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SEC. 55 BLK. 264 LOT. 5

2023 JAN 20 A 10:17

BOARD OF APPEALS OF THE VILLAGE OF FREEPORT

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

In the Matter
Of
the Application of

To The Board of Appeals of the Village of Freeport, New York Index No. _____

COMPLY WITH ORIGINAL NOTES

The application of Nelson Zelaya respectfully states and alleges:

Strike out inapplicable phrase

1. That the applicant (resides at) (has its principal office for the conducting of its business at)

97-28 220th St Queens Village NY 11429

State whether applicant is owner, lessee, or has option or contract. If other than owner, state briefly terms of agreement.

2. That the premises affected by this application is located at Land Map of Nassau County

8-10 Brooklyn Ave Sec 55 Blk 264 Lot(s) 5

and that the interest which the applicant has in the property concerned is that of

Amend Application # 2019 1229 additional parking beyond .25 miles AS per approval

3. That (the applicant) (the applicant's duly authorized _____) on or about the

9 day of Sept 2019, filed in the office of the Department of Buildings of the Village of

Freeport, New York, an application for a Building Permit. Documents filed with said application were as follows:

Application of Erection of Building Short Environmental Assessment Form

Obtain reason for denial from Department of Buildings.

4. That on or about the 29th day of April, 2020, the Department of Buildings denied said application; upon information and belief that the reason for said denial was as follows:

Sec 210 - 172 A (4)

Describe by construction and number of stories. If none, so state.

5. That the nature of the improvements now upon said premises is as follows:

Amend Application # 2019 1229 (parking)

State nature of use of property. If a business, give brief description.

6. That said premises are now being used as follows:

bar & restaurant

Describe fully and clearly the use desired.

7. That the applicant seeks authority to make use of said premises as follows:

EXISTING BAR

Strike out whichever word is not applicable. Follow language in ordinance.

8. Upon information and belief that a (permit) (variance) for such use may be granted by this Board by virtue of the following sections of the said Zoning Code of The Village of Freeport or statutes of the State of New York Village Law 7-712 Freeport

Village Code Sec 210-11 & Sec 210-12

Refer where possible to paragraphs and section by numbers.

9. That the following is a statement of other factual information deemed pertinent by the applicant. If the application involves a subdivision of property, describe the existing property:

NONE

If more space is needed annex statement on separate sheet and refer to it here with following words: "See annexed statement which is made a part hereof." Save opinions for the hearing.

If non-conforming use is claimed, set forth uses made of premises and dates thereof in chronological order.

10. That the grounds for this application are as follows: Amend Application # 2019 1229

11. That any deed restrictions running with the land prohibiting the desired use are as follows: N/A

12. That (the applicant has made no previous application to this Board for the authority sought herein) (upon information and belief a previous application was made for the same or similar authority sought herein and denied by this Board, but that this application contains facts not alleged or shown in any previous proceeding before this Board).

WHEREFORE, the applicant respectfully prays that the authority sought herein be granted.

Dated: 1/19, 2023

Nelson Zalaya A
BY: _____
ITS: Lessie

If this verification is made by an officer of a corporation or an Association or by a legal representative of an estate, his name and office should be designated on the first line.

State of New York)
County of Nassau) ss:

The applicant Nelson Zalaya named in the foregoing application, being duly sworn, depose and say that He read the foregoing application subscribed by him and know the contents thereof, and that the same is true to his own knowledge except as to the matters therein stated to be alleged on information and belief, and that as to those matters He believe S to be true.

Sworn to before me this 19th day of January, 2023

Notary Public _____

Nelson Zalaya
Signature of Applicant

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CLERK'S OFFICE
COUNTY OF NASSAU, NY
VINCENT ROY
Notary Public, State of New York
No. 30451
Qualifier in Nassau County
Commission Expires March 30, 19__

**Notice
Conflict of Interest**

I have read Section 809 of the General Municipal Law concerning disclosure of and conflict of interest and hereby certify that there are no conflicts in respect to this application requiring disclosure.

1/19, 2023
Date Year

Nelson Zalaya
Signature

Affidavit of Owner

To be completed only if the owner is not the applicant.

State of New York)
County of Nassau) ss:

I OFFICER being duly sworn, depose and say:

That he/she (the owner of 8-10 Brooklyn Ave) (is the _____ of _____ the property concerned is correct to the best of the knowledge of deponent _____.)

That the owner 8-10 Brooklyn consents to the granting of the authority sought in the above application.

Sworn to before me this 19 day of January, 2023
Notary Public _____

Nelson Zalaya
Signature



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INC. VILLAGE OF FREEPORT

Department of Buildings

46 NORTH OCEAN AVENUE

FREEPORT, NEW YORK 11520

(516) 377-2242

FAX (516) 377-2493

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

ROBERT T. KENNEDY
MAYOR

E-MAIL BUILDINGDEPT@FREEPORTNY.GOV

JOSEPH MADIGAN
SUPERINTENDENT OF BUILDINGS

April 29, 2021
AMENDED DENIAL LETTER

Nelson E Zelaya
97-28-220th St.
Queens Village, NY 11429

RE: 8-10 Brooklyn Ave., Freeport, New York 11520
Zoning District – Service Business Sec. 55 Blk. 264 Lot 5
Building Permit Application #20191229 – Cosmetic change to existing bar and restaurant with interior alterations

Dear Sir/Madam:

Please be advised that the above captioned Building Permit Application must be denied for the following reason(s):

- 1) **Village Ordinance §210-6A**, “Conformity required”: No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located. The proposed plan that you have submitted indicates that the property will not be in conformity.
- 2) **Village Ordinance §210-172A (4)** “Required parking spaces”-Restaurants, discotheques, cabarets, and bars; at least one parking for each three authorized occupants. **The plans submitted with your application indicates with seating and standing area the occupant load will be 114 persons. This would require 38 parking spots. The Building permit application you submitted with this application indicates 0 parking spaces. Accordingly, you will be seeking a parking variance.**

Please be further advised that if you intend to appeal this decision, you must file an application to the Zoning Board of Appeals within sixty (60) days of the date of this letter. For your convenience, enclosed please find an application, together with an instruction sheet for filing, which includes the current fee schedule. The completed applications, together with the required documentation and fee, are to be submitted to the Village Clerk's Office.

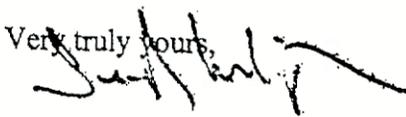
April 29, 2021

RE: 12 Brooklyn Avenue

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If you should have any questions or require additional information with reference to the Zoning Board Application, please contact the Village Clerk's Office at 377-2300. In the event that you do not make application within the allotted sixty (60) days, this Letter of Denial will expire and the Building Permit Application in conjunction with same will be cancelled.

Very truly yours,



Joseph Madigan
Superintendent of Buildings

/al

Enclosure
cc: Village Clerk

SITE PLAN APPROVAL NEEDED

Yes: _____ No: X

PARKING SPACE RENTAL AGREEMENT

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I. **The Parties.** This agreement dated January 1 2023 is by and between **Main Street 115 LLC** with a mailing address of **115 South Main Street, Freeport, New York, 11520** (Hereinafter known as the 'Lessor') and **El Bar Loco** with a street address of **10 Brooklyn Avenue, Freeport, New York, 11520** (Hereinafter known as the 'Lessee') for twenty (20) parking spaces located at **115 South Main Street, Freeport, New York, 11520**.

II. **Term.** The tenancy shall be on a fixed term.

This agreement begins on **January 1 2023** and ends on **January 1 2024**.

III. **Rent.** The payment of rent by the Lessee to the Lessor shall be due on the first (1st) of every month in the amount of **\$700.00 (US Dollars)**. Payment shall be delivered to the Lessor by the Lessee.

IV. **Subletting.** The Lessee is not allowed to sublease (sublet) the space without the direct written consent from the Lessor.

V. **Current Registration & Insurance.** Lessee may only use the space for vehicles that are up-to-date with all State and local registration. In addition, all vehicles must maintain current with insurance that is legal under the State of registration.

VI. **Maintenance.** Lessee is required to keep the vehicle in good repair and free of hazardous leaks of oils or liquids. No repairs of any type are allowed on the parking space and, if needed, must be towed to a location that allows such activities.

VII. **Use of Space & Damage.** The use of the space may only be for the parking of a vehicle that is owned/leased by the owner. No storage of personal property may be allowed in the space. Lessor is not liable for any damage done to the vehicle or personal property taken from it. All liability to the vehicle and personal property will be the responsibility of the Lessee.

VIII. **Governing Law.** This agreement shall be governed under the laws in the State of New York.

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Lessor's Signature H. Ederi

Date 1/1/2023

JAN 20 A 10:18

Main Street 115 LLC

[Signature]

Lessee's Signature

Date 1/10/23

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

El Bar Loco

**LAW OFFICE OF
JEFFREY D. HERMAN & ASSOCIATES, P.C.**

3333 New Hyde Park Road Ste. 400
New Hyde Park, NY 11042
(516) 504-0055
FAX (516) 504-0189
JEFFREY@JEFFREYHERMAN.COM

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CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

June 28, 2021

Zoning Board
46 North Ocean Avenue
Freeport, New York 11520

RE: **Proposed Restaurant Application #2021-6 -- 8-10 Brooklyn, Ave, Service Business-
Section 55/Block 264/Lot 5-Nelson Zelaya** -- Cosmetic change to existing bar and
restaurant with interior alterations

Dear Sirs,

Please find enclosed an agreement regarding the above captioned matter. Please be
advised that off street parking located at **86 Broadway, Freeport, NY 11520** has been agreed to
be provided as needed between the following parties: Value Service, **86 Broadway, Freeport,
NY 11520** and Nelson Zelaya lessee of **10 Brooklyn Ave, Freeport, NY.**

Should you have any questions or concerns, please feel free to contact me. Thank you.

Very truly yours,



JEFFREY D. HERMAN, Esq.

AGREEMENT:

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VILLAGE OF FREEPORT, NY

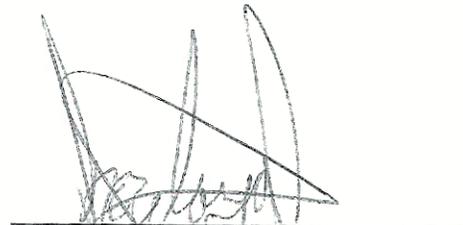
Dated: June 28, 2021

RE: **Proposed Restaurant Application #2021-6 -- 8-10 Brooklyn, Ave, Service Business-
Section 55/Block 264/Lot 5-Nelson Zelaya --** Cosmetic change to existing bar and
restaurant with interior alterations

It is hereby agreed by and between the parties that value parking located at **86
Broadway, Freeport, NY 11520**, and Nelson Zelaya, lessee of **10 Brooklyn Ave, Freeport,
NY**, agree to provide off street valet parking as needed.



Steven Bach/Owner
Value Service



Nelson Zelaya Owner/Lessee
10 Brooklyn Ave

Sworn to before me this
28th day of *June*, 2021



NOTARY PUBLIC

JOAN M. PUGLISI
Notary Public, State of New York
Registration #01PU6035475
Qualified in Nassau County
Commission Expires Jan. 3, 2022

INCORPORATED VILLAGE OF FREEPORT
ZONING BOARD OF APPEALS DECISION

DATE: August 19, 2021

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2023 JAN 20 A 10: 18

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

APPROVAL WITH CONDITIONS

Building Department Permit Application#2019229

Chairman, regarding Application #2021-06 for the premises located at 8-10 Brooklyn Avenue, Freeport, the Applicant comes before this Board seeking a variance from Village Ordinances §210-6A, 210-172A(4) seeking approval for cosmetic changes to existing bar and restaurant with interior alterations.

I, **Drew Scopelitis**, move that this Board make the following findings of fact:

A public hearing was held on June 17, 2021 wherein applicant was represented by attorney Michael Solomon. He explained that his client wishes to open a restaurant there. A restaurant is a permitted use in the service business district, but there is not sufficient off-street parking. With the seating plan submitted to the Building Department, 38 spaces are required. When the building was constructed in 1935, it was built without any off-street parking spaces. Mr. Solomon explained that it was strictly a restaurant and bar serving Italian and Mexican food. He offered to provide valet parking on weekends.

Sean Mulryan presented a parking study to the Board. He explained in the parking study area there were over 1,000 public parking spaces, 114 of which are on the street, 673 unrestricted municipal spaces, and 525 commuter permit spaces which require a permit on non-holiday weekdays before 2PM. The parking study showed 75 on street spaces during the weekday afternoon and evening and 85 in street spaces in the afternoon and evening on Saturday.

Attorney for petitioner did not want an adjournment in order to come back with a lease.

The Board has serious concerns about availability of non-municipal lot parking spaces, despite the information provided in the parking study. As such, the Board is going to grant the variance conditioned on providing 20 off-street valet parking spaces, said valet to provide parking for all hours the restaurant is open.

1. On balance, the benefit to the applicant by the granting of this variance is not outweighed by the detriment to the health, safety and welfare of the neighborhood or community if such variance were to be granted. The Board has determined:
 - a. that an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the area variance;

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b. that the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance;

c. that the requested area variance is insubstantial;

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VILLAGE OF FREEPORT, NY
d. that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;

e. that the alleged difficulty was self-created in that applicant purchased a building with no parking, this factor is not dispositive.

2. The Board, as lead agency, has determined that this action is an unlisted action under SEQRA. A short environmental assessment form has been completed by the applicant and this Board. ~~The Board finds no environmental impact under SEQRA, issues a negative declaration, and no further review is required.~~

I further move that this application be granted subject to the following conditions:

1. Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.
2. Applicant must obtain the required permits from the Building Department.
3. Applicant must provide a lease /agreement providing 20 off-street valet parking spaces within .25 miles of the subject property. Said valet spaces shall be used all hours during which the restaurant is open. Should applicant cease to have a lease/agreement for 20 off street spaces at any time, the variance is revoked and applicant must return to the zoning board for further review. Each lease/agreement must have a concrete start and end date. Said lease/agreement to be provided to Counsel's Office and the Building Department annually.

Second by: Ben Jackson

The Clerk polled the Board:

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



DEPARTMENT OF BUILDINGS

OF THE VILLAGE OF FREEPORT, N.Y. APPLICATION NO. _____
 Filing Date _____

Application for Erection of Buildings or Alterations

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 2023 JAN 20 AM 11:10
 CLERK'S OFFICE
 VILLAGE OF FREEPORT

IMPORTANT - Applicant to complete all items in sections: I, II, III, IV, V

I. LOCATION OF BUILDING	AT (LOCATION) <u>8-10 Brooklyn Ave</u> ZONING DISTRICT <u>Service business</u>
	BETWEEN <u>N. Main St.</u> AND <u>N. Grove St.</u>
	SECTION <u>55</u> BLOCK <u>264</u> LOT <u>4</u> APPROX. LOT SIZE _____ X _____ LOT AREA _____

II. TYPE AND COST OF BUILDING - All applicants complete Parts A - D.	
A. TYPE OF IMPROVEMENT	B. PROPOSED OR EXISTING USE
1 <input type="checkbox"/> New building 2 <input type="checkbox"/> Addition-Alteration (If residential, enter number of new housing units added. If non-state none) 3 <input type="checkbox"/> Swimming Pool 4 <input type="checkbox"/> Repair (replacement) 5 <input type="checkbox"/> Bulkhead (New, Repair) 6 <input type="checkbox"/> Fence 7 <input type="checkbox"/> Moving (relocation)	RESIDENTIAL 11 <input type="checkbox"/> One Family 12 <input type="checkbox"/> Two families 13 <input type="checkbox"/> Apartment - Enter No. of Units _____ 14 <input type="checkbox"/> Transient hotel, motel, or dormitory - Enter No. of Units _____ 15 <input type="checkbox"/> Garage or Accessory Structure 16 <input type="checkbox"/> Other - Specify _____ NON RESIDENTIAL - Complete Part "E" 17 <input type="checkbox"/> Industrial 18 <input type="checkbox"/> Office, bank, professional 19 <input type="checkbox"/> Stores, mercantile 20 <input type="checkbox"/> Church, other religious 21 <input type="checkbox"/> Hospital, Institutional 22 <input type="checkbox"/> Other - Specify _____

C. COST	D. DESCRIPTION OF PROJECT
10 TOTAL COST OF IMPROVEMENT \$ <u>800.00</u>	<u>Minor Cosmetic Change to existing bar</u>

III. IDENTIFICATION - To be completed by all applicants		
NAME	MAILING ADDRESS - Number, street, city and state, Zip	TEL. NO.
1. Owner or Lessee <u>Nelson E Zelaya</u>	<u>97-28 220th Queens Village</u>	
2. Contractor <u>owner</u>		
3. Architect or Engineer <u>Unique Designs</u>	<u>350 Fulton Ave Suite 600 Hempstead NY 11550</u>	

IV. OWNER - CONTRACTOR STATEMENT	V. FLOOD ZONE
Building permit is issued subject to the provisions of Section 57 of the Workmen's Compensation Law. Workmen's Compensation Certificate No. _____ Company _____ Exp. Date _____ Contractor or Owner _____ (Print) Address _____ Phone _____ State of New York County of Nassau <u>Nelson E Zelaya</u> being duly sworn, says that <u>He</u> is the contractor or owner of the above mentioned building. That the items of the above application also the estimated cost of said building or alteration, is correct to the best of <u>His</u> knowledge and belief and agrees to conform to all applicable laws of this jurisdiction. Sworn to before me this <u>19th</u> day of <u>April</u> , 20 <u>21</u> <u>Joan M. Puglisi</u> Notary Public <u>[Signature]</u> (Applicant Signature)	IS PROJECT LOCATED WITHIN A DESIGNATED FLOOD HAZARD ZONE? YES <input checked="" type="checkbox"/> NO _____ IF YES, WHICH ZONE? _____ IS PROJECT TO REPAIR FLOOD DAMAGE? YES _____ NO _____ PROJECT DESCRIPTION Total/First Flr Square Feet _____ Upper Flrs Square Feet _____ # of Fixtures _____ # of Floors _____ Occup. Type _____

VI. VALIDATION (Official Use Only)	Approved by: _____ Superintendent of Buildings
Building Permit Number _____ Building Permit Issued _____ Building Permit Fee \$ _____	Notary Public, State of New York Registration #01PU6035475 Qualified in Nassau County Commission Expires Jan. 3, 20 <u>22</u>

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Short Environmental Assessment Form

2023 JAN 20 A 10:18

Part 1 - Project Information

Freeport Building Dept.
Freeport, NY

Instructions for Completing

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

Part 1 - Project Information: The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project:

Project Location (describe, and attach a location map):
BROOKLYN - Ave Freeport

Brief Description of Proposed Action:
Paint and Insulation Coefficient

Name of Applicant or Sponsor:
Nelson E Zelaya

Telephone:

E-Mail:

Address:
97-28-220 St

City/PO:
Freeport Village, NY

State:
NY

Zip Code:
11939

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Does the proposed action require a permit, approval or funding from any other government Agency?
If Yes, list agency(s) name and permit or approval:

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. a. Total acreage of the site of the proposed action? _____ acres
 b. Total acreage to be physically disturbed? _____ acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)
 Forest Agriculture Aquatic Other (Specify):
 Parkland

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VILLAGE OF FREEPORT, NY

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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DEPT. OF ENVIRONMENTAL CONSERVATION

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STATE OF NEW YORK
DEPT. OF ENVIRONMENTAL CONSERVATION
Freeport Siting Dept.
Freeport, NY

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? NO YES

16. Is the project site located in the 100-year flood plan? NO YES

17. Will the proposed action create storm water discharge, either from point or non-point sources?
 If Yes:

a. Will storm water discharges flow to adjacent properties? NO YES

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
 If Yes, briefly describe: NO YES

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?
 If Yes, explain the purpose and size of the impoundment: NO YES

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
 If Yes, describe: NO YES

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
 If Yes, describe: NO YES

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Freeland Date: _____
 Signature: _____ Title: _____

PRINT FORM

VILLAGE OF FREEPORT

Department of Buildings

Recommendation

Notice

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X Negative Declaration

2023 JAN 20 A 10:19
Positive Declaration

In accordance with Section 8-0113, Article 8 of the New York Environmental Conservation Law and Chapter 110 of the Village Code, this Department has conducted an initial review to determine whether the following project may have a significant effect on the environment and on the basis of that review hereby finds:

CLERK'S OFFICE
VILLAGE OF FREEPORT, NY

X The proposed project will not have a significant effect on the environment and therefore does not require the preparation of an Environmental Impact Statement.

 The proposed project may have a significant effect on the environment and therefore requires the preparation of an Environmental Impact Statement.
(See reasons below)

Project:

Building Permit App. # 20191229

Location: 12 Brooklyn Ave., Freeport, New York

Applicant: Nelson E Zelaya

Description: Cosmetic change to existing bar and restaurant with interior alterations.

Lead Agency: Department of Buildings
for the Board of Trustees
Village of Freeport
46 North Ocean Avenue

Agency Contact Person:
Superintendent of Buildings
(516) 377-2242

REASON(S) FOR DETERMINATION

This finding is based upon Section 617.10 of Article of the New York Environmental Conservation Law, the criteria for determining what actions may have a significant effect on the environment, as follows:

A)

B) Possible environment effects identified:
(only if positive determination)

DATED: March 10, 2021

Freeport, New York

Joseph Madigan
Superintendent of Buildings

IMPORTANT: This declaration and supporting attachments are open for inspection and public response at the office of the Superintendent of Buildings.

VILLAGE OF FREEPORT
Department of Buildings
Recommendation

Notice

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X Negative Declaration

Positive Declaration

In accordance with Section 8-0113, Article 8 of the New York Environmental Conservation Law and Chapter 110 of the Village Code, this Department has conducted an initial review to determine whether the following project may have a significant effect on the environment and on the basis of that review hereby finds:

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 The proposed project may have a significant effect on the environment and therefore requires the preparation of an Environmental Impact Statement.
(See reasons below)

Project:

Building Permit App. # 20191229

Location: 8-10 Brooklyn Ave., Freeport, New York

Applicant: Nelson E Zelaya

Description: Cosmetic change to existing bar and restaurant with interior alterations.

Lead Agency: Department of Buildings
for the Board of Trustees
Village of Freeport
46 North Ocean Avenue, Freeport, NY

Agency Contact Person:
Superintendent of Buildings
(516) 377-2242

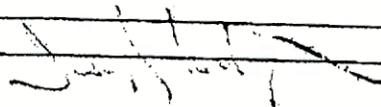
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This finding is based upon Section 617.10 of Article of the New York Environmental Conservation Law, the criteria for determining what actions may have a significant effect on the environment, as follows:

A) _____

B) Possible environment effects identified:
(only if positive determination)

DATED: April 27, 2021



Joseph Madigan
Superintendent of Buildings

IMPORTANT: This declaration and supporting attachments are open for inspection and public response at the office of the Superintendent of Buildings.

GENERAL NOTES

- All work shall be in compliance with codes of the Village of Freeport, NY State Building code of 2020, and any other authorities having jurisdiction.
- The work in this contract shall consist of the labor, equipment and materials necessary for the construction of the work as noted on these drawings. The entire work is to be constructed and finished in every part in a good substantial and workmanlike manner in accordance with the accompanying drawings and specifications to the full intent and meaning thereof. All work is to be done in a finished manner. It is the intention of these drawings, particularly that the smaller details necessary for a workmanlike job are to be included by the contractor. All materials are to be stored, installed and maintained during the course of the work in strict accordance with the manufacturer's instructions.
- Contractor shall verify all dimensions and all conditions and shall report any discrepancies to Engineer prior to commencing work.
- The contractor is solely responsible for the means, methods and all aspects of construction and shall take all necessary precautions to ensure the safety of all occupants, employees and the general public. Any materials and property not included in the scope of work shall be similarly protected from damage and if necessary, shall be restored to its original pre-construction state.
- The contractor shall maintain workman's compensation, disability, and public liability insurance, (each of a type and in an amount to satisfy the law and the owner) for protection from any claims for damages arising from the contractor's operations under this project.
- All plumbing, electrical, and other work as required is to be performed by licensed contractors approved by the Village of Freeport or any other required agency.
- Contractor shall at all times keep the site free from accumulation of waste materials or rubbish caused by his operations. At the completion of the work, all waste materials, rubbish, tools, equipment, and surplus materials shall be removed and the site left in a "broom clean" condition.
- The Engineer has not been retained for controlled inspections only as indicated this drawing.

Valet Parking Plan

- The alternative parking plan requesting valet shall include, but not be limited to, the following:
- type and nature of the use is for additional parking required after business hours between 1800 and 0400 (6pm to 4am) only
 - The location of the valet parking, including how the valet parking area is used, shall be isolated from use by the general public. During hours of use, a portable sign stand on the East Merrick Road right of way access property shall indicate entry to the facility Valet parking area
 - The pick-up and drop off service area are as indicated on the plan from the access way from East Merrick Road
 - The site traffic circulation plan is as indicated
 - A minimum of 2 parking attendants are required and shall be provided for the valet service during operational hours
 - Standard Village of Freeport parking spaces are defined as 9' x 20' in dimension. Valet parking spaces are designated as 7' x 15' for standard vehicles and 6.5' x 15' for compact vehicles.
 - A maximum of 20 vehicles will be permitted under this Valet parking arrangement

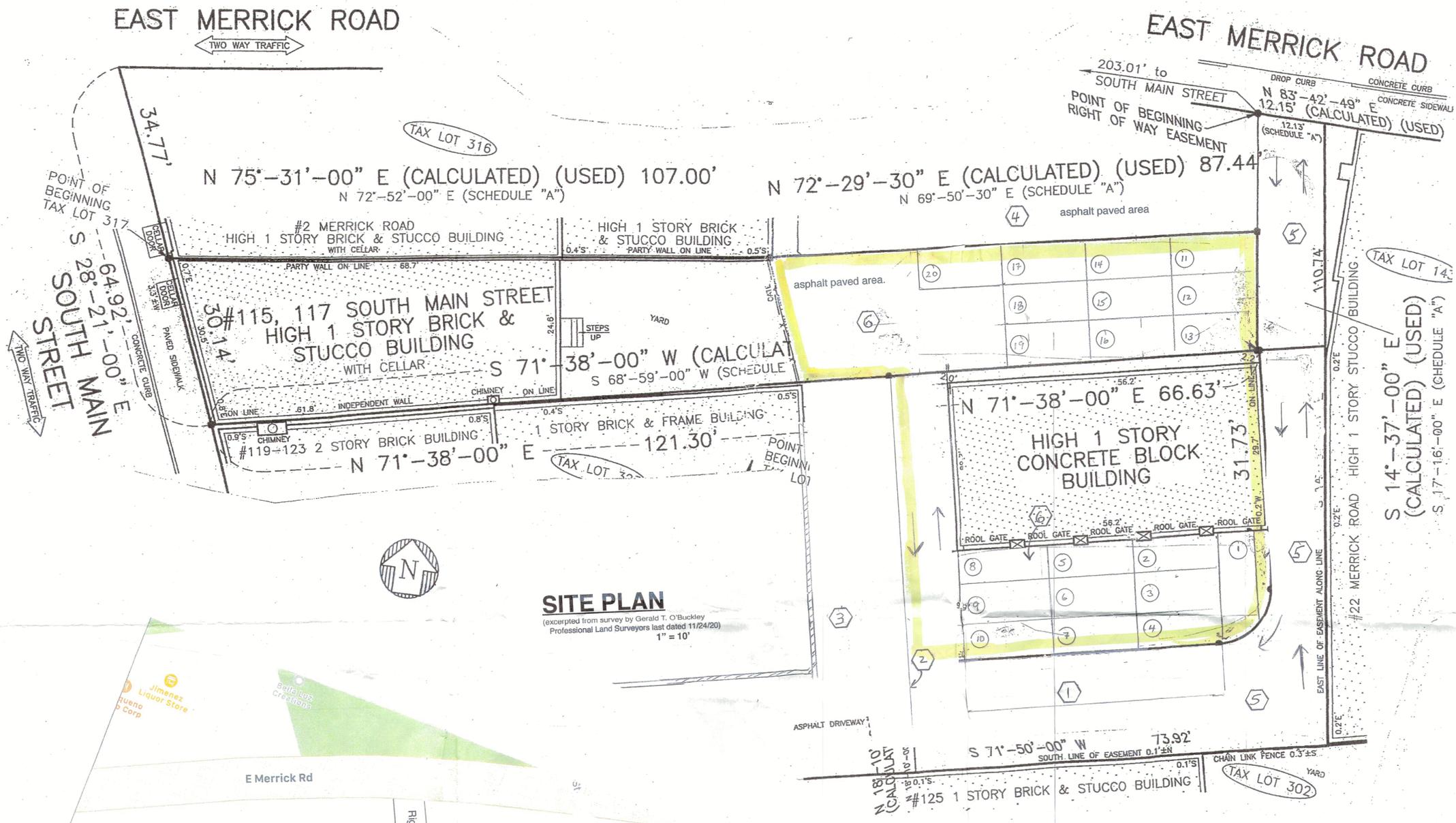
The purpose of this drawing is to provide the general specifications and details for providing valet service parking allocations at this property. All work should be coordinated with this drawing, requirements of the Village of Freeport, 2020 NY State Building code, and any other agencies with jurisdiction. No other work, change in footprint, square footage, or occupancy of the property is shown or intended.

It is a violation of New York State Education Law Article 145, section 7209, for any person, unless he or she is acting under the direction of a licensed professional engineer or land surveyor, to alter an item in any way. If an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his or her seal and the notation "altered by:" followed by his or her signature and the date of such alteration, and a specific description of the alteration.



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TOLERANCES (EXCEPT AS NOTED)		REVISIONS		Valet Service Parking allocation	
DECIMAL	NO.	DATE	BY	115-117 South Main Street; Freeport, New York Section 62; Block 198; Lot 317 and 322	
±	1			DRAWN BY	SCALE
±	2			TRACED	DATE
±	3			APP'D	DATE
±	4				DRAWING NO.
±	5				



Legend

- Location for Valet pick up and drop off service
- 115 South Main Street property line and valet controlled exit/ entry parking access way
- Adjacent property 121 South Main Street asphalt paved area.
- Adjacent property 2 East Merrick Road asphalt paved area.
- Right of Way Easement to Merrick Road
- Area of Valet Parking belonging to property of 115-117 South Main Street

