of those kits they bought,
10 built the thing and put a concrete
11 slab thing underneath it so it really
12 couldn't be moved because it would
13 have to tear up the concrete and, you
14 know, redo the whole thing.

15 MEMBER HAWKINS: You said there
16 was a shed there before?

17 MR. SEMINATORE: That's what they
18 were saying.

19 I mean, I personally did not
20 witness it so I cannot speak on their
21 behalf but there was a shed there they
22 claimed and they replaced it with a
23 new one.

24 MEMBER JACKSON: Do you have idea
25 what size the other one was?

1 ZONING BOARD OF APPEALS 1-15-2026

2 MR. SEMINATORE: No, I don't. I
3 would assume about the same size
4 judging on everyone else in that area,
5 they basically have a garage, like a
6 full -- one or two car garage, like
7 the neighbor next door has a one car
8 garage, some people have -- as you can
9 see, 191 they have lot bigger of a
10 garage, then like on 183 they have,
11 you know, a one-car garage, but at
12 188, they have a shed that's similar
13 size to it. So basically more or less
14 the same sizes of the neighbors in
15 that general area.

16 MEMBER JACKSON: And you say all
17 of these structures encroach similarly
18 to the shed?

19 MR. SEMINATORE: Yeah, they're
20 all within one foot to two foot off
21 the property line. And I know it was
22 supposed to five feet off the -- as
23 per code, but as you can see in the
24 Google Earth, you know, everyone --
25 doesn't mean it's right, in that area

1 ZONING BOARD OF APPEALS 1-15-2026
2 for some reason it was done like that.

3 MEMBER HAWKINS: Have you spoken
4 to the neighbors or have you gotten
5 any letters from the --

6 MR. SEMINATORE: I was actually
7 hired by the neighbor too, 182. A
8 nice gentleman. They're close
9 friends. He had a history -- he
10 didn't have a problem with it.

11 There was an issue with their
12 gazebo they tried to build or patio
13 that will be coming down. My services
14 were hired on that. That's -- the
15 plans for that submitted an
16 application to the Building
17 Department, and then we are going to
18 Site Plan review for that. So
19 everything on this -- on their
20 property will be up-to-code and have
21 the proper permits for it.

22 So the neighbor didn't have an
23 issue with the shed. It was the other
24 accessory structure they built, was
25 what kinda of started and that would

1 ZONING BOARD OF APPEALS 1-15-2026
2 be have to removed and with the proper
3 setbacks. That's where we're at.

4 CHAIRPERSON RHODEN: Thank you.

5 And you would be coming for the
6 gazebo, I just want to make sure --

7 MR. SEMINATORE: Yes, that's
8 going to be through Site Plan review.
9 I have -- there's like an overhang
10 porch in the backyard they want to
11 build I guess pergola gazebo, you
12 know, just like an accessory structure
13 in the back they want to build.
14 That's ongoing with the Site Plan
15 review Board. So I was trying to see
16 if I get the variance done and then
17 I'll have to do a complete package
18 which I already have it submitted for
19 the shed, the porch, the gazebo, and
20 the pool they want. All that
21 application's already in pending Site
22 Plan review.

23 CHAIRPERSON RHODEN: All right.

24 I don't have any further
25 questions. Thank you.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MR. SEMINATORE: All right.

3 CHAIRPERSON RHODEN: Do we have
4 anyone who would like to speak for or
5 against this application this evening?

6 (Whereupon, there was no verbal
7 response from the audience.)

8 CHAIRPERSON RHODEN: Hearing
9 none.

10 Thank you. You'll be notified in
11 the mail.

12 MR. SEMINATORE: Okay.

13 CHAIRPERSON RHODEN: Thank you.

14 MR. SEMINATORE: Thank you very
15 much.

16 CHAIRPERSON RHODEN: Can I please
17 have a Motion to reserve decision --
18 actually, can I have a Motion to close
19 for further evidence and testimony?

20 MEMBER JACKSON: So moved.

21 MEMBER RODRIGUEZ: Second.

22 THE CLERK: All in favor?

23 CHAIRPERSON RHODEN: Aye.

24 MEMBER HAWKINS: Aye.

25 MEMBER JACKSON: Aye.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER RODRIGUEZ: Aye.

3 THE CLERK: Any oppose?

4 (Whereupon, there was no verbal
5 response given from the Board
6 Members.)

7 CHAIRPERSON RHODEN: And can I
8 have a Motion to reserve decision,
9 please?

10 MEMBER JACKSON: So moved.

11 MEMBER HAWKINS: Second.

12 THE CLERK: All in favor.

13 CHAIRPERSON RHODEN: Aye.

14 MEMBER HAWKINS: Aye.

15 MEMBER JACKSON: Aye.

16 MEMBER RODRIGUEZ: Aye.

17 THE CLERK: Any oppose?

18 (Whereupon, there was no verbal
19 response given from the Board
20 Members.)

21 CHAIRPERSON RHODEN: Can we call
22 the next application on tonight's
23 calendar, please?

24 THE CLERK: Application 2025-15 -
25 435 Woodcleft Avenue, Marine Commerce,

1 ZONING BOARD OF APPEALS 1-15-2026
2 Section 62, Block 177, Lots 339, 526,
3 541, 542, 548 - NBD Holding, Inc.
4 Construct a new 6-story 138-room
5 hotel with a total occupant load of
6 839 persons in the public assembly
7 areas and to utilize Section 62, Block
8 233, Lots 2 and 3 for additional
9 accessory use of off-site parking.
10 Variances Village Ordinances, Section
11 210-6A. Conformity required. Section
12 210-239 Building Height, Section
13 210-239 number of stories, Section
14 210-3 parking space, Section
15 210-172(6) required parking spaces.
16 MR. MCLAUGHLIN: If anyone for
17 the public for this application would
18 like to speak for or against, please
19 fill out the form and bring it up to
20 the clerk.
21 THE CLERK: I have one Affidavit
22 of Mailing and one Nassau County
23 Planning Commission recommendation to
24 be enter into the record as Board
25 exhibits for 435 Woodcleft Avenue

1 ZONING BOARD OF APPEALS 1-15-2026
2 application.

3 (Affidavit of Mailing was marked
4 Exhibit 1 for identification, as of
5 this date.)

6 (Nassau County Planning
7 Commission recommendation was marked
8 Exhibit 2 for identification, as of
9 this date.)

10 MS. DEEGAN-DICKSON: Good
11 evening. My name is Cathleen
12 Deegan-Dickson. I'm a partner in the
13 law firm of Forchelli, Deegan, Terrana
14 Law, LLP, located 333 Earl Ovington
15 Boulevard, Uniondale, New York.

16 I'm here on behalf of the
17 applicant and NBD Holding, LLC, which
18 is the owner of 435 Woodcleft Avenue
19 here in the village of Freeport and
20 also the lot adjacent across the
21 street on the west side of Woodcleft
22 Avenue, the vacant lot.

23 The approval before you tonight
24 is a modification of the hotel that
25 was approved in this location by this

1 ZONING BOARD OF APPEALS 1-15-2026
2 Board on a few other occasions in the
3 past. This is the exact same
4 location.

5 The modifications that we're
6 proposing this evening are necessary
7 due to a rebranding of the hotel from
8 a modern and business travel focused
9 Hilton Garden INN branding to a more
10 upscale and tourist and focused Hilton
11 tapestry branded hotel.

12 Both are Hilton brands and will
13 be developed under and operated under
14 the Hilton flag but each has a
15 different target cliental.

16 The hotel was originally approved
17 for this Board in August of 2020 when
18 it received a height variance and
19 permission to accommodate parking
20 requirement partially off-site. At
21 that time, the proposal was for a 100
22 room hotel with a 300 seat banquet
23 hall and a 100 seat restaurant. That
24 application was amended and then
25 approved by this Board on June 16th of

ZONING BOARD OF APPEALS 1-15-2026

1
2 2022 to increase the height of the
3 building by about four and a half feet
4 due to engineering recalculation for
5 ceiling to clear story heights between
6 floors.

7 The project was amended again and
8 also approved in 2023. In that
9 application the program of the hotel
10 was changed due to market conditions
11 and it was a post-COVID recap of what
12 could be built and who would invest in
13 it. And the program of the hotel has
14 changed to increase the number of
15 hotel rooms to 145 rooms and then to
16 shrink the proposed event space and
17 restaurant. Then it became a 145 room
18 hotel with 175 occupant banquet hall
19 and 100 seat restaurant. That
20 application required a new height
21 variance as it added two stories, one
22 full story hotel room and then a
23 partial six story for a cigar bar and
24 hotel amenities.

25 The applications and the denial

1 ZONING BOARD OF APPEALS 1-15-2026
2 referred to it in all these
3 applications is five stories because
4 the -- everything was counted at that
5 point in time from the design
6 floodplain which is 11 feet above
7 grade in this area because nothing can
8 be built down on grade, of the
9 calculations were all scene as
10 starting from the design flood
11 elevation and then the finished first
12 floor of those plans were at 15 feet
13 above grade. The application at that
14 time that was approved was the same
15 height, overall height, and the number
16 of stories that we're proposing
17 tonight. There's some complications
18 because there is different definitions
19 of height in the code where you will
20 have the height to the roof is one
21 thing and then you can have
22 protrusions above that in order to
23 have elevator towers, stair towers and
24 a variance projection above the roof
25 line.

1 ZONING BOARD OF APPEALS 1-15-2026

2 What our proposal is tonight is
3 to hold the maximum overall height the
4 same as it was in -- approved in 2023
5 and we require two feet additional
6 height from the roof level to the new
7 proposed roof level.

8 We've provided a study of the
9 comparison, which I'll go through, or
10 our architect will go through in a few
11 minutes. But we're essentially
12 looking for a 75 foot roof height.
13 I'm sorry, was 75 feet approved prior
14 and now we're looking for 77 and a
15 half feet to in order to handle the
16 mechanicals and to allow the esthetics
17 and the functioning of the building to
18 work properly.

19 In addition, we're proposing to
20 slightly decrease the size of the
21 building. We're reducing the number
22 of hotel rooms from 145 rooms to 138.
23 We're slightly increasing the
24 restaurant seating capacity from 100
25 to 128, but of that 128, 96 are inside

1 ZONING BOARD OF APPEALS 1-15-2026

2 and 32 would be proposed to be
3 outside.

4 The event venue capacity is being
5 reduced from 175 people down to 160
6 people. And then with the rebranding
7 and the higher level of amenity for
8 this tapestry brand, we'd be
9 increasing the staff slightly from 48
10 employees to 50 employees.

11 The program of the hotel itself
12 has not changed other than these small
13 changes and with relocation of some
14 features within the building. It's
15 always intended to be a full service
16 hotel with both hotel rooms and also
17 venue event space for guests.

18 There's also -- unchanged is the
19 plan to have guest only amenities on
20 the upper level of the building and
21 also throughout the building, and to
22 have event space that will accommodate
23 a single party at a time. It's not
24 going to be a -- not a catering venue,
25 per se, it would be a single event,

1 ZONING BOARD OF APPEALS 1-15-2026

2 event venue.

3 Another relevant change is that
4 the original plan that was approved
5 had a lot of the back of house
6 features located on grade underneath
7 the building. When the plans were
8 recently submitted to the Building
9 Department to actually pull a building
10 permit and to try and get the building
11 built, the building code revealed that
12 the things that were located on the
13 lower level in the floodplain could
14 not be there. So those back of house
15 features had to be relocated to other
16 spaces within the hotel. Those were
17 an employee break room, the
18 engineering center and laundry
19 facilities.

20 The employee areas, including the
21 engineering were relocated to the top
22 level, and the laundry room is
23 eliminated. So right now the ground
24 level is only parking and then the
25 elevator and stair areas. There's no

1 ZONING BOARD OF APPEALS 1-15-2026
2 occupiable space on the lower level.

3 MEMBER RODRIGUEZ: You said --
4 I'm sorry to interject, the
5 engineering room and the break room
6 was lifted to the top level?

7 MS. DEEGAN-DICKSON: They're up
8 to the top level.

9 MEMBER RODRIGUEZ: And the
10 laundry room was eliminated?

11 MS. DEEGAN-DICKSON: It's
12 eliminated but they'll outsource
13 laundry.

14 So in addition to the relocation
15 of those back of house functions,
16 because again, of the rebranding to
17 tapestry, the level of finishes and
18 the quality of the amenities has been
19 elevated. It required a
20 reconfiguration of interior space,
21 primarily the enlarging of some guest
22 rooms and some guest only areas. So
23 that's one of the things that brought
24 down the key counter, the room count,
25 was because some of the rooms were

1 ZONING BOARD OF APPEALS 1-15-2026

2 going to be larger.

3 Another aspect of this
4 application that hasn't changed, other
5 than on paper, is the calculation of
6 the parking requirement. As I
7 mentioned, we have the same functional
8 program throughout the hotel, other
9 than the small shifts I just detailed.
10 However, when the parking calculations
11 were recalculated on our building
12 permit submission, the Building
13 Department utilized the New York state
14 codes maximum occupancy limits for
15 fire and safety egress, rather than
16 the actual occupancy that we're
17 projecting for these spaces to
18 determine how cars could be parked.
19 So there's different ways to calculate
20 occupancy. The way that we view it is
21 that once you have a ballroom, a
22 banquet room, and you're set up with
23 tables, and you have a dance floor and
24 a stage for a band, that you can get a
25 certain number of occupants in there.

1 ZONING BOARD OF APPEALS 1-15-2026
2 The New York State Building Code and
3 Fire Code says, how many people can
4 fit in this room right now if you give
5 everybody three square feet to stand
6 into, and that's how many people will
7 fit into this room. So from a parking
8 standpoint, it doesn't really make
9 sense to calculate it that way,
10 although I understand why the Building
11 Department does calculate it that way.
12 It's up to us to now come to the board
13 and say, look, our real occupancy is
14 going to be much less, and therefore
15 our parking calculation is, in reality
16 much less than what the most people
17 you could ever fit in a room and get
18 them out safely in a fire would be.
19 So that's where this change in the
20 variance comes from.

21 Right now, we're calculated,
22 under the latest disapproval is
23 requiring 443 parking spaces. The
24 last application that was approved
25 with more guest rooms and similarly

ZONING BOARD OF APPEALS 1-15-2026

1
2 sized banquet and hotel facilities and
3 restaurant facilities required 262
4 parking spaces. We are providing 218
5 parking spaces that were part of the
6 original plan that was presented to
7 this board for our original variance.
8 Between the parking directly across
9 the street on Woodcleft, we have an
10 agreement with the village that
11 additional parking would be provided
12 for the hotel and rented by the owner
13 of the hotel to accommodate 41
14 additional parking spaces over at Sea
15 Breeze Park, and then there were
16 additional parking spaces that were
17 village owned that were north on, I
18 believe it's Front Street, that would
19 be leased by the hotel and used for
20 employee parking by the hotel through
21 a parking agreement with the village.

22 We also, since that last
23 application, have secured two other
24 off-site lots that provide 71
25 additional parking spaces in case they

ZONING BOARD OF APPEALS 1-15-2026

1
2 become necessary. The 50 of them
3 would be on the lot at 160 Woodcleft
4 Avenue which you see on the aerial
5 there and 21 on Miller Avenue down a
6 little bit closer to the site. All of
7 these spaces, with the exception of
8 ones that would be used for employees,
9 will be valet parking spaces. So when
10 we give you these numbers, these are
11 based on standard sized spaces by and
12 large. The fact is we'd actually be
13 able to pack in more cars with a valet
14 scheme and we have our traffic
15 engineer tonight who can get into more
16 detail with that if you'd like to know
17 what the percentage is, but it's
18 usually it's a pretty good percentage
19 over what the self-park ratio would
20 be.

21 We also require a stall size
22 variance for some of the parking
23 stalls under the building. The code
24 requires 9 by 20 spaces. We have a
25 few that are measuring 9 by 18. As I

ZONING BOARD OF APPEALS 1-15-2026

1 mentioned, though, all of the parking,
2 with the exception of employee
3 parking, which will not be on site,
4 will be valet parking. So the size of
5 the parking space shouldn't make a
6 difference in the evaluation of
7 adequacy.
8

9 We do have some handicap spaces
10 that will be South Park that are
11 required by Americans with
12 Disabilities Act that will be provided
13 on the hotel site. Those will be
14 fully conforming with the ADA codes.

15 So what I'd like to do right now
16 is introduce Keyan Cody from R&M
17 Engineering, he's our traffic
18 engineer, to talk about the parking
19 that's provided and what is -- what we
20 require relief for and then come back
21 up and we'll talk a little bit more
22 about the building.

23 MR. CODY: I have an exhibit I
24 would like to submit.

25 (Whereupon, K-E-Y-A-N C-O-D-Y,

1 ZONING BOARD OF APPEALS 1-15-2026
2 the Witness was sworn in by the Court
3 Reporter.)

4 MR. CODY: Keyan Cody with the
5 firm of R&M Engineering. Our office
6 is at 50 Elm Street, in Huntington,
7 New York.

8 (Parking report was marked
9 Applicant's Exhibit A for
10 identification, as of this date.)

11 MR. CODY: Good afternoon,
12 Chairman, and members of the board.
13 I'm here on behalf of the applicant to
14 discuss the parking situation with
15 this proposed project.

16 The board is very familiar with
17 this project. We've been before the
18 board. I think this is the third time
19 that this project is before the board
20 with slightly different modifications.

21 The program that's before you
22 tonight is not very different from
23 what was before you in 2023 when it
24 was last approved. In terms of the
25 parking and the program, we are

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1
2 looking at essentially a reduction of
3 six hotel rooms, an increase of 32
4 outdoor seats in the restaurant with a
5 reduction of four internal seats, and
6 then a reduction of 15 seats in the
7 event venue with a staff increase of
8 two employees, so not really a very
9 substantial change between the
10 previous program and the proposed
11 program.

12 Where the main concern with
13 parking comes from is the new
14 evaluation of the parking requirements
15 by the village. The previous
16 application in 2023 required a total
17 parking of 262 parking spaces, where
18 at the time 184 spaces were being
19 provided for a 78 space variance.
20 Currently, we are now seeking a larger
21 variance where we need a variance now
22 of 225 parking spaces, representing a
23 147 space intensification over that
24 previously granted variance. What we
25 did was we looked at the old program

1 ZONING BOARD OF APPEALS 1-15-2026

2 and the new program and provided a
3 comparison. The comparison was done
4 using the Institute of Transportation
5 Engineers parking generation manual,
6 Sixth Edition. The IT, or the
7 Institute of Transportation Engineers,
8 is essentially the industry standard
9 for parking and traffic generation
10 rates. Essentially, The ITE gathers
11 data throughout the country and uses
12 it to compile rates for different land
13 uses. In this case, we're looking at
14 fine dining, restaurant, hotel, and
15 then we use the village's pretty
16 standard rate for events of one
17 parking space for three seats. And
18 essentially what it results in is
19 during the weekday, we'd see an
20 estimated parking amount of 250
21 vehicles, and then on the Saturday,
22 230 vehicles. Compared to 2023, it's
23 slightly higher on the weekday and
24 slightly lower on the Saturday. But
25 the main thing with this event, with

ZONING BOARD OF APPEALS 1-15-2026

1
2 this project, is it is a sort of all
3 in one facility, where if you're
4 hosting an event, you're most likely
5 going to be using some of the hotel
6 rooms, and vice versa, if you're
7 eating at the restaurant you most
8 likely will have stayed at the hotel
9 which means the parking associated
10 with the hotel, there's going to be
11 some level of shared vehicles. People
12 are going to more than one use. So
13 looking at each use individually isn't
14 really painting the picture
15 accurately.

16 We did testify to this in the
17 previous two applications, we got in
18 contact with the operators of the Fox
19 Hollow in Woodbury and they reiterated
20 to us that as they are a similar venue
21 that does catering and hotel, that
22 about 60 percent of the hotel guests
23 will either use the restaurant or
24 attend one of the events. As such,
25 we've applied that reduction factor to

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ZONING BOARD OF APPEALS 1-15-2026

the parking associated with the hotel,
and it essentially bumps those numbers
down to a weekday parking estimate of
197 vehicles and then a Saturday
parking estimate of 176 vehicles.

As Kathleen pointed out, we are
providing 218 parking spaces on site,
that's including sort of that valet
layouts in the adjacent lots. And
then, in addition, the applicant has
also secured other off-street parking,
increasing the total parking spaces to
about 289, which far exceeds the
estimated demand of 197 vehicles
parked. And essentially due to the
program not changing significantly and
the parking provided being still
appropriate for the venue space and
the hotel, we believe adequate parking
is being provided.

If you'd have if you'd like me to
answer any questions I can.

MEMBER HAWKINS: So realistically
you can have a hotel room that's -- or

1 ZONING BOARD OF APPEALS 1-15-2026
2 your hotel could be full and then you
3 can have also your restaurant could be
4 at capacity also with different people
5 realistically?

6 MR. CODY: Yeah, realistically,
7 Yes.

8 MEMBER HAWKINS: But you're
9 saying that the study you did or the
10 information you obtained --

11 MR. CODY: Yeah, there is going
12 to be some level of shared individuals
13 between the two uses.

14 And also, realistically, the IT
15 Land Use code for a hotel does include
16 accessory structures or accessory uses
17 within a hotel, which is typically
18 like a restaurant, pool, fitness. All
19 of those things would get included in
20 that original estimate just purely for
21 the hotel use itself. So we are sort
22 of being conservative in a little -- a
23 little bit double-dipping there, and
24 that the restaurant is probably
25 included in the hotel numbers anyway,

1 ZONING BOARD OF APPEALS 1-15-2026
2 but we want it to be as conserved as
3 we could with the per -- with how we
4 would have gotten it.

5 MEMBER HAWKINS: So with the
6 parking at 160 Woodcleft and also 21
7 Miller Avenue, have you already
8 secured agreements for the parking
9 there?

10 MR. CODY: I believe they have.

11 MS. DEEGAN-DICKSON: We don't yet
12 have written agreements, but we have
13 an understanding that we will be able
14 to submit these agreements to the
15 board once they're executed.

16 MEMBER RODRIGUEZ: You said that
17 the lot that's adjacent across the --
18 across, there is parking that belongs
19 to the hotel, correct?

20 MS. DEEGAN-DICKSON: Correct.

21 MEMBER RODRIGUEZ: How many
22 parking spaces are you going to be
23 able to create in that area?

24 MR. CODY: There are, I believe,
25 87 parking spaces in that. But it's

1 ZONING BOARD OF APPEALS 1-15-2026
2 under a valet form and that will be a
3 valet parking lot. So it's double
4 stacking and then using the middle
5 row. So essentially, you know, with
6 valet, you can squeeze in a lot more
7 cars that you would normally with a
8 normal 9 by 18 or 9 by 20 stall. You
9 could go down to 7 and a half feet
10 wide, maybe 8 feet wide, and then
11 double-stack vehicles like you would
12 at a car dealership where they store
13 vehicles or any other valet where they
14 have more opportunity to just move
15 around vehicles and just get enough in
16 there.

17 MEMBER RODRIGUEZ: This was in
18 the packet. Are there plans on this
19 (indicating).

20 MR. CODY: Right now there is no
21 plans to utilize the car lifts. I
22 believe last time they were before the
23 planning board, they sort of went away
24 from the car lifts. So these are the
25 numbers without the car lifts.

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ZONING BOARD OF APPEALS 1-15-2026

MS. DEEGAN-DICKSON: Why is it in
the packet?

I think -- I don't know why
that's in the packet. I don't think
we submitted it with the application.

So the -- there was a little back
and forth whether or not we were going
to have lifts. It's our understanding
that it's not preferred to have lifts
and that we did not feel confident
that the planning board would approve
that. So just to be clear for the
record, though, we are not intending
to have lifts. That's why we secured
additional parking off-site to make
sure that we would not have to have
lifts. In the event that the planning
board wants us to have them or would
like us to increase our parking, that
is a way to do it. But it gets very
complicated in this area because of
the floodplain, would have to be --
they'd have to be elevated, the
mechanics would have to be elevated.

1 ZONING BOARD OF APPEALS 1-15-2026
2 And then the aesthetic concerns, I
3 think, are something that made us back
4 away from them. So when the
5 application was initially submitted
6 that was still on the table. But
7 since that time, we've modified the
8 plan and now have secured additional
9 off-site parking.

10 MEMBER RODRIGUEZ: So you need a
11 total of 400, and how many, how many
12 spaces exactly?

13 CHAIRPERSON RHODEN: 443.

14 MS. DEEGAN DICKSON: So 443 is
15 how you calculate it under the fire
16 code, yes. And that also -- I just
17 want be clear, I'm not sure of Keyan,
18 I might have missed him saying it, but
19 if you look at the floor plans, I
20 mentioned this as a single event
21 space, so there's going to be, if you
22 have a wedding, you will have your
23 wedding ceremony, and then that will
24 accommodate a certain number of
25 people, And then once that's over,

1 ZONING BOARD OF APPEALS 1-15-2026
2 people will move into the ballroom and
3 they'll have their wedding. The
4 calculation that was done by the
5 Building Department calculates both of
6 those spaces as being fully occupied
7 at all times. And that's how the
8 parking count more than doubled from
9 our last application. The fact is
10 that we're counting those same people.
11 They're going to be moving from one
12 space to the other, so it's a double
13 count. So it's not really -- well,
14 similar to, as Keyan mentioned when
15 you have hotel guests, if you have
16 hotel guest only locations,
17 technically they should not count
18 twice in your parking calculation. If
19 you and your family are staying in a
20 hotel room and you go to the pool or
21 you go to the library that's guests
22 only, those are the same cars that are
23 parked there, whether you're in your
24 hotel room or whether you're in that
25 guest amenity. So technically those

1 ZONING BOARD OF APPEALS 1-15-2026
2 should not be counted twice but they
3 are, and so the 443 space requirement
4 is not a realistic number.

5 MEMBER RODRIGUEZ: Is this a
6 guest-only hotel?

7 MS. DEEGAN-DICKSON: Certain
8 amenities are guest only, yes. So the
9 upper level of the hotel will be
10 guest-only amenities. The, you know,
11 the fitness center, that's only for
12 hotel guests.

13 CHAIRPERSON RHODEN: But not the
14 banquet; right?

15 MS. DEEGAN-DICKSON: I'm sorry?

16 CHAIRPERSON RHODEN: But not the
17 banquet spaces?

18 MS. DEEGAN-DICKSON: No. No, we,
19 did calculate in our parking study
20 calculate the need for every hotel
21 guests having their own car and every
22 banquet guest or, you know, their own
23 parking requirement and everything
24 banquet guest having their own parking
25 requirement, so we came up with the

1 ZONING BOARD OF APPEALS 1-15-2026
2 realistic number that is -- so 250 is
3 our realistic number, worst case
4 scenario.

5 So to Mr. Hawkins' question,
6 could every hotel room be occupied and
7 then have a whole different cadre of
8 people in the restaurant and a whole
9 different group of people in the
10 banquet hall. The answer is yes, that
11 could happen. It probably won't
12 happen, but, and the way the other
13 similarly operating venues find that
14 there's a substantial reduction
15 because there's a lot of overlap. So
16 if you take that reduction to that 250
17 car actual worst case scenario
18 calculation and you reduce it by the
19 number of people who will likely be
20 sharing the space, we're down to 192
21 spaces.

22 MR. MCLAUGHLIN: Would did say
23 the addresses were for that --

24 MS. DEEGAN DICKSON: 160
25 Woodcleft Avenue and 21 Miller Avenue.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER HAWKINS: 21 Miller

3 Avenue.

4 MS. DEEGAN-DICKSON: 21 Miller

5 Avenue.

6 MEMBER RODRIGUEZ: But on your

7 depiction --

8 CHAIRPERSON RHODEN: But just to

9 make sure I understand this correctly,

10 and there is no agreements as per

11 tonight that you can present on those

12 parking off-sites.

13 MS. DEEGAN-DICKSON: We do not

14 have written agreements, but we

15 understand that this board may wish to

16 condition an approval on securing

17 agreements.

18 MEMBER RODRIGUEZ: I have a

19 question, You mentioned there's a

20 parking lot that's provided by the

21 village all the way at the beginning.

22 Is that the beginning of the

23 Woodcleft?

24 MS. DEEGAN-DICKSON: It's on

25 Front Street.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER RODRIGUEZ: Is that the
3 corner? I mean, I can't tell, I'm so
4 sorry.

5 MEMBER JACKSON: It looks as if
6 it's in the park from the map. It's
7 by the park. In the book. That's the
8 pool.

9 (Whereupon, the Board had a
10 discussion off-record.)

11 MS. DEEGAN-DICKSON: I don't have
12 the property number. I can get that
13 for you.

14 (Whereupon, the Board had a
15 discussion off-record.)

16 MS. DEEGAN-DICKSON: We'll take a
17 look and see if we can get that
18 address for you before we wrap up
19 here.

20 You'll see to the left of the
21 site and to the left of the Sea Breeze
22 Park, there's a yellow box just north
23 of that. That's the space on Miller
24 Avenue that has 21 parking spaces
25 available.

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2 MR. MCLAUGHLIN: It's not the
3 condominium, right?

4 MS. DEEGAN-DICKSON: I don't
5 believe so. I believe it's a vacant
6 parking lot. That's how it's been
7 represented to me, That it's not being
8 used.

9 MR. MCLAUGHLIN: The reason why
10 I'm asking was, originally in the past
11 approval, it was 21 parking spaces on
12 Miller Avenue, which will be rented
13 from the condominium. So we're not
14 talking about the same thing?

15 MR. CODY: It's the same area,
16 yes.

17 MS. DEEGAN-DICKSON: It is the
18 same area, yes. I stand corrected.
19 But that was -- our prior approvals
20 did not include that parking space,
21 for those 21 spaces, if you go back to
22 the prior approvals and we delineated
23 the places where parking was going to
24 be provided, it was the on -site and
25 adjacent and then it was the Sea

1 ZONING BOARD OF APPEALS 1-15-2026
2 Breeze Park spaces and then there was
3 village provided spaces to the north
4 (inaudible) excuse me.

5 So my client informs me that
6 they're in negotiations with the
7 owners of the condos for the Miller
8 Place parking, that it was something
9 that was negotiated and agreed to as
10 part of prior approval that that
11 agreement was not signed at the time
12 because we didn't need the spaces and
13 they're reopened negotiations with the
14 condominium.

15 MR. MCLAUGHLIN: But the
16 condominium requires a certain amount
17 of parking. So the parking for the
18 condominium, we got to assume that
19 that parking was included in their
20 parking.

21 MS. DEEGAN-DICKSON: It's been
22 represented to me that it does not
23 require parking for them.

24 MR. MCLAUGHLIN: I think we need
25 to find that out.

1 ZONING BOARD OF APPEALS 1-15-2026

2 What about the property on
3 Woodcleft, who owns that property?

4 MS. DEEGAN-DICKSON: That is
5 owned by a local property owner who's
6 actually here this evening, And my
7 understanding is that also is not
8 required for it, it's a -- it's a
9 parking lot. It's not associated with
10 any specific business.

11 MR. MCLAUGHLIN: But we're gonna
12 have to figure out with the
13 condominium because if their parking
14 totals include that lot, we can't
15 double dip on that lot.

16 MS. DEEGAN-DICKSON: So if we
17 take our worst case scenario, and I
18 understand what you're saying, as I
19 said, it's been represented to me that
20 it's not required part of their
21 parking requirement because I had
22 asked the question, understanding that
23 we can't just cannibalize other
24 people's parking to accommodate our
25 property, but it's 21 parking spaces.

1 ZONING BOARD OF APPEALS 1-15-2026
2 It's out of 289 parking spaces, so if
3 that brought us down to 267 parking
4 spaces, we still exceed the 250 that
5 are practical -- or worst case
6 practical demand required and are most
7 likely demand of 192. So I understand
8 what you're saying and we do need to
9 verify that if we're going to secure
10 an agreement with them. But the -- I
11 believe it's a belt and suspenders
12 kind of agreement that would be needed
13 just to handle any overflow or any
14 kind of unexpected excess.

15 (Whereupon, there was an
16 inaudible noise coming from the
17 audience.)

18 MR. MCLAUGHLIN: Talk to her.

19 And I know there's been -- and
20 this board probably knows, there's
21 been a lot of zoning variances or
22 applications for zoning variances that
23 actually hasn't been a lot of zoning
24 variances on Woodcleft by applications
25 for it and a lot of times what people

1 ZONING BOARD OF APPEALS 1-15-2026
2 did was rent space for their place, so
3 to add the property on Woodcleft is
4 not rented it's not subject to any
5 other zoning variance.

6 MS. DEEGAN-DICKSON: Which one,
7 the at 150 -- or 160 Woodcleft?

8 MR. MCLAUGHLIN: Yes.

9 MS. DEEGAN-DICKSON: I believe
10 not. I don't know how he would lease
11 it to more than one person. But he's
12 here this evening. I'm sure he'd be
13 happy to --

14 MR. MCLAUGHLIN: I agree but it
15 happens.

16 MS. DEEGAN-DICKSON: Yeah. So I
17 don't have specific knowledge as to
18 that. I'd like to make an assumption
19 that if we're entering into an
20 agreement with the property owner,
21 that he hasn't entered into any other
22 agreements with others. But as I
23 said, he's here this evening and I
24 think he signed up to speak so he may
25 have -- you may be able to shed some

1 ZONING BOARD OF APPEALS 1-15-2026

2 additional light on that.

3 MEMBER RODRIGUEZ: I'm curious,
4 the municipal parking lots that are
5 further up, how do you plan on
6 bringing the patrons to the hotel if
7 they park their cars there; are they
8 going to walk?

9 MS. DEEGAN-DICKSON: No, no, it's
10 all valet. So --

11 MEMBER RODRIGUEZ: So you're
12 going to have a valet all the way at
13 the beginning of Front Street as well?

14 MS. DEEGAN-DICKSON: Yeah, you
15 know, a lot of hotels, especially in
16 cities, I know, you know, Philadelphia
17 and New York City, when you have a
18 hotel and you have valet parking, they
19 tell you to call the valet 15 minutes
20 prior to needing your car and then
21 they take their golf cart and they run
22 up with somebody and they bring the
23 car back and it takes a few minutes,
24 but it's not like it's the turnover
25 for the dinner crowd. So I don't run

1 ZONING BOARD OF APPEALS 1-15-2026
2 or operate a hotel, but I -- my
3 expectation would be that the
4 restaurant patrons might have
5 parking -- valet parking in a nearer
6 lot and the ones who are going to be
7 there for a few days or overnight will
8 be parked farther away.

9 MEMBER RODRIGUEZ: So they don't
10 bring the cars specifically to that
11 lot and then have to, like, walk?

12 MS. DEEGAN-RODRIGUEZ: No, no,
13 no. Everything is valet with the
14 exception of the handicapped self-park
15 underneath the building.

16 MEMBER HAWKINS: You said you
17 would have between 48 and 50
18 employees; where is that employee
19 parking?

20 MS. DEEGAN-DICKSON: The employee
21 parking will most likely be the most
22 removed lot from the site. It hasn't
23 been designated but, you know, again,
24 this is a service business to
25 accommodate patrons in the most

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1 comfortable way possible, we'll
2 probably have their weight less for
3 cars than for the employees. But the
4 employees are calculated into that
5 overall calculation. So all the
6 numbers that we're talking about
7 include 50 employees, parking for 50
8 employees.
9

10 I just really want to reiterate
11 that this is no different from what
12 has been approved already by this
13 board. The calculations are
14 different. They shouldn't be
15 different, but they were, or maybe
16 they should be different, but they
17 weren't. So we came into this project
18 six years ago with the expectation of
19 building a hotel and there's been some
20 changes and there was a pandemic and
21 there's been market changes and
22 whatnot, but the principle of NBD has
23 been the same principle all along.
24 It's not that he's flipped the
25 property. He's been working hard to

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1
2 develop this. He spent an awful lot
3 of money on all of this and he is
4 right at the finish line to get this
5 hotel built, after all these years. I
6 know the village has had some
7 frustrations that you've seen us a
8 bunch of times, things have changed,
9 things have morphed, and it hasn't yet
10 been built. All of this came up when
11 we were submitting our building permit
12 set to actually get the building
13 permit to get into the ground, and
14 that was back at the end of last
15 summer. And so this has been an
16 additional delay. I don't want you to
17 be looking at this as a new project or
18 a bigger project or a different
19 project. This is really the exact
20 same project with different math
21 applied to it right now.

22 CHAIRPERSON RHODEN: Well, this
23 is the same -- I'm sorry, I just want
24 to make sure I make this statement.
25 This is the same project with --

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2 you've been in front of us several
3 times, with requests several times,
4 changes, and we've adjusted, but when
5 you're coming for the difference, and
6 you keep saying this, about 250
7 parking spaces that you have, I guess,
8 concluded on your own and calculated
9 on your own, that's what we -- that's
10 what you need, right, or the building,
11 your client needs, when it's actually
12 443. So that's what's in front of us
13 now and that's what we're going to
14 talk about, and that's what we need to
15 kind of solve, that problem; right?

16 MS. DEEGAN-DICKSON: I
17 understand.

18 CHAIRPERSON RHODEN: So that's
19 what we're talking about. So we're
20 talking about 443 parking spaces that
21 are required and your calculation is
22 250.

23 MS. DEEGAN-DICKSON: So just to
24 clarify that, when we were before you
25 the last time with this exact same

1 ZONING BOARD OF APPEALS 1-15-2026
2 program but a bigger ballroom and more
3 hotel rooms, we did not require 443,
4 we required 262 parking spaces.

5 CHAIRPERSON RHODEN: Right.

6 MS. DEEGAN-DICKSON: And the
7 Building Department was fine with
8 that. They agreed with us with our
9 calculations. We came in here now
10 with a building permit set after all
11 the investments had been made and all
12 of the -- all of the work have been
13 done into creating a building permit
14 set which is the last thing you do
15 before you build a building and that's
16 when it changed. Nothing about the
17 building changed other than those
18 little tweaks. And I'm just looking
19 around the room to see if there's the
20 fire code stamp on the wall. A room
21 like this probably has an occupancy of
22 100, I don't know -- I don't know.
23 180. So the building occupancy code
24 for this room says you can get 180
25 people in this room and get them out

1 ZONING BOARD OF APPEALS 1-15-2026
2 without having them burn up because
3 based on your sprinklers, based on
4 your methods of egress, it doesn't
5 make an awful lot of sense for the
6 amount of use that this room gets on a
7 week-by-week basis. And I'm not
8 talking about inauguration day and I'm
9 not talking about the big
10 controversial hearing that comes up
11 every eight to 12 months. I'm talking
12 about on a regular basis, if you can
13 have 180 people in here, does it
14 really makes sense that you need to
15 have a parking space for 180 people.
16 Parking space is for 180 people. It
17 doesn't. And parking codes are not
18 designed to accommodate fire egress.
19 Parking codes are designed to
20 accommodate the number of people, on
21 average, that are going to be using a
22 facility, on an average basis. So
23 it's an imperfect science.

24 MEMBER JACKSON: That's an
25 argument for the Building Department.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MS. DEEGAN-DICKSON: Well, no,
3 no, no. Actually, it's an argument
4 for you guys, because the Building
5 Department made its determination.
6 It's a different determination than
7 they made the last time based on the
8 same set of facts, which puts us in a
9 pretty tough position after we've come
10 so far, but it's -- but now, because
11 the Building Department has made its
12 determination, now it's up to us to
13 come to you and say, look, you have to
14 understand why it doesn't make sense
15 what he said. Maybe it's technically
16 correct under some scenario, but you
17 shouldn't have to park this room for
18 180 people. And I -- it's the same
19 with the ballroom and the chapel.
20 It's the same people that go from the
21 wedding to the reception or go from
22 the cocktail room to the dinner or who
23 go from, you know, their hotel room to
24 the pool. We're not going to
25 calculate 16 people in a bathroom just

1 ZONING BOARD OF APPEALS 1-15-2026
2 because you can fit 16 people in
3 there. That's how this fire code
4 wants the Building Department to
5 calculate it. So there's different
6 occupancy calculations for different
7 things. And the Building Department
8 has, in its judgment, decided to
9 calculate it this way, this time.
10 Different from the other way the last
11 time. So --

12 MR. MCLAUGHLIN: Have you spoken
13 to any of the neighbors on Miller
14 Avenue where you plan on using that
15 parking lot as an active parking lot
16 rather than a residential parking lot?

17 MS. DEEGAN-DICKSON: I have not
18 had a conversation with any of the
19 neighbors.

20 MR. MCLAUGHLIN: And is it being
21 used today as a parking lot, or is it
22 empty?

23 MS. DEEGAN-DICKSON: I think it's
24 empty.

25 MR. MCLAUGHLIN: So there also

1 ZONING BOARD OF APPEALS 1-15-2026

2 may be a requirement for a zoning
3 variance for that lot as well. If
4 they lost their pre-existing status,
5 that's a residential neighborhood.

6 MS. DEEGAN-DICKSON: Yeah, I
7 don't -- I don't know.

8 MR. MCLAUGHLIN: I'm just saying,
9 there's a lot of -

10 MS. DEEGAN-DICKSON: If we need
11 to eliminate that 21 -- those 21
12 spaces from the from the calculation,
13 as I mentioned, it still gives us
14 adequate parking accommodation for
15 what our needs are.

16 MR. MCLAUGHLIN: And you
17 mentioned -- what did you mention the
18 height was?

19 MS. DEEGAN-RODRIGUEZ: The height
20 that's being requested as part of
21 this?

22 CHAIRPERSON RHODEN: 77 and half.

23 MEMBER HAWKINS: Did you say 77
24 and a half feet?

25 MS. DEEGAN-DICKSON: So, yes. So

1 ZONING BOARD OF APPEALS 1-15-2026

2 the 77 and a half to the roof.

3 MR. MCLAUGHLIN: Okay, but the --

4 MS. DEEGAN-DICKSON: And the
5 prior approval was for 75 to the roof.

6 MR. MCLAUGHLIN: But the denial
7 letter, so it says the applicant has
8 submitted an amendment with a total
9 height of 82 feet from the grade plane
10 to the top of the structure.

11 MS. DEEGAN-DICKSON: So if I --
12 I'd like to introduce Michael Harper
13 of Baskervill Architecture. He can
14 talk about the difference between the
15 prior approved heights. We did put
16 the comparison there so that it could
17 be seen graphically how it differs and
18 how it's also the same.

19 So with that, Michael.

20 MEMBER RODRIGUEZ: I'm sorry to
21 interject. When you get a chance
22 also, can you just show the renderings
23 because the public can't see them for
24 the public so they can see them as
25 well?

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(Whereupon, the Architect,
M-I-C-H-A-E-L H-A-R-P-E-R was sworn
in by the Court Reporter.)

MR. HARPER: Michael Harper,
project architect for Baskervill. And
our address is 1051 East Carey Street
and that's Richmond, Virginia, 23211.

So yes, the building height, the
original building or the previous
variance had a had a building height
of 75 feet to the roof line of the
rooftop area or the sixth floor, then
it had an additional -- then had an
additional up to 82 feet of stair
overrun.

MEMBER JACKSON: The original had
this?

MR. HARPER: The original one.
So then our in our design, the
new design, we needed basically two
feet to accommodate some mechanical
equipment, and we didn't want put much
mechanical equipment on the roof
because we're in 180 mile an hour wind

1 ZONING BOARD OF APPEALS 1-15-2026
2 zone, we don't want it to blow off.
3 So we actually -- we added a parapet
4 to the roof which the previous design
5 didn't have. So we're at 77 feet, six
6 inches to the top of that parapet of
7 the roof -- the rooftop or sixth
8 floor. Then we have stair overruns
9 that go up to 82 feet.

10 MEMBER JACKSON: So it sounds as
11 if you're saying that the Building
12 Department is analyzing it
13 differently; The stair height is the
14 same as it was prior?

15 MR. HARPER: Correct?

16 MEMBER JACKSON: And so the only
17 difference of two and a half feet is
18 the parapet?

19 MR. HARPER: Correct.

20 MEMBER JACKSON: And you had no
21 parapet before?

22 MR. HARPER: No, they had no
23 parapet before.

24 MEMBER HAWKINS: But you did have
25 the stairs you're saying, at the same

1 ZONING BOARD OF APPEALS 1-15-2026

2 height?

3 MR. HARPER: Correct.

4 The stairs are still at the same
5 one.

6 Actually our are actually -- I
7 think their stair actually went up 85,
8 ours only goes up to 82. Yeah, I
9 think it's an interpretation of the
10 height.

11 MEMBER JACKSON: My understanding
12 of the code is the outcropping for the
13 stair is not included --

14 MR. HARPER: Correct.

15 MEMBER JACKSON: -- in the
16 overall height.

17 MR. HARPER: Correct.

18 MEMBER JACKSON: So why are they
19 -- why does the denial letter state
20 that you have 82 feet in height?

21 MR. HARPER: That's the question
22 we're asking.

23 MEMBER JACKSON: Okay.

24 MR. HARPER: We were not told the
25 answer.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER JACKSON: I think we'll
3 need to get that cleared up.

4 MR. MCLAUGHLIN: I'll disagree
5 with that. We had a meeting with the
6 owner, and counsel the superintendent
7 and explained why it was 82 feet. You
8 weren't there but --

9 MR. HARPER: I was on the video.

10 MR. MCLAUGHLIN: I wasn't talking
11 about that. I'm talking about a
12 meeting in my office.

13 MR. HARPER: Oh, in your office.
14 I wasn't privy to that conversation.

15 MR. MCLAUGHLIN: I'm just saying.

16 MR. HARPER: Yeah, my job, when
17 we were brought on board, was to
18 convert this project from a Hilton
19 Garden Inn mid-scale hotel to an
20 upscale tapestry Hilton. And in doing
21 that, we needed to realign the program
22 and make it operationally efficient.
23 We removed three elevators. We
24 removed a set of stairs. We
25 reconfigured all the program. We

1 ZONING BOARD OF APPEALS 1-15-2026
2 reduced the building by 12,000 square
3 feet, which allowed the fire
4 department access to all three sides
5 and not have to go underneath the
6 building, which the previous one had.
7 Fire marshals was super excited about
8 that, that he could get around the
9 building.

10 In these program moves, some
11 spaces grew a little bit, some spaces
12 shrunk a little bit, some spaces were
13 just renamed. The cigar bar on the
14 roof is now the speakeasy. Same as
15 that program, we just changed the name
16 of it because we're going to interior
17 design it differently. Basically,
18 you're going to have to have a secret
19 key to get in and each hotel guests
20 will have kind of an adventure to get
21 to find it upstairs. That's part of
22 the tapestry brand and the boutique
23 this of the hotel.

24 With that on the exterior, trying
25 to stay within the kind of building

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1
2 form or mass that was previously done,
3 we removed some of the external
4 features that just cost-wise weren't
5 feasible. Putting a stairwell on the
6 building, there again, a 180 mile on
7 hour wind is structurally difficult in
8 cost. We moved balconies around
9 because we moved the stairs around and
10 allowed all the balconies to get the
11 best views. We reduced some
12 balconies. The balconies are
13 expensive in construction and in
14 maintenance, long-term maintenance.
15 So we removed some balconies. We
16 didn't want balconies right on
17 Woodcleft. There's noise there, too.
18 You have some cars. But the massing,
19 you can kind of see from these two and
20 the comparison here, they're similar.
21 We -- They're similar in nature. We
22 moved some of the blocks around. The
23 top one is the original. You can see
24 the stair tower and the elevator
25 shaft. We moved that inward and

1 ZONING BOARD OF APPEALS 1-15-2026
2 shrunk it so it allows the mass to
3 come all the way across. On the
4 rooftop, on the sixth floor, we kept
5 the same setback that they previously
6 had of six feet back from the from the
7 fifth floor facade to allow it to kind
8 of set back and shrink away, like you
9 -- object was so you didn't really
10 know there's a sixth floor up there.
11 But yes, we -- I mean, all in all,
12 it's the same building. It might be
13 a foot and a half taller.

14 MEMBER JACKSON: I'm concerned
15 with the fact that they are calling it
16 82 feet, and I'm not saying whether
17 you're right or wrong.

18 MR. HARPER: Yeah.

19 MEMBER JACKSON: It might make
20 sense to adjourn it and we can get
21 some clarification from the Building
22 Department on that, because that's a
23 major factor.

24 MS. DEEGAN-DICKSON: So we did
25 discuss it in Mr. McLaughlin's office

1 ZONING BOARD OF APPEALS 1-15-2026
2 with the Building Department. I
3 understand -- he explained why he
4 calculated that way. I don't agree
5 with it, but we said that's the way he
6 was calculating it and here we are
7 before the board asking for a
8 variance. I suppose we could ask for
9 an interpretation of his
10 determination. But --

11 MR. MCLAUGHLIN: I think what Mr.
12 Jackson is saying is, right now we're
13 dealing with you're saying it's
14 different than what he's saying and --

15 MS. DEEGAN-DICKSON: Well, I
16 think we should --

17 MR. MCLAUGHLIN: -- So they need
18 to have a full picture, not the half
19 picture of what you're saying.

20 Am I wrong?

21 MEMBER JACKSON: Yeah,
22 Absolutely.

23 MS. DEEGAN-DICKSON: So I think
24 that -- and I understand what you're
25 saying, I just want to go back to the

1 ZONING BOARD OF APPEALS 1-15-2026
2 side-by-side comparison of the prior
3 building. It's hard to see. Maybe
4 zoom in a little bit Taylor if you can
5 on just the corners of the two
6 (indicating). So there's the blue
7 line which was at 75 feet, that's 75
8 feet and then the purple line is at 82
9 feet. So the purple line, you'll see,
10 is above some of the projections, the
11 stair tower projections, but the roof
12 of the sixth floor is below that 75
13 foot. So the projections above were
14 the permitted bump-ups, if you will.

15 Looking at this, similarly, the
16 roof of the sixth floor is -- it's
17 actually two feet higher, It's at
18 77.6, I believe, is the number, and
19 goes across. That's where the actual
20 roof is, similar to what the roof --
21 and the roof, meaning no parapets
22 above it. And then the projections
23 above it, which I would imagine the
24 reason why they're considered part of
25 the height is because they're

1 ZONING BOARD OF APPEALS 1-15-2026
2 architectural elements, they're not
3 stair towers, and they're not spires
4 but they are architectural elements
5 that are not actually part of the
6 habitable space, if you will. So the
7 relief that we're really looking for
8 is the two and a half feet unless we
9 remove the architectural elements and
10 then, you know, it won't look as nice,
11 but that's where he gets to the 86
12 feet -- I'm sorry. 82 yeah.

13 MEMBER RODRIGUEZ: So in essence,
14 you're not increasing the height of
15 the overall building, This is more for
16 aesthetics?

17 MS. DEEGAN-RODRIGUEZ: Correct.

18 And we're not increasing the
19 height of the program area, if you
20 will, like where people are going to
21 be. It's not --

22 MR. MCLAUGHLIN: Well, the
23 aesthetic area -- I think -- it was
24 more than just aesthetic. But the
25 aesthetic area does make the building

1 ZONING BOARD OF APPEALS 1-15-2026

2 higher (inaudible).

3 MS. DEEGAN-DICKSON: It does.

4 MR. MCLAUGHLIN: It would have
5 effect on a view for, say, people who
6 live across the street, because it's
7 higher.

8 MS. DEEGAN: So it is higher, but
9 it is also, as Michael stated, they
10 stepped it back. So the architects
11 really, I think, did a very good job.
12 One of their main jobs here was to
13 keep the massing of the building
14 feeling like a four-story hotel above
15 a podium of parking, which is how it's
16 been all along. It does have that cap
17 of the sixth floor, but it's always
18 been set back so that it hasn't been
19 very perceptible from off-site so that
20 it wouldn't have a looming feeling of
21 a six-story building. It would still
22 feel like a four-story over parking,
23 which is visually, it's hard to see on
24 these two-dimensional elevations, but
25 if Taylor can go to some of the

1 ZONING BOARD OF APPEALS 1-15-2026
2 renderings, you can see that it has a
3 different appearance because of the
4 step backs on the upper levels.

5 MEMBER HAWKINS: Is there any
6 rooftop space being utilized at all?

7 MS. DEEGAN-DICKSON: So rooftop,
8 there's an observatory, like an
9 outdoor patio that was also part of --
10 it's in a different location but that
11 was also part of the original approved
12 plan and then the cigar bar is now
13 called the speakeasy. So that it's
14 just a renaming and repurposing and
15 reconfiguration of the space that's up
16 there.

17 MR. HARPER: You spoke about the
18 view across from the park there. That
19 comes back to one of the reasons we
20 want to parapet there, is there will
21 be a little bit of ductwork there, And
22 without the parapet and the two foot
23 six, you're going to see that duck
24 work. So some of that is trying to
25 visually hide some of that. So if

1 ZONING BOARD OF APPEALS 1-15-2026
2 you're across in the park, you're not
3 seeing that extra equipment. There
4 would be a little --

5 MR. MCLAUGHLIN: But You would
6 agree either way, whether it's
7 ductwork or parapet, the neighbors are
8 seeing less with this building because
9 of the 82 feet?

10 MR. HARPER: Correct. Right.
11 (Inaudible.) We agree.

12 MEMBER RODRIGUEZ: I just have
13 one more question.

14 The brand is tapestry, is that
15 the brand that Hilton is given to the
16 place; and has Hilton also come in as,
17 like -- are they the ones that are
18 going to be maintaining the space.

19 MR. HARPER: So, yes, tapestry is
20 a Hilton brand. Hilton's been
21 involved through the whole redesign
22 with it. They'll review it. They'll
23 come in and inspect it. They'll put
24 their backing behind it, but they will
25 not be the operator.

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ZONING BOARD OF APPEALS 1-15-2026

MEMBER RODRIGUEZ: They will not
be the operator?

MR. HARPER: Yeah.

MR. MCLAUGHLIN: What was the
original one?

MR. HARPER: The original one was
a Hilton Garden Inn.

MR. MCLAUGHLIN: And why do they
wish to --

MR. HARPER: That I do not know.
I do not have that information.

MS. DEEGAN-DICKSON: Just to talk
about the tapestry brand a little bit.
It's -- for a location like this, this
part of Freeport, this part of Long
Island is a very special location so
the tapestries that I've seen have
been very unique, culturally unique
kind of places. So in New Orleans,
I've been to a tapestry where it
brings in the vernacular of the area.
So it has the feeling of a boutique
hotel, even though it's a large flag
chain hotel. So it's different. Like

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1
2 every Hilton Garden in that you walk
3 into is going to look like every other
4 Hilton Garden Inn that you walk into.
5 Every tapestry that you walk in is
6 going to feel like a local hotel from
7 the area that it's drawing from. So
8 that's -- I think, and I don't work
9 for Hilton, but my understanding is
10 that this location being a special
11 location, it is, a waterfront hotel,
12 there's not many of them on Long
13 Island, that the hope is that this
14 will be a real destination, both for
15 events, for brides to come and have
16 their weddings here, but also for is
17 to generate some tourism for the area,
18 which will be, you know, a rising tide
19 that will raise the other ships in the
20 area and hopefully be a really big
21 shot in the arm for the local
22 businesses, give local residences a
23 place for people to stay, for them to
24 have their events, and also to bring
25 life, year-round life to the Nautical

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1 Mile, which, you know, I know one of
2 the downsides to having this beautiful
3 waterfront area is that it's very
4 seasonal, and it makes it difficult to
5 have that kind of life year-round.
6 So, you know, bringing this kind of a
7 boutique hotel, this kind of elevated
8 building here, you know, I think it
9 will be a real shot in the arm for
10 this part of Freeport.
11

12 And, you know, we're -- as I
13 said, we're very, very close to having
14 a building permit. We still have to
15 go back for the site plan review
16 because the facade is changing, so
17 we're gonna have to go back and get
18 another -- one more approval, but as
19 soon as that's done, this hotel can be
20 built and then it'll be -- it will be
21 a credit to the community.

22 So we'd ask that we can, you
23 know, keep this moving along. If
24 there's some conditions that you would
25 like to impose that we can accommodate

1 ZONING BOARD OF APPEALS 1-15-2026
2 or if there's additional information
3 that we can provide council, you know,
4 our preference would be to have the
5 hearing closed and allow us to move to
6 the planning stage and then to the
7 building permit so that we can finally
8 take that last step.

9 MR. MCLAUGHLIN: I think it's
10 just that Mr. Jackson had wanted to
11 see.

12 MS. DEEGAN-DICKSON: Oh, I'm
13 sorry.

14 MEMBER JACKSON: So the tapestry
15 brand is a higher-end brand. I think
16 you testified to that earlier?

17 MS. DEEGAN-DICKSON: Yeah.

18 MEMBER JACKSON: Do we have a
19 market feasibility study? Has there
20 been an independent market feasibility
21 study?

22 MS. DEEGAN-DICKSON: You know, I
23 don't have one now. I thought that
24 one of our early applications we
25 talked about the feasibility of having

1 ZONING BOARD OF APPEALS 1-15-2026

2 a hotel here.

3 MEMBER JACKSON: Because I'd like
4 to see that. You know, we'd like to,
5 guarantee the success of it.

6 MS. DEEGAN-DICKSON: Wouldn't we
7 all.

8 MEMBER JACKSON: Yeah, so if that
9 could be submitted, that would be
10 good.

11 MEMBER HAWKINS: I had a
12 question, As far as parking, there's a
13 business that was actually right next
14 to where Schooners was called. It's
15 called Fiore Brothers. Have you
16 looked into that as far as trying to
17 get parking over there?

18 MS. DEEGAN-DICKSON: Which one
19 was the place? I'm sorry.

20 MEMBER HAWKINS: Fiore Brothers
21 right next door.

22 MS. DEEGAN-DICKSON: I don't know
23 if my client has. I know that he's
24 been out talking to people that he
25 knows, but --

1 ZONING BOARD OF APPEALS 1-15-2026

2 MR. MCLAUGHLIN: Fiore Brothers.

3 MS. DEEGAN-DICKSON: Fiore

4 Brothers.

5 We haven't spoken to them.

6 MEMBER JACKSON: It's just north

7 of this property.

8 MEMBER HAWKINS: Right.

9 MEMBER JACKSON: It's right next

10 door. It's right adjacent to it.

11 MEMBER HAWKINS: There's nothing

12 there right now.

13 MS. DEEGAN-DICKSON: Yeah, I

14 don't know anything about it. I

15 thought that that was being slated for

16 redevelopment, but, but if you -- I

17 mean, we can, we can reach out to them

18 and see, you know, maybe a shared

19 parking arrangement or -- I'm not sure

20 what it is that they have planned for

21 that property, but that's something we

22 could explore.

23 MEMBER JACKSON: Yeah, I believe

24 it's also on the market. I believe he

25 does have a for sale sign out front.

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2 MEMBER RODRIGUEZ: Has any
3 thought process been given to a
4 possible parking garage?

5 MS. DEEGAN-DICKSON: Not
6 presently. It's not part of our
7 conversation now, you know, they tend
8 to be very costly to build, so surface
9 parking is preferred from a financial
10 feasibility point of view. You know,
11 if we really had a deficit of parking
12 and this hotel wouldn't work without
13 it, you know, they might have to
14 explore something like that but, you
15 know, the reality is that the parking
16 that we're talking about here is going
17 to be fine for this hotel. It's --
18 but I don't know that it's been
19 discussed. I would think not. I
20 think there was a discussion about it
21 some time ago and it didn't make
22 financial sense.

23 MR. HARPER: Some of that parking
24 garage financially it doesn't make
25 sense because you're -- the

1 ZONING BOARD OF APPEALS 1-15-2026
2 floodplain, right, 15 feet, you start
3 putting parking garage which is a
4 structure which has to break away at
5 certain points, mechanical systems,
6 lighting can't be below 15 feet,
7 there's just there's a lot of cost
8 variables there that I think make it
9 unfeasible. Because you basically
10 have to start it at 15 feet have
11 surface parking and so.

12 MEMBER RODRIGUEZ: Thank you.

13 MEMBER HAWKINS: Is that typical
14 for Hilton tapestries to be behind a
15 new development and then let someone
16 else run it; is that typical; I'm just
17 wondering?

18 MR. HARPER: Correct. Hilton
19 itself doesn't run many hotels. Like
20 Marriott, they're just a franchisee.
21 Basically, the developer or operator
22 runs it. A lot of times, the
23 developer's different than the
24 operator. And like, in this case, you
25 have a developer, and they hire an

1 ZONING BOARD OF APPEALS 1-15-2026
2 operator that runs 100-plus hotels all
3 in the New York area to manage it
4 because they know what they're doing.

5 MEMBER RODRIGUEZ: Is that the
6 case in this situation?

7 MR. HARPER: Correct, that's the
8 case in this situation.

9 Hilton puts all their backing
10 behind it, right, They put their full
11 brand behind it. They're going to
12 come out and inspect it yearly and you
13 have to renovate it every so often.
14 You have all their backing of their
15 big corporate, but it's owned and
16 operated by different...

17 MEMBER RODRIGUEZ: So for the
18 most part, the tapestry brand is like
19 a cookie-cutter type of -- or they're
20 all different?

21 MR. HARPER: No, tapestries,
22 they're all different. They're all
23 boutique hotels. They're all branded.
24 There's a branding company that's been
25 involved the whole time. They've

1 ZONING BOARD OF APPEALS 1-15-2026
2 gotten a whole story for the area.
3 Used to be a shipbuilder, A big
4 shipbuilding area here. So the whole
5 story for the hotel and the name of
6 the hotel all comes from that
7 shipbuilding history, wrought irons
8 and the coach art (inaudible and all
9 that. It's all integrated into the
10 whole interior design of the hotel.

11 I don't have any renderings, but
12 the bar in the hotel literally has
13 this skeleton boat looking thing
14 hanging over it. The restaurant will
15 be branded based on that for a local
16 theme. Each one -- each tapestry is
17 unique to its area.

18 CHAIRPERSONS RHODEN: Thank you.

19 Are you done with your
20 presentation? Is your presentation
21 concluded?

22 MS. DEEGAN-DICKSON: Yes.

23 We'd just like an opportunity, if
24 there's any comments from the public
25 to have an opportunity to address

1 ZONING BOARD OF APPEALS 1-15-2026

2 them.

3 CHAIRPERSON RHODEN: Yes, I will
4 get to that. Thank you.

5 Do we have anyone who would like
6 to speak for or against this
7 application this evening?

8 THE CLERK: I do have one
9 speaker, Dante Grover.

10 MR. MCLAUGHLIN: If anybody else
11 has any slips, please bring them up
12 now.

13 (Whereupon, an inaudible response
14 came from the audience.)

15 (Whereupon, the Witness,
16 D-A-N-T-E G-R-O-V-E-R, was sworn in
17 by the Court Reporter.)

18 MR. GROVER: Dante Grover, 28
19 Garner Lane, Bay Shore, New York.

20 Good evening, everybody. Thanks
21 very much for your service. And I
22 know you've got a lot of things to
23 consider. I don't even know exactly
24 what the charge is for your board and
25 what your directive is, but we've bee

1 ZONING BOARD OF APPEALS 1-15-2026
2 a property owner on the Nautical Mile
3 since 1950, And we definitely want to
4 lend our support to this project. And
5 if it is at all possible to take into
6 consideration, I know parking is a big
7 part of it, but you can go down that
8 Nautical Mile any time after Labor Day
9 and you could park 747 down there.
10 You could go down there tonight or any
11 day in the afternoon after the season
12 is done and take a bowling ball and
13 roll it down that street and you will
14 not hit another car. Something like
15 this can really lend an off-season
16 market for the Nautical Mile, and
17 being the landlord down there for
18 numerous restaurants, I can tell you
19 that every restaurant struggles.
20 We've had tremendous turnover where a
21 restaurant can't survive during the
22 off-season and they can't make enough
23 money during the season to carry it
24 through the winter. So I don't know
25 if that's your privy to take that into

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1
2 consideration, but I would please ask
3 you to consider that because that mile
4 really is desolate, all winter long
5 and most -- I think most everybody
6 here realizes that but that should
7 really be a big consideration when
8 going to take a look at this variance.

9 Thanks.

10 MEMBER JACKSON: Thanks.

11 MEMBER RODRIGUEZ: Thank you.

12 MR. GROVER: As far as the Miller
13 Avenue parking lot, that building was
14 built by Nick Cassis, and when he
15 built it, that was an afterthought
16 because as they were selling those
17 units, there was a request that people
18 might want to come there by boat. So
19 he had bought a house across the
20 street from the condominium, knocked
21 the house down, put that parking lot
22 there so people could come in, drop
23 off and pick up passengers by boat,
24 thinking that it would be a better
25 thing to help market the condominium,

1 ZONING BOARD OF APPEALS 1-15-2026
2 but historically that was not a part
3 of the original building plan or
4 approval when he was building that
5 building.

6 MEMBER HAWKINS: Mr. Grover, is
7 that your property at 160 Woodcleft?

8 MR. GROVER: Yes.

9 MEMBER HAWKINS: So you have an
10 agreement as far as --

11 MR. GROVER: We don't have any
12 formal agreement, no.

13 MEMBER HAWKINS: Okay, thank you.

14 THE CLERK: Our next speaker is
15 Adriana Vargas.

16 (Whereupon, A-D-R-I-A-N-A
17 V-A-R-G-A-S, was sworn in by the Court
18 Reporter.)

19 MS. VARGAS: Adriana Vargas, 725
20 Miller Avenue, Unit 437, Freeport, New
21 York 11520.

22 MEMBER JACKSON: Good evening.

23 MS. VARGAS: Good evening. I'm
24 sorry, I'm not very well spoken. But
25 I was under the impression that the 50

1 ZONING BOARD OF APPEALS 1-15-2026
2 feet for a business is the top cap for
3 a building structure and it was 40
4 feet for a resident, so I get
5 confused. How did we get to 80 or
6 whatever.

7 MR. MCLAUGHLIN: Well, there's
8 two things. We got the 82 today is
9 what they presented, but it was, their
10 variance was based on their previous.
11 They received a zoning variance in the
12 past that allowed it to go up, I
13 believe, to 75 feet.

14 MEMBER JACKSON: Yes.

15 MR. MCLAUGHLIN: So they had
16 received a variance. So the
17 difference between what they're
18 discussing now is the difference from
19 what I believe is 75 feet, which was
20 their prior approval to what is now 82
21 feet.

22 MS. VARGAS: I can't make money
23 because I'm simple, you know, keep it
24 simple and pop it through confusion,
25 and that's what I'm seeing. I'm

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1
2 simple. I just want to keep things
3 simple and confusing. It's too much
4 noise. I mean, but it's 50 feet is
5 the thing. I don't know how they got
6 to 72. So they got to that variance
7 and now they want to go to 84. I have
8 an issue with that. My understanding
9 was, four feet is the highest level
10 that it can go to.

11 MR. MCLAUGHLIN: I'm sorry, four
12 feet?

13 MS. VARGAS: Four stories, 40
14 feet.

15 MR. MCLAUGHLIN: Well, like I
16 said, they had previous variances so
17 they're based on their previous
18 variances. They're also here because
19 they're trying to add an extra story
20 to it. So that is one of
21 the variances they're seeking.

22 This board has the ability to
23 waive the code if it's under certain
24 conditions, when it is properly
25 presented.

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2 MS. VARGAS: And then the parking
3 lot, I don't know the address on
4 Woodcleft, in the winter it's full of
5 boats.

6 MEMBER JACKSON: I'm sure that
7 would be enforced if they're using the
8 parking for the hotel. I'm sure that
9 will be enforced -- if they need
10 parking for the hotel, I'm sure
11 they'll enforce that to --

12 (Crosstalk.)

13 MS. VARGAS: No, no, they make
14 money off the boats. Where are those
15 boats going to go?

16 MEMBER JACKSON: Well, that's a
17 good point.

18 MS. VARGAS: Simple.

19 Thanks very much.

20 MEMBER JACKSON: You're welcome.

21 MEMBER RODRIGUEZ: You're
22 welcome.

23 THE CLERK: Our next speaker is
24 Robin Markman.

25 (Whereupon, the Witness, Robin

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Markman, was sworn in by the Court Reporter.)

MS. MARKMAN: 65 West Side Avenue, Freeport, New York.

Hi, good evening. Thank you for hearing me.

I own a business on the Nautical Mile, and as Dante said very clearly, in the winter, we die. Having another business that would be open all year round would be super helpful to keeping us alive. For years and years most of the businesses do close down. I am one of the businesses, Sparkle on Stage, that stays open all year round, and we hurt. It's hard to get people to come down and stay down. Yes, there's tons of parking in the winter but now honestly that the municipal lot has become free for the past few years, parking hasn't been as much of an issue for regular people as it has been in the past, even in the summer, because we have that big municipal lot

1 ZONING BOARD OF APPEALS 1-15-2026

2 open.

3 Having a hotel where tourists
4 would walk the mile, even maybe the
5 colder months, would be super helpful
6 to having the businesses, and I don't
7 think that the parking, since we have
8 the big municipal lot, and it is quite
9 large, even in the summertime, would
10 hurt us super badly.

11 So I just would like you to
12 consider helping them to launch. I
13 mean, I know a lot of people come into
14 my business and ask what's happening
15 with the hotel. Is it really
16 happening? Is it not? It would help
17 our businesses, and I think it would
18 help the community. There is no nice
19 hotel anywhere in our vicinity for any
20 of our guests, even as residents, to
21 stay.

22 So thank you for taking the time
23 to listen to me and maybe bringing us
24 a nice hotel to the residency. Thank
25 you.

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2 MEMBER JACKSON: Thank you.

3 MEMBER RODRIGUEZ: Thank you.

4 MR. GROVER: Thank you.

5 MR. MCLAUGHLIN: Are there any
6 other speakers?

7 (Whereupon, an inaudible noise
8 came from the audience.)

9 THE CLERK: Sheila Kelly is our
10 next speaker.

11 (Whereupon, the Witness, Sheila
12 Kelly was sworn in by the Court
13 Reporter.)

14 MS. KELLY: Thank you, everyone.
15 Good evening.

16 I live at 725 Miller Avenue.
17 Sheila Kelly, 725 Miller Avenue, 135
18 Freeport, New York 11528.

19 That looks beautiful, and it
20 would really be really nice in the
21 neighborhood, but my concern is not
22 where everybody's going to park, it's
23 how everybody's going to get --
24 there's one way in. Everybody comes
25 down Miller Avenue or the Nautical

1 ZONING BOARD OF APPEALS 1-15-2026
2 Mile. I -- if didn't have secure
3 parking in my building I wouldn't live
4 there because I wouldn't be able to
5 park on the weekends in the summer.
6 I'm sorry, I have a cold.

7 I don't leave my building on
8 Saturdays and Sundays because I can't
9 get back down. It's bumper -to
10 -bumper traffic. All of the
11 restaurants on the Nautical Mile, you
12 pick a 75, 85 degree day in July, they
13 park six blocks from the Nautical Mile
14 all up Miller. I can't imagine where
15 138 rooms, 50 employees, a banquet, a
16 restaurant, how they're all going to
17 get down there. Not to mention that
18 the street still floods. Sometimes I
19 can't leave. I don't know how, you
20 know, people coming to a hotel would
21 get down there, you know, when it's
22 high tide and the street's flooded.
23 So I'm just wondering why there's such
24 a concern where everybody going to
25 park but now how everybody's going to

1 ZONING BOARD OF APPEALS 1-15-2026
2 get down there. That's my concern. I
3 mean, it would be beautiful. It's a
4 nice area down there. That empty lot
5 is an eyesore but the traffic would be
6 absolutely ridiculous.

7 Thank you.

8 MEMBER HAWKINS: Thank you.

9 CHAIRPERSON RHODEN: Thank you.

10 MEMBER RODRIGUEZ: Thank you.

11 MR. MCLAUGHLIN: Counsel, can you
12 address the concern about traffic?

13 MS. DEEGAN-DICKSON: Well, the
14 change in this project from the
15 previous approval is not going to
16 impact the traffic at all.

17 When we were here before this
18 Board initially and with our first
19 occupancy change, we had presented a
20 traffic study at the time that
21 indicated that the traffic would be --
22 would be fine.

23 MR. MCLAUGHLIN: When was that
24 in?

25 MS. DEEGAN-DICKSON: I think

1 ZONING BOARD OF APPEALS 1-15-2026
2 2020. We can -- you should have it in
3 your records. We can --

4 MR. MCLAUGHLIN: No, I know that
5 but a traffic study in mist of COVID
6 is a little different --

7 MR. CODY: 2020 I want to say it
8 was done. During the initial
9 application. I can see exactly --

10 MS. DEEGAN-DICKSON: Well, 2020
11 was COVID, the application was during
12 COVID. I think the parking was done
13 -- I don't know want to speak out of
14 turn but --

15 MR. MCLAUGHLIN: I think the
16 concern is that not today in December
17 but it's not only Woodcleft but it's
18 Ocean, it's Miller. People are coming
19 down their streets to get to the hotel
20 and they're one-way streets.

21 MS. DEEGAN-DICKSON: That was
22 case in all of the previous
23 applications too. So the change of
24 height by two and a half feet and
25 reducing a number of rooms is not

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2 going to impact that.

3 MR. MCLAUGHLIN: I'm just asking
4 to address her concerns because she's
5 asking.

6 MS. DEEGAN-DICKSON: Yeah. And
7 like maybe -- I don't know if we can
8 this as part of this -- we weren't
9 prepared to address this, this evening
10 because it is something that I --

11 MR. MCLAUGHLIN: I understand but
12 she asked.

13 MS. DEEGAN-DICKSON: Sure.

14 MR. CODY: Essentially we did
15 perform a fully traffic study back in
16 initial application. The data was
17 collected in August of 2019.

18 MR. MCLAUGHLIN: Okay.

19 MR. CODY: So it should be
20 pre-COVID. We collected it Atlantic
21 Avenue and South Ocean Avenue and
22 Atlantic Avenue and Guy Lombardo
23 Avenue, Front Street, Atlantic Avenue
24 and South Ocean Avenue, Atlantic
25 Avenue and Guy Lombardo, Front Street

1 ZONING BOARD OF APPEALS 1-15-2026
2 and Woodcleft Avenue, Front Street and
3 Guy Lombardo Avenue, Woodcleft Avenue
4 and Manhattan Street and South Ocean
5 Avenue and Manhattan Street where the
6 intersection that were reviewed I
7 believe. In terms of the traffic,
8 that past study review essentially
9 found that there wouldn't be any
10 substantial impacts.

11 And then we did in the two
12 comparative letters, including this
13 one, we looked at the traffic on the
14 -- essentially between the 2023 and
15 the 2020 application and this
16 application, we look at a reduction of
17 about 30 trips in comparative to the
18 previously approved. So the traffic
19 could actually be getting better from
20 the 2023 application.

21 MR. MCLAUGHLIN: Better from --
22 (Crosstalk.)

23 MR. CODY: Yeah, but better from
24 what it was previously approved as.

25 MR. MCLAUGHLIN: But what she's

1 ZONING BOARD OF APPEALS 1-15-2026
2 asking, is she's going to be impacted
3 with this?

4 MR. CODY: Yes.

5 There will be new vehicles on the
6 road in any case, no matter what gets
7 built, whether it's the hotel or
8 anything else. But the initial study
9 performed for, I believe, a 300
10 occupant catering space and 100 room
11 hotel revealed that the traffic impact
12 should be adequately addressed by the
13 surrounding roadway network.

14 Thank you.

15 CHAIRPERSON RHODEN: Do we have
16 anyone else?

17 THE CLERK: No, no other
18 speakers.

19 MS. DEEGAN-DICKSON: I don't have
20 anything further this evening.

21 We can provide you the
22 information that we discussed, the
23 written agreements that, while they're
24 not finalized, my understanding that
25 they're in the works, and we would

1 ZONING BOARD OF APPEALS 1-15-2026
2 accept as a condition of approval that
3 we provide these additional 51
4 off-street parking spaces, that we can
5 submit after the hearing is closed.

6 MEMBER JACKSON: I'd also like to
7 see a market feasibility study.

8 MS. DEEGAN-DICKSON: If one
9 hasn't been prepared. I would imagine
10 one has been prepared.

11 If I can just ask, are you
12 talking about the difference between
13 the Hilton Garden Inn and the
14 tapestry; is that what your concern
15 is?

16 MEMBER JACKSON: Basically, you
17 know, the overall -- you know, you're
18 -- asking you're changing it to a
19 tapestry and the reason you're
20 changing it is because obviously
21 you'll collect more money from a
22 tapestry, so I'd like to know is it,
23 you know, is this a feasible project
24 --

25 MS. DEEGAN-DICKSON: Okay.

1 ZONING BOARD OF APPEALS 1-15-2026

2 MEMBER JACKSON: -- financially.

3 MS. DEEGAN-DICKSON: We can get
4 you something.

5 MEMBER JACKSON: I'm sure you
6 can.

7 I think we'd also like to have
8 pre-clarification from the village on
9 the lot on Miller which we will get
10 and clarification as to the
11 calculation for the height because I'm
12 still -- that's still not quite clear
13 why that changed. They might just be
14 changing how they're looking at it but
15 we just would need to know.

16 MS. DEEGAN-DICKSON: Okay.

17 MEMBER JACKSON: So I'm going to
18 suggest that we adjourn, pending these
19 clarifications.

20 MS. DEEGAN-DICKSON: If we, could
21 we be put on your next agenda so that
22 we can do that?

23 MEMBER JACKSON: Yeah, if you can
24 get this to us, I believe that's
25 possible, yes.

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2 MS. DEEGAN-DICKSON: Okay. Good.

3 Well, thank you for your time and
4 attention tonight.

5 MEMBER JACKSON: Thank you.

6 MEMBER RODRIGUEZ: Thank you.

7 CHAIRPERSON RHODEN: Thank you.

8 Can I please have Motion to
9 adjourn?

10 MEMBER JACKSON: So moved.

11 MEMBER RODRIGUEZ: I second.

12 THE CLERK: All in favor?

13 CHAIRPERSON RHODEN: Aye.

14 MEMBER HAWKINS: Aye.

15 MEMBER JACKSON: Aye.

16 MEMBER RODRIGUEZ: Aye.

17 THE CLERK: Any oppose?

18 (Whereupon, there was no verbal
19 response given from the Board
20 Members.)

21 CHAIRPERSON RHODEN: Can I please
22 have a Motion to close the Legislation
23 session, please?

24 MEMBER JACKSON: So moved.

25 MEMBER HAWKINS: Second.

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ZONING BOARD OF APPEALS 1-15-2026

THE CLERK: All in favor?

CHAIRPERSON RHODEN: Aye.

MEMBER HAWKINS: Aye.

MEMBER JACKSON: Aye.

MEMBER RODRIGUEZ: Aye.

THE CLERK: Any oppose?

(Whereupon, there was no verbal
response given from the Board
Members.)

(Whereupon, the Board entered
into Legislative Session.)

(Continued on next page to
include jurat.)

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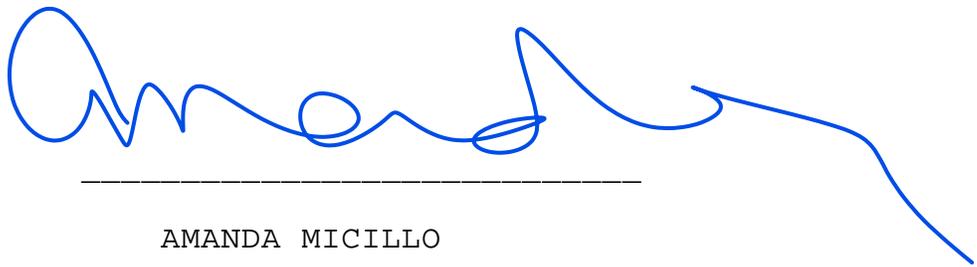
CHAIRPERSON RHODEN: Thank you.
Have a good night.

* * * * *

I, Amanda Micillo, an Official
Court Reporter of the State of New
York, County of Suffolk, do hereby
certify this transcript to be a true
and accurate stenographic
transcription of the proceedings taken
by me to the best of my ability.

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AMANDA MICILLO

Official Court Reporter