

THIS MAY NOT BE THE OFFICIAL AGENDA AS ADDITIONS AND DELETIONS MAY OCCUR.

AGENDA

BOARD OF TRUSTEES' MEETING

April 4, 2023

7:00 P.M. PUBLIC HEARING

To consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

INC. VILLAGE OF FREEPORT, NEW YORK
VILLAGE BOARD OF TRUSTEES

-----X
In the Matter of the Application of
BOSFA DEVELOPMENT LLC

VERIFIED PETITION

Petitioner,

Date Filed: _____

For a Change of Zone for the adjoining properties located at 80-84 Albany Avenue and 17-33 Buffalo Avenue, within the Village of Freeport, Nassau County, New York

-----X
TO: BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF FREEPORT

BOSFA DEVELOPMENT LLC (“Petitioner”), by and through its attorneys, HARRIS BEACH PLLC, upon information and belief, respectfully alleges and shows the Board of Trustees (the “Board”), of the Incorporated Village of Freeport (the “Village”) as follows:

1. At all times hereinafter mentioned, Petitioner was and still is a limited liability company organized and existing under the laws of the State of New York, having its principal office at 301A Central Avenue, Lawrence, New York 11559.

2. Petitioner is the contract vendee of the adjoining properties located at 80-84 Albany Avenue (the “Albany Parcel”) and 17-33 Buffalo Avenue (the “Buffalo Parcel”), within the Village of Freeport, County of Nassau, State of New York, all as more particularly described in Exhibit “A” attached hereto and made a part hereof (the Albany Parcel and Buffalo Parcel, collectively referred to herein as the “Premises”).

3. The Premises is generally located at or near the southeast corner of Sunrise Highway and west of the New York State Meadowbrook Parkway within the Village of Freeport.

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VILLAGE OF FREEPORT, NY

4. The Premises is comprised of six (6) tax lots known and designated by the following Nassau County Real Property Tax Map Identification Numbers: Section 55, Block 190, Lots: 51, 52, 53, 54 and 55 (comprising the Albany Parcel) and Lot 63 (comprising the Buffalo Parcel), all as more particularly described in Exhibit "A" attached hereto and made a part hereof.

5. The Premises is currently zoned Industrial B use.

6. At present, the Premises is occupied by vacant multi-family apartment buildings, commonly known as the Moxey Rigby apartment community, and formerly owned and operated by the Village of Freeport Housing Authority.

7. The Premises is located approximately 1,200 feet of the boundary line between the Village of Freeport and the Hamlet of Merrick (Town of Hempstead), and is located approximately 740 feet of the Meadowbrook Parkway which is under the ownership of the New York State Office of Parks, Recreation and Historic Preservation and maintained by the New York State Department of Transportation. The Premises is not located within 300 feet of boundary line between the Village of Freeport nor the Hamlet of Merrick; nor within 300 feet of any property, which is under the ownership of the State of New York.

SURROUNDING ZONES AND USES

8. The surrounding uses of the Premises are as follows:

- a. North – Sunrise Highway and Freeport Creek;
- b. South – Industrial-B Zones including a stone and masonry business, scrap metal recycling center, auto center, 7-Eleven, and a tire store;
- c. East – Meadowbrook Parkway and a car dealership service center;
- d. West – Business B, commercial shopping center including Target and Marshalls; and immediately West across Buffalo Avenue: Industrial B, including a multi-family residential development.

APPLICATION

9. Petitioner seeks Board approval to: (i) rezone the Premises from an Industrial B District to a Residence Apartment District (“**Residence Apartment District**”), and (ii) classify a certain portion of the Premises, namely the south easterly portion of the Buffalo Parcel (being the structure and general area highlighted in **Exhibit “B”** attached hereto and made a part hereof) as a Golden Age Zone. Both requests (i) and (ii) seek to conform the Premises to the present and historic use of the Premises and that of the immediately surrounding area.

10. Petitioner intends to redevelop the Premises, including, to the extent practicable, the rehabilitation of the existing residential apartment structures (the “**Project**”) to its historical use as a multi-family residential apartment community, except focused in-part on attracting veterans and seniors as tenants.

11. Upon information and belief, no other request for the proposed change of zone from a Industrial B District to a Residence Apartment District, nor a Golden Age Zone classification have been filed with this Board.

12. The proposed change of zone and classification for the Premises is in character with the surrounding area, the present and historic use of the Premises, and is in conformity with the Village of Freeport's comprehensive plan.

13. The relief requested herein for the Premises is in harmony with the surrounding uses and zoning and in furtherance of the general purpose of the Village of Freeport to promote general public health, safety, and welfare.

WHEREFORE, Petitioner respectfully requests that after a public hearing, a resolution and decision be issued by the Village Board, directing that the Building Zone Ordinance of the Incorporated Village of Freeport, County of Nassau, State of New York, including the Building Zone Map thereof, be amended and changed as follows:

- A. the approval of the petition for a change of zone for the Premises to a Residence Apartments District; and
- B. the approval of the petition to classify that certain portion of the Premises (as particularly described in Exhibit B attached hereto) to a Golden Age Zone on the Village zoning map.

Dated: Uniondale, New York
March 9, 2023

Respectfully Submitted,

HARRIS BEACH PLLC

By: 

Jack M. Martins, Esq.
Paulo M. Coelho, Esq.
Attorneys for Petitioner
333 Earle Ovington Blvd.
Uniondale, New York 11501
Phone. (516) 880-8484
Facsimile: (516) 880-8483

VERIFICATION OF PETITIONER/APPLICANT

DANIEL GOLDSTEIN, being duly sworn, deposes and states:

I am a Member of BOSFA Development, LLC the Petitioner in this proceeding and the Owner of the real property that forms the subject matter of this petition. I have an address at c/o BOSFA Development LLC, 301A Central Avenue, Lawrence, New York 11559. I have read the foregoing Petition and know the contents thereof; that the same are true to my own knowledge, except as to those matters stated to be alleged upon information and belief and as to those matters I believe them to be true. The grounds of my belief as to all matters not stated upon my knowledge are the documents and records maintained and kept by me.

BOSFA DEVELOPMENT, LLC

DANIEL GOLDSTEIN
MEMBER

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

On the 9^m day of March, 2023, before me, the undersigned, personally appeared ARON GOLSTEIN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.



Notary Public

AGRIMELY BERBERIAN
Notary Public - State of New York
No. 01BE620951
Qualified in Suffolk County
My Commission Expires Sept. 30, 2025

EXHIBIT A

Premises Description

Parcel 1 – (Albany Parcel)

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Freeport, County of Nassau and State of New York, and more particularly known and designated as Lots 51, 52, 53, 54 and 55 on a certain map entitled, "Revised Map of Freeport Centre, Amended," situated at Freeport, L.I., property of Long Island Realty Co., N.Y., surveyed August 1909 by Smith and Malcolmson, Civ. Engineers, Freeport, L.I., Amended May 1910, Revised December 1910 and filed in the Nassau County Clerk's Office February 15, 1911 as Map No. 99, New No. 1075, which said lots, when taken together, are more particularly bounded and described according to said map, as follows:

BEGINNING at a point on the westerly side of Albany Avenue distant 383.88 feet northerly from the extreme northerly end of a tie line connecting the new northerly side of Merrick Road and the westerly side of Albany Avenue;

RUNNING THENCE North 84 degrees 15 minutes West 110 feet;

THENCE North 05 degrees 45 minutes East 114.88 feet to the southerly line of premises of City of New York;

THENCE South 81 degrees 37 minutes 20 seconds East along said last mentioned line 110.12 feet to the westerly side of Albany Avenue; and

RUNNING THENCE South 05 degrees 45 minutes West along the westerly side of Albany Avenue 109.83 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Said premises is more commonly known as 80 Albany Avenue, Freeport, NY 11520 (Section: 55 Block: 190 Lots: 51-55)

[PARCEL 2 DESCRIPTION FOLLOWS ON NEXT PAGE]

Parcel 2 – (Buffalo Parcel)

ALL that certain piece or parcel of land, situate, lying and being in the Incorporated Village of Freeport, Town of Hempstead, State of New York, more particularly described as follows:

BEGINNING at a point on the easterly side of Buffalo Avenue at its intersection with a line connecting easterly side of Buffalo Avenue with the northerly widened line of Merrick Road (East Merrick Road):

RUNNING THENCE north 05 degrees 45 minutes 00 seconds east, along the easterly side of Buffalo Avenue, 474.35 feet to the northerly line of the Revised Map of Freeport Center Amended filed in the Office of the Clerk of the County of Nassau on February 15, 1911;

THENCE south 81 degrees 37 minutes 20 seconds east, along said northerly filed map line, 110.12 feet to the northeast corner of filed map Lot 19;

THENCE south 05 degrees 45 minutes 00 seconds west, along the easterly line of filed map Lots 19-23 inclusive, 114.88 feet to the southeasterly corner of filed map Lot 23;

THENCE south 84 degrees 15 minutes 00 seconds east, along the northerly line of filed map Lot 50, 110.00 feet to the westerly side of Albany Avenue;

THENCE south 05 degrees 45 minutes 00 seconds west, along said westerly side of Albany Avenue. 377.52 feet to the easterly end of a line connecting the westerly side of Albany Avenue with the northerly widened line of Merrick Road;

THENCE south 52 degrees 07 minutes 03 seconds west 20.02 feet to the northerly widened line of Merrick Road;

THENCE westerly, along said widened line of Merrick Road, and a non-tangent curve to the right having a radius of 1,400.00 feet, an arc length of 195.37 feet and a chord bearing of north 77 degrees 17 minutes 51 seconds west, 195.22 feet to the easterly end of a line connecting said northerly widened line of Merrick Road with the easterly side of Buffalo Avenue;

THENCE north 33 degrees 44 minutes 41 seconds west, 17.75 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY: Premises are known as 3, 17, 25, 33 Buffalo Avenue and 20, 30 and 36 Albany Avenue, Freeport, NY 11520 Section 55 Block 190 Lot 63 (Formerly Lots 19-50, both inclusive)

EXHIBIT B

Portion of Lot 63 Proposed Golden Age Zone Classification

Buffalo Ave

Buffalo Ave

Buffalo Ave

Albany Ave



E Merrick Rd

2

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: BOSFA Development LLC Petition for Change of Zone		
Project Location (describe, and attach a general location map): Parcels bounded by Sunrise Highway, Buffalo Avenue, East Merrick Road, Albany Avenue and near Meadowbrook Parkway to the east		
Brief Description of Proposed Action (include purpose or need): Petition to the Board of Trustees of the Incorporated Village of Freeport for: 1. A change of zone of the real property known as Section 55, Block 190; Lots: 51, 52, 53, 54, 55, and 63 from "Industrial-B District" to "Residence Apartment District", and 2. To classify the South Easterly corner/ portion of Section: 55, Block: 190; Section 63 as a "Golden Age Zone" overlay.		
Name of Applicant/Sponsor: * BOSFA Development LLC		Telephone: *
		E-Mail:
Address: 301A Central Avenue		
City/PO: Lawrence	State: New York	Zip Code: 11559
Project Contact (if not same as sponsor; give name and title/role): Jack M. Martins, Esq. / Harris Beach PLLC, Attorneys for Owner/Applicant		Telephone: (516) 880-8484
		E-Mail: jmartins@harrisbeach.com
Address: 333 Earle Ovington Boulevard, Suite 901		
City/PO: Uniondale	State: New York	Zip Code: 11553
Property Owner (if not same as sponsor): Incorporated Village of Freeport (Applicant/Sponsor is contract vendee)		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Board of Trustees, Incorporated Village of Freeport	
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Zoning Board of Appeals, Incorporated Village of Freeport	
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Nassau County Planning Commission	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
Industrial-B (Village Code, Chapter 210, Article XVI)

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? Residence Apartment District (Village Code, Chapter 210, Article VI)

C.4. Existing community services.

a. In what school district is the project site located? Freeport Area School District

b. What police or other public protection forces serve the project site?
Freeport Police Department

c. Which fire protection and emergency medical services serve the project site?
Freeport Fire Department

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multi-Family Residential, including a focus on housing for veterans and seniors for a portion of the project

b. a. Total acreage of the site of the proposed action? _____ 28 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? _____ 28 acres

c. Is the proposed action an expansion of an existing project or use? * Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase I (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	as approved			
At completion				
of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: TBD by environ. consultant gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: Freeport Water
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: TBD gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
ordinary residential wastewater, TBD by environmental consultant

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: As existing with Freeport Sanitary Sewer Department
- Name of district: Freeport Sanitary Sewer
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
 Ordinary residential use. TBD by environmental consultant

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
 Existing power grid _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ TBD, as approved _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____ typical residential _____
- Saturday: _____ typical residential _____
- Sunday: _____ typical residential _____
- Holidays: _____ typical residential _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: standard safety lighting, as approved

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation: _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing: _____

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
i. Identify Facilities:
 unknown

e. Does the project site contain an existing dam? Yes No
 If Yes:
i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures:

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: Sole Source Aquifer Names Nassau-Suffolk SSA _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 Low Salt Marsh, High Salt Marsh, Salt Panne
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ 168.0, 7242.0, 292.0 acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ no change proposed acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. 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? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: Jones Beach State Park, Causeways and Parkways System

iii. Brief description of attributes on which listing is based: _____

f. 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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

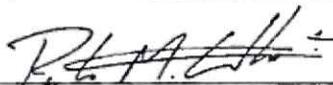
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

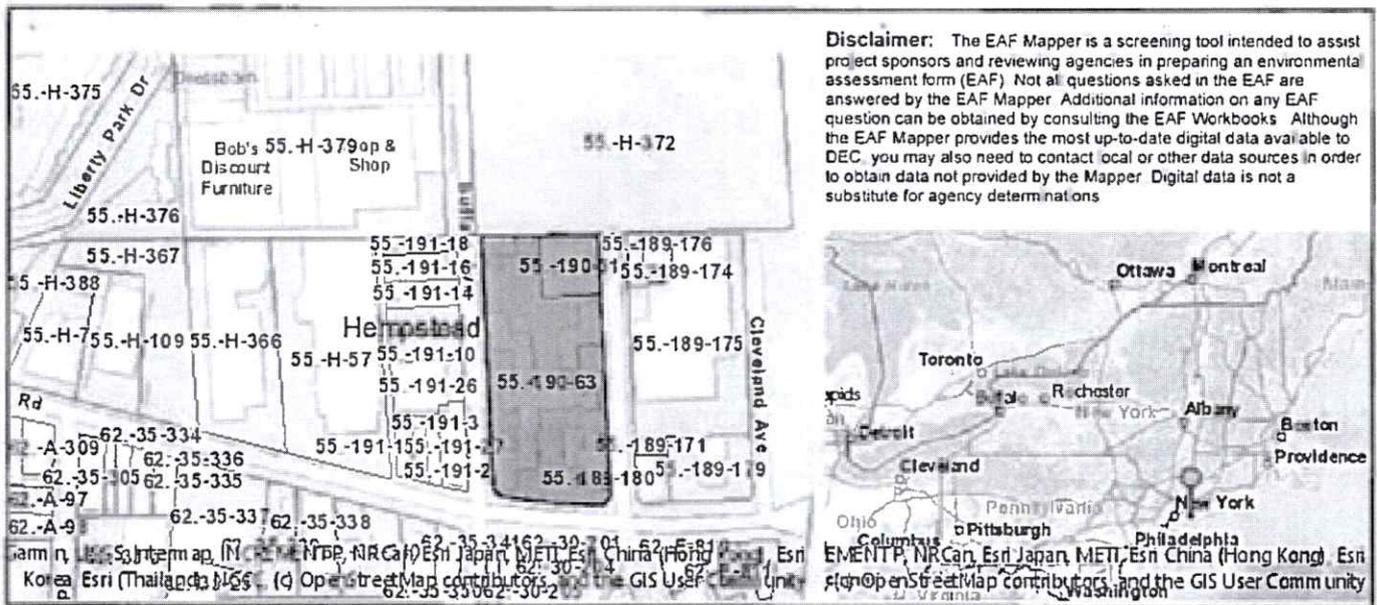
Applicant/Sponsor Name BOSFA Development LLC Date 03/09/2023

Signature  Title Paulo Coelho, attorney and agent for applicant

PRINT FORM

EAF Mapper Summary Report

Monday, March 6, 2023 10:49 PM

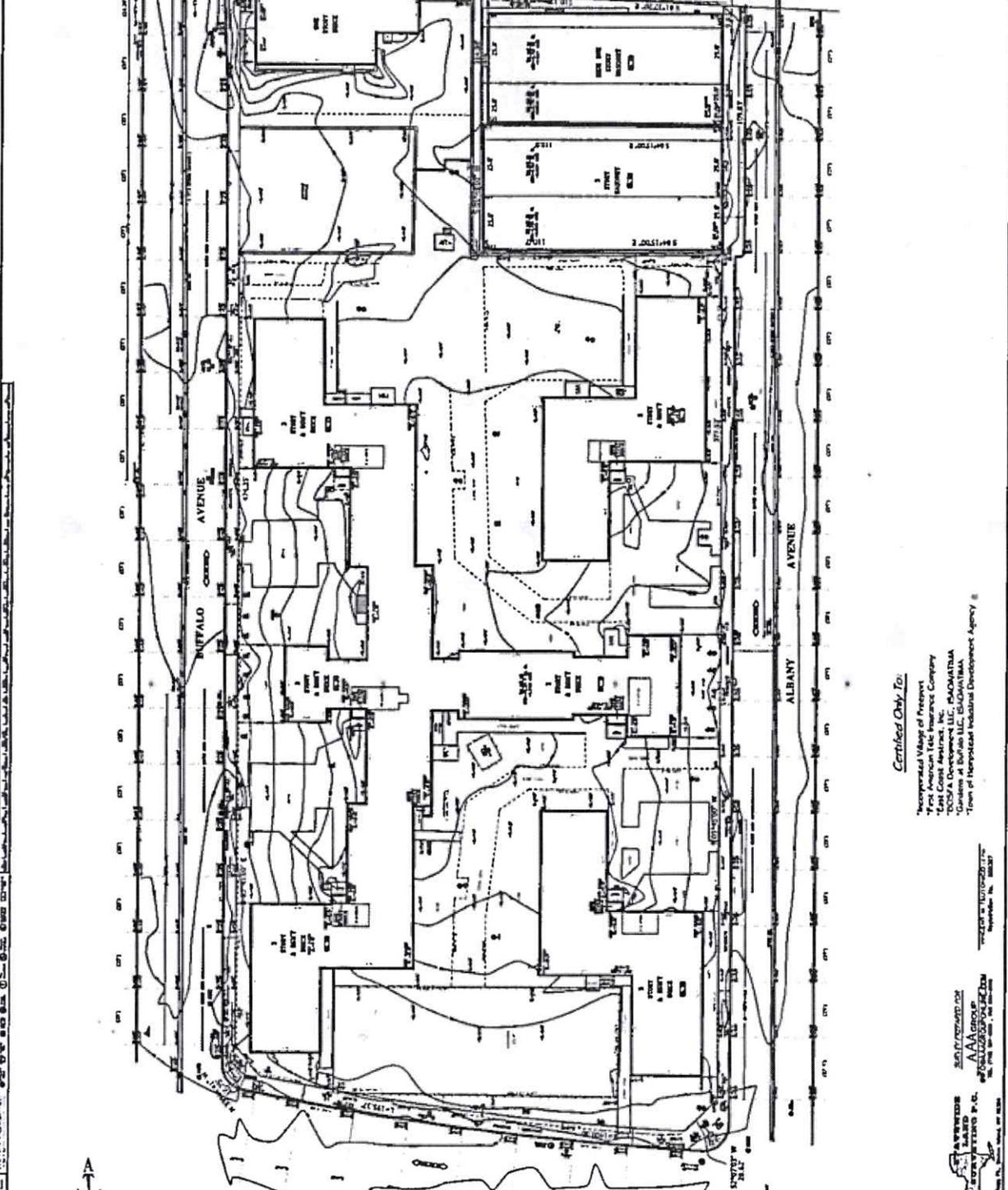


Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Sole Source Aquifer Names: Nassau-Suffolk SSA
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Low Salt Marsh, High Salt Marsh, Salt Panne

E.2.n.i [Natural Communities - Acres]	168.0, 7242.0, 292.0
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Jones Beach State Park, Causeways and Parkways System
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT HIS WRITTEN CONSENT.



ARCHITECTURAL SURVEY	
Project Name:	
Client:	
Address:	
City:	
State:	
Zip:	
Date:	
Scale:	
Sheet No.:	
Total Sheets:	
Drawn by:	
Checked by:	
Approved by:	
Professional Seal:	

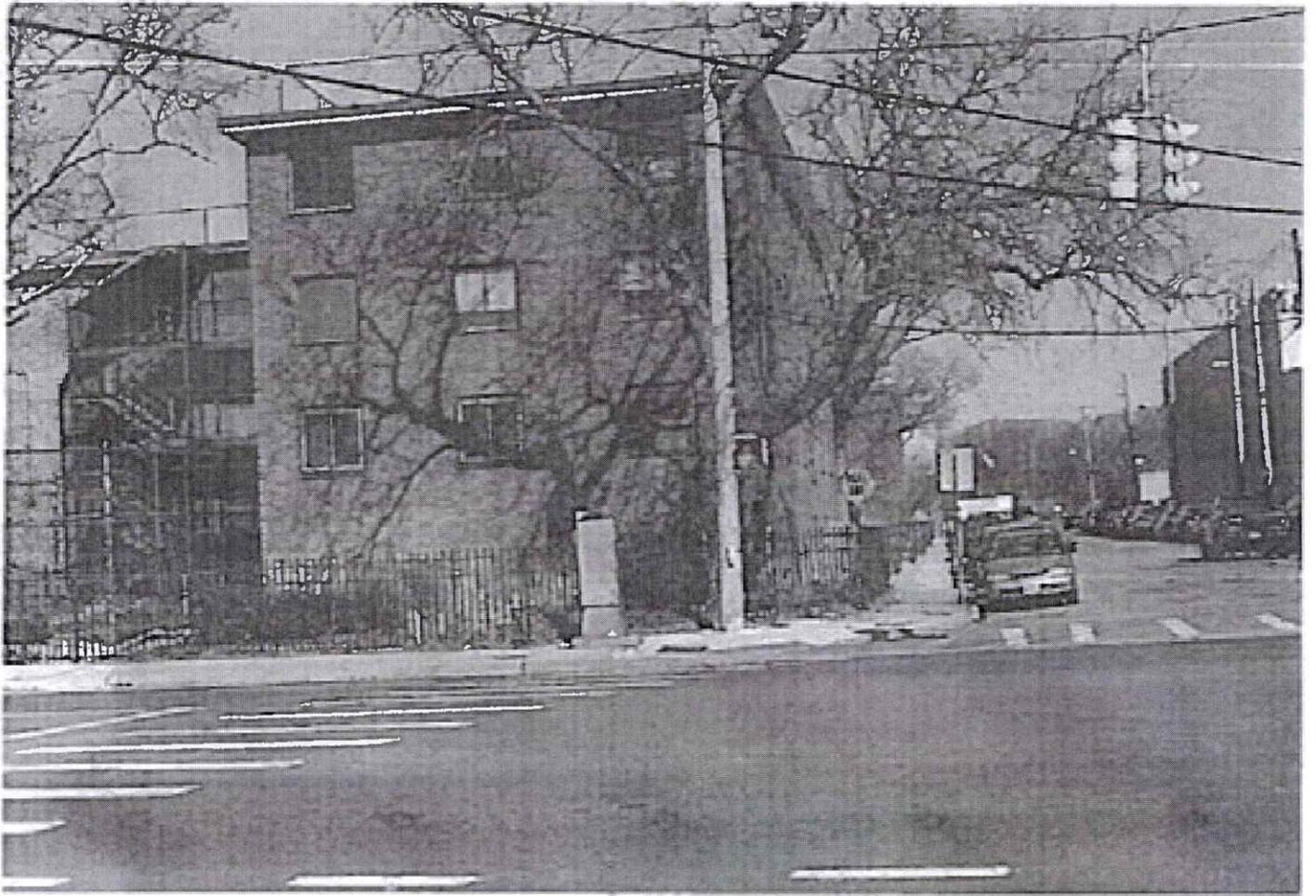
Certified Only To:
 Incorporated Village of Freeport
 Free American Land Investment Company
 Freeport American, Inc.
 COSFA Developer LLC, PLANNING
 Consultant & Surveyor LLC, BOSTON, MA
 Town of Freeport Regional Development Agency

SCALE: 1" = 100' (AS SHOWN)
 REVISION: 10/10/2017
 REVISION: 10/10/2017

ARCHITECTURAL SURVEY
 10/10/2017
 10/10/2017

ARCHITECTURAL SURVEY
 10/10/2017
 10/10/2017

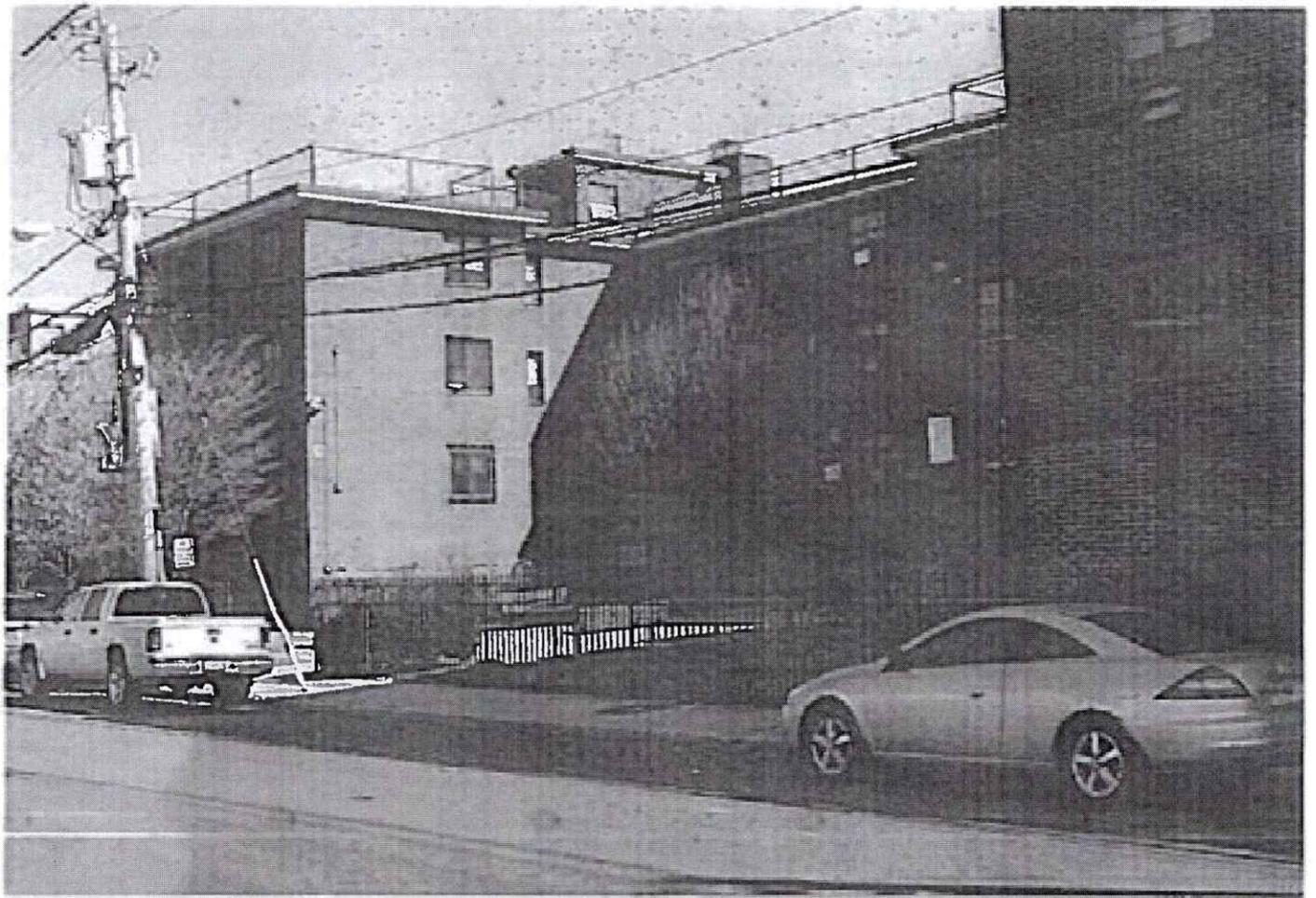


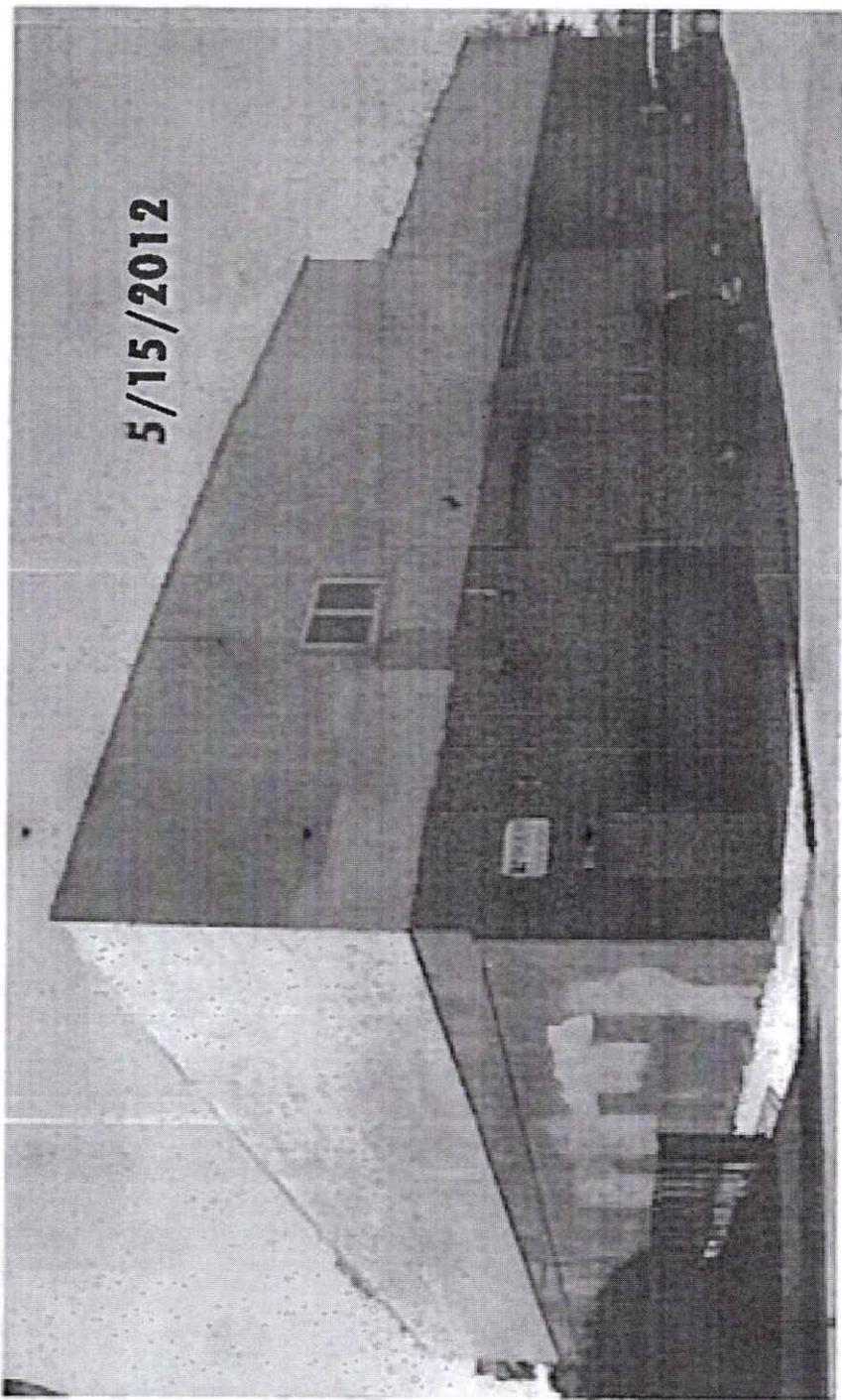












5/15/2012

10-10-10

THESE ARE NOT OFFICIAL MINUTES UNTIL SAME HAVE BEEN APPROVED BY THE MAYOR AND BOARD OF TRUSTEES, AS THEY MAY BE AMENDED OR CORRECTED.

DIRECTIVE

TO: Howard E. Colton, Village Attorney March 9, 2023
FROM: Pamela Walsh Boening, Village Clerk

The following directive is an excerpt from the Minutes of the Board of Trustees Meeting of March 8, 2023:

Motion was made by Trustee Sanchez, seconded by Deputy Mayor Ellerbe and carried to approve the following:

NOTICE OF PUBLIC HEARING

RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 4th day of April 2023, at 7:00 P.M., to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

FURTHER RESOLVED, that the foregoing notice of public hearing shall be entered in the minutes of the Board of Trustees of the Incorporated Village of Freeport, and published in the Freeport Leader and a printed copy thereof posted conspicuously in at least three (3) public places in the Incorporated Village of Freeport, Nassau County, New York.

STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 4th day of April 2023 at 7:00 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 8th day of March 2023.

Pamela Walsh Boening
Village Clerk

Dated: Freeport, New York
 March 8, 2023

THESE ARE NOT OFFICIAL MINUTES UNTIL SAME HAVE BEEN APPROVED BY THE MAYOR AND BOARD OF TRUSTEES, AS THEY MAY BE AMENDED OR CORRECTED.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	In Favor
Trustee Martinez	In Favor
Trustee Squeri	Excused
Trustee Sanchez	In Favor
Mayor Kennedy	In Favor

cc:

<input checked="" type="checkbox"/> Auditor	<input type="checkbox"/> Electric Utilities	<input type="checkbox"/> Registrar
<input type="checkbox"/> Assessor	<input type="checkbox"/> Fire Dept.	<input type="checkbox"/> Rec. Center
<input checked="" type="checkbox"/> Attorney	<input checked="" type="checkbox"/> File	<input checked="" type="checkbox"/> Treasurer
<input type="checkbox"/> Bldg. Dept.	<input checked="" type="checkbox"/> Personnel	<input type="checkbox"/> Dep. Treasurer
<input type="checkbox"/> Board & Comm.	<input type="checkbox"/> Police Dept.	<input type="checkbox"/> Dep. V. Clerk
<input type="checkbox"/> Claims Examiner	<input type="checkbox"/> Publicity	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> Comptroller	<input type="checkbox"/> Public Works	
<input type="checkbox"/> Court	<input checked="" type="checkbox"/> Purchasing	

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Pamela Walsh Boening
Village Clerk

Dated: Freeport, New York
March 8, 2023



www.liherald.com

Affidavit of Publication

State Of New York,
Nassau County

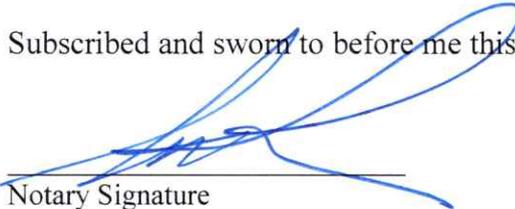
Havi Ramoo being duly sworn, deposes and affirms that he/she is the principal clerk of Richner Communications, Inc., publishers of the **Freeport Herald**, a weekly newspaper published and mailed in the County of Nassau and which has been designated by the County as a newspaper of record for said County and that the notice # **138024** of which the annexed is a true copy was published in this newspaper on the following dates:

3/16

Havi Ramoo

Havi Ramoo

Subscribed and sworn to before me this, March 17, 2023

A blue ink signature, appearing to be "Stuart Richner", written over a horizontal line. The signature is stylized and cursive.
Notary Signature

Inc. Village Of Freeport

<p>STUART RICHNER NOTARY PUBLIC, STATE OF NEW YORK NO. 02R16155489 QUALIFIED IN NASSAU COUNTY COMMISSION EXPIRES 11/13/26</p>
--

BALDWIN HERALD • BELLMORE HERALD • EAST MEADOW HERALD • FRANKLIN SQUARE/ELMONT HERALD • FREEPORT HERALD • GLEN COVE HERALD
HEMPSTEAD BEACON • LONG BEACH HERALD • LYNBROOK/EAST ROCKAWAY HERALD • MALVERNE/WEST HEMPSTEAD HERALD • MERRICK HERALD
NASSAU HERALD • OCEANSIDE/ISLAND PARK HERALD • OYSTER BAY HERALD • ROCKAWAY JOURNAL • SEA CLIFF/GLEN HEAD HERALD
ROCKVILLE CENTRE HERALD • SEAFORD HERALD • SOUTH SHORE RECORD • UNIONDALE BEACON • VALLEY STREAM HERALD • WANTAGH HERALD

2 Endo Boulevard • Garden City, NY 11530 • Voice: 516-569-4000 • Fax: 516-569-4631

LEGAL NOTICE
NOTICE OF PUBLIC
HEARING

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STATE OF NEW YORK,
COUNTY OF NASSAU,
VILLAGE OF FREEPORT,

ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 4th day of April 2023 at 7:00 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

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Pamela Walsh Boening
Village Clerk

Dated: Freeport, New
York

March 8, 2023
138024

RE: Rezoning – 55/190/63 and 55/190/51-55
RETURN TO: Pamela Walsh Boening

AFFIDAVIT OF POSTING

State of New York

County of Nassau

I, Symone Butler, being duly sworn, deposes and states that on the 17th day of March, 2023 he/she posted copies of the attached notice in the following public places in the **INCORPORATED VILLAGE OF FREEPORT:**

MUNICIPAL BUILDING 46 North Ocean Avenues

MEMORIAL LIBRARY 144 West Merrick Road

AND FAXED TO THE FOLLOWING LOCATIONS FOR POSTING:

RECREATION CENTER 130 E. Merrick Road

FREEPORT HOSE CO. #1 22 Southside Avenue

FREEPORT HOSE CO. #2 15 Broadway

FREEPORT HOSE CO. #3 375 South Bayview Avenue

Symone Butler
Deponent

Sworn to before me this 17th day
of March 2023

[Signature]
Notary Public

LISA M DEBOURG
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DE6294362
Qualified in Nassau County
My Commission Expires December 16, 2025

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RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 4th day of April 2023, at 7:00 P.M., to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

FURTHER RESOLVED, that the foregoing notice of public hearing shall be entered in the minutes of the Board of Trustees of the Incorporated Village of Freeport, and published in the Freeport Leader and a printed copy thereof posted conspicuously in at least three (3) public places in the Incorporated Village of Freeport, Nassau County, New York.

STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 4th day of April 2023 at 7:00 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 8th day of March 2023.

Pamela Walsh Boening
Village Clerk

Dated: Freeport, New York
March 8, 2023

AFFIDAVIT OF MAILING

State of New York)
County of Nassau)
Village of Freeport) ss:

I, Symone Butler, being duly sworn, deposes and states that on the 15th day of March, 2023, the attached notice to property owners regarding the Rezoning application of BOSFA., relative to the property located at: 80-84 Albany Avenue and 17-33 Buffalo Avenue; Section 55, Block 190. Lot(s) 51-55 and 63 was duly delivered to the United States Post Office branch at Merrick Road and Ocean Avenue, Freeport, New York, and directed to the attached list of persons at the addresses designated, as same appears on the Assessment Rolls of the Village of Freeport, between which places there then was and now is a regular communication by mail.

Symone Butler
Signature

Sworn to before me this 15th day

of March 2023

Peggy M. Lester
Notary Public, Nassau County, NY

PEGGY M. LESTER
Notary Public, State of New York
No. 01LE6293122
Qualified in Nassau County
Commission Expires Nov. 25, 2025

NOTICE OF PUBLIC HEARING

RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 4th day of April 2023, at 7:00 P.M., to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

FURTHER RESOLVED, that the foregoing notice of public hearing shall be entered in the minutes of the Board of Trustees of the Incorporated Village of Freeport, and published in the Freeport Leader and a printed copy thereof posted conspicuously in at least three (3) public places in the Incorporated Village of Freeport, Nassau County, New York.

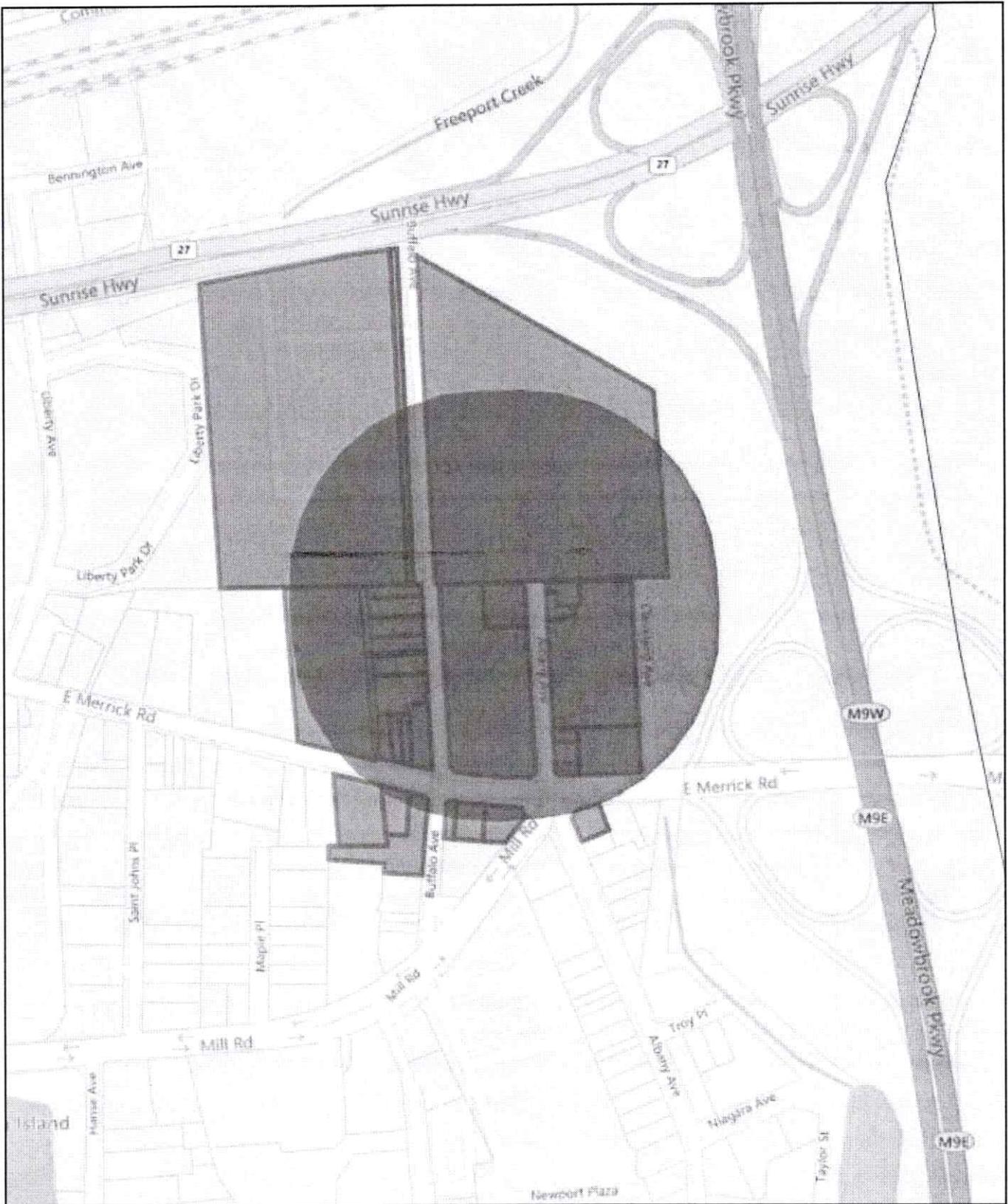
STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 4th day of April 2023 at 7:00 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 8th day of March 2023.

Pam Walsh Boening
Village Clerk

Dated: Freeport, New York
March 8, 2023

80 Albany Avenue Map



Feet



0 343.7141375 687.42827503



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Assessors Excel Export

Property Address	Mailing Name	In Care of	Mailing Address	Mailing City	Mailing Zip
150 CLEVELAND AVE FREEPORT, NY 11520	INC VILLAGE OF FREEPORT		46 N OCEAN AVE	FREEPORT NY	11520-3023
0 E MERRICK RD FREEPORT, NY 11520	ULLIAN MILTON		2094 SMITH ST	MERRICK NY	11566-3614
0 E MERRICK RD FREEPORT, NY 11520	ULLIAN MILTON		2094 SMITH ST	MERRICK NY	11566-3614
200 E MERRICK RD FREEPORT, NY 11520	FREEPORT 7-11 LLC	7-ELEVEN INC AV TAX#343373	PO BOX 711	DALLAS TX	75221-0711
261 E MERRICK RD FREEPORT, NY 11520	261 EAST MERRICK RD CORP		3499 E BAY CT	MERRICK NY	11566-5522
234 E MERRICK RD FREEPORT, NY 11520	FREEPORT MERRICK RD GASOL		100 JERICHO QUADRANGLE	JERICHO NY	11753-1049
26 BUFFALO AVE FREEPORT, NY 11520	BUFFALO AVE PROPERTY MGMT		2094 SMITH ST	MERRICK NY	11566-3614
200 E MERRICK RD FREEPORT, NY 11520	FREEPORT 7-11 LLC	7-ELEVEN INC AV TAX#343373	PO BOX 711	DALLAS TX	75221-0711
8 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORD HOUSING	MOXEY RIGBY LLC	195 E MERRICK RD 120	FREEPORT NY	11520-4064
20 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI	MOXEY RIGBY LLC	195 E MERRICK RD 120	FREEPORT NY	11520-4064
12 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI	MOXEY RIGBY LLC	195 E MERRICK RD 120	FREEPORT NY	11520-4064
0 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI	MOXEY RIGBY LLC	195 E MERRICK RD 120	FREEPORT NY	11520-4064
20 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI	MOXEY RIGBY LLC	195 E MERRICK RD 120	FREEPORT NY	11520-4064
195 E MERRICK RD FREEPORT, NY 11520	FREEPORT AFFRD HOUSING	MOXEY RIGBY LLC	195 E MERRICK RD 120	FREEPORT NY	11520-4064
211 E MERRICK RD FREEPORT, NY 11520	FREEPORT MERRICK PROP MGM		2094 SMITH ST	MERRICK NY	11566-3614
0 ALBANY AVE FREEPORT, NY 11520	FREEPORT UNION FREE SCHOO	C/O FACILITIES OFFICE	235 N OCEAN AVE	FREEPORT NY	11520-2135
30 ALBANY AVE FREEPORT, NY 11520	INC VILLAGE OF FREEPORT		30 N OCEAN AVE	FREEPORT NY	11520-3818
80 ALBANY AVE FREEPORT, NY 11520	INCORP VLGE OF FREEPORT		46 N OCEAN AVE	FREEPORT NY	11520-3818
210 E SUNRISE HWY FREEPORT, NY 11520	KIR MEADOWBROOK 027 LLC	C/O KIMCO REALTY TAX DEPT	500 N BROADWAY	JERICHO NY	11753-2128
203 E MERRICK RD FREEPORT, NY 11520	MERRICK ARMS INC	C/O KEVIN KEANE	PO BOX 374	GARDEN CITY NY	11530-0374
206 E MERRICK RD FREEPORT, NY 11520	PRESTIGIACOMO JOSEPH &	KATIE ANN	210 E MERRICK RD	FREEPORT NY	11520-4029
210 E MERRICK RD FREEPORT, NY 11520	PRESTIGIACOMO JOSEPH &	KATIR ANN	210 E MERRICK RD	FREEPORT NY	11520-4029
194 E MERRICK RD FREEPORT, NY 11520	PRESTIGIACOMO KATIE ANN		210 E MERRICK RD	FREEPORT NY	11520-4029
61 ALBANY AVE FREEPORT, NY 11520	REAL NY REALTY LLC		240 E MERRICK RD	FREEPORT NY	11520-4029
6 BUFFALO AVE FREEPORT, NY 11520	SCRATCHLINE PROD INC		26 BUFFALO AVE	FREEPORT NY	11520-4014
253 E MERRICK RD FREEPORT, NY 11520	TT OF FREEPORT INC		100 CLEVELAND AVE	FREEPORT NY	11520-4053
100 CLEVELAND AVE FREEPORT, NY 11520	TT OF FREEPORT INC		100 CLEVELAND AVE	FREEPORT NY	11520-4053



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Freeport Housing Authority
240 S. Main Street
Freeport, New York 11520

Attn: John Hrvatin



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Office of Nassau County Clerk
240 Old Country Road
Mineola, New York 11501

Attn: Maureen O'Connell, Nassau County Clerk



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Town Of Hempstead
One Washington Street
Hempstead, New York 11550

Attn: Kate Murray, Hempstead Town Clerk



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Freeport Public Schools
235 N. Ocean Avenue
Freeport, New York 11520

Attn: B. Roberts, Asst. Superintendent for Personnel
& Special Projects



INCORPORATED VILLAGE OF FREEPORT
46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Freeport Public Schools
235 N. Ocean Avenue
Freeport, New York 11520

Attn: Dr. K. Kuncham, Superintendent of Schools

AFFIDAVIT OF MAILING

State of New York)
County of Nassau)
Village of Freeport) ss:

I, Symone Butler, being duly sworn, deposes and states that on the 15th day of March, 2023, the attached notice to property owners regarding the Rezoning application of BOSFA., relative to the property located at: 80-84 Albany Avenue and 17-33 Buffalo Avenue; Section 55, Block 190. Lot(s) 51-55 and 63 was duly delivered to the United States Post Office branch at Merrick Road and Ocean Avenue, Freeport, New York, and directed to the attached list of persons at the addresses designated, as same appears on the Assessment Rolls of the Village of Freeport, between which places there then was and now is a regular communication by mail.

Symone Butler
Signature

Sworn to before me this 15th day

of March 2023

Peggy A. Lester
Notary Public, Nassau County, NY

PEGGY M. LESTER
Notary Public, State of New York
No. 01LE6293122
Qualified in Nassau County
Commission Expires Nov. 25, 2025

NOTICE OF PUBLIC HEARING

RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 4th day of April 2023, at 7:00 P.M., to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

FURTHER RESOLVED, that the foregoing notice of public hearing shall be entered in the minutes of the Board of Trustees of the Incorporated Village of Freeport, and published in the Freeport Leader and a printed copy thereof posted conspicuously in at least three (3) public places in the Incorporated Village of Freeport, Nassau County, New York.

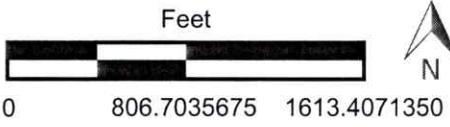
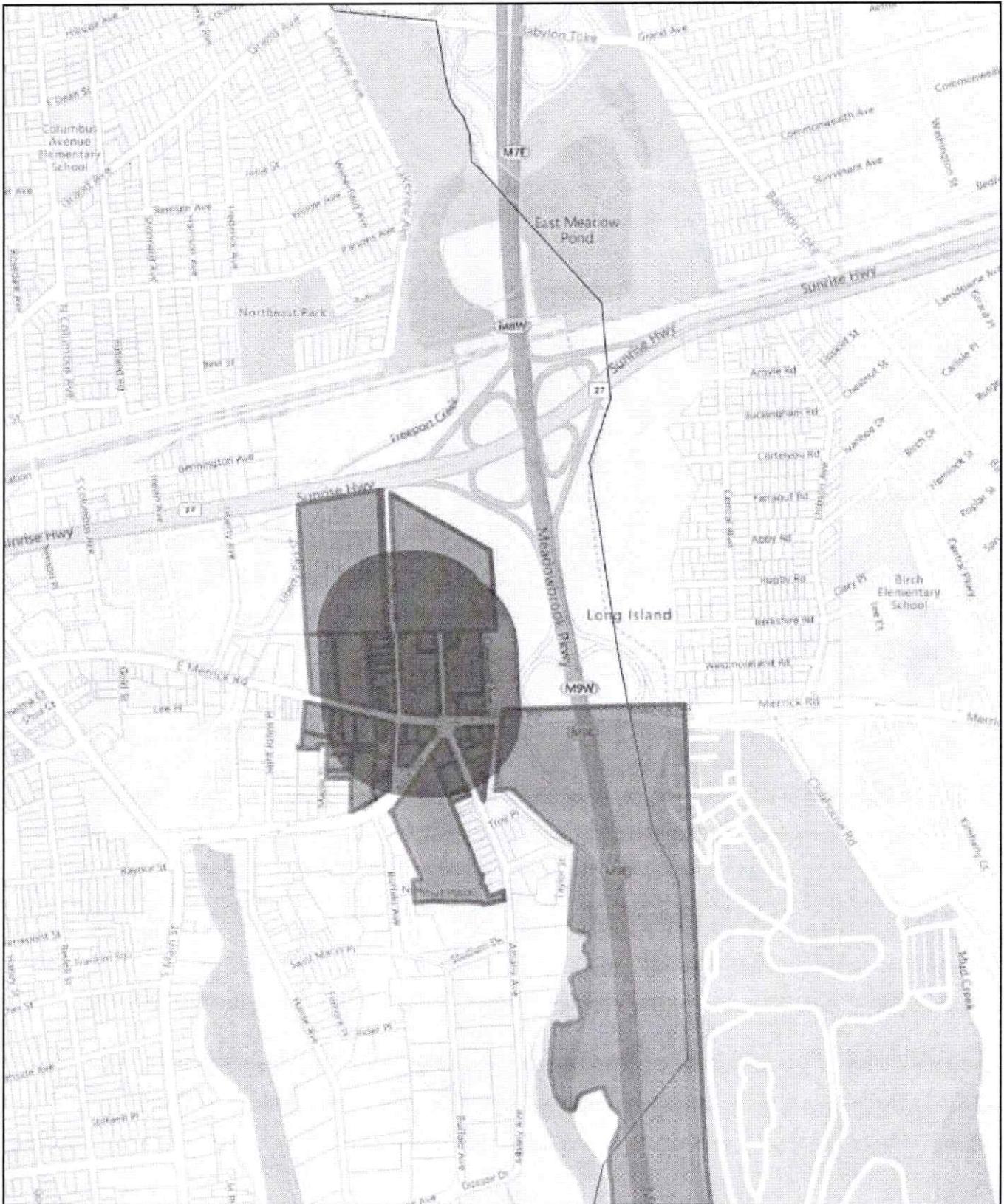
STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 4th day of April 2023 at 7:00 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 8th day of March 2023.

Pam Walsh Boening
Village Clerk

Dated: Freeport, New York
March 8, 2023

33 Buffalo Ave Map



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Property Address	Mailing Name	In Care of	Mailing Address	Mailing City	Mailing Zip
103 MILL RD FREEPORT, NY 11520	103 MILL ROAD CORP		PO BOX 7767	HICKSVILLE NY	11802-7767
107 MILL RD FREEPORT, NY 11520	107 MILL FREEPORT LLC		107 MILL RD	FREEPORT NY	11520-4630
160 E MERRICK RD FREEPORT, NY 11520	160 EMR REALTY CORP		160 E MERRICK RD	FREEPORT NY	11520-4020
184 E MERRICK RD FREEPORT, NY 11520	2 A HOLDING INC	C/O JOHN P MILES, PRESIDE	184 E MERRICK RD	FREEPORT NY	11520-4020
244 E MERRICK RD FREEPORT, NY 11520	244 E MERRICK ABRZ LLC		10 PARKSIDE DR	GREAT NECK NY	11021-1023
261 E MERRICK RD FREEPORT, NY 11520	261 EAST MERRICK RD CORP		3499 E BAY CT	MERRICK NY	11566-5522
7 MAPLE PL FREEPORT, NY 11520	2A HOLDING INC		184 E MERRICK RD	FREEPORT NY	11520-4020
26 BUFFALO AVE FREEPORT, NY 11520	BUFFALO AVE PROPERTY MGMT		2094 SMITH ST	MERRICK NY	11566-3614
11 MAPLE PL FREEPORT, NY 11520	CAMPOVERDE PROPERTIES LLC		99 DOXSEE DR	FREEPORT NY	11520-4603
78 ALBANY AVE FREEPORT, NY 11520	COLUMBIA 72 ALBANY REALTY		72 ALBANY AVE	FREEPORT NY	11520-4702
67 ALBANY AVE FREEPORT, NY 11520	CRACHO PROPERTIES INC		67 ALBANY AVE	FREEPORT NY	11520-4648
69 ALBANY AVE FREEPORT, NY 11520	CRACHO PROPERTIES INC		67 ALBANY AVE	FREEPORT NY	11520-4701
65 ALBANY AVE FREEPORT, NY 11520	DICRACCHO REALTY INC		67 ALBANY AVE	FREEPORT NY	11520-4701
8 MAPLE PL FREEPORT, NY 11520	DOVER GOURMET		27 SAINT JOHNS PL	FREEPORT NY	11520-4606
200 E MERRICK RD FREEPORT, NY 11520	FREEPORT 7-11 LLC	C/O FREEPORT DOVER LLC	PO BOX 711	DALLAS TX	75221-0711
8 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORD HOUSING		195 E MERRICK RD 120	FREEPORT NY	11520-4064
20 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI		195 E MERRICK RD 120	FREEPORT NY	11520-4064
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0 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI		195 E MERRICK RD 120	FREEPORT NY	11520-4064
20 BUFFALO AVE FREEPORT, NY 11520	FREEPORT AFFORDABLE HOUSI		195 E MERRICK RD 120	FREEPORT NY	11520-4064
195 E MERRICK RD FREEPORT, NY 11520	FREEPORT AFFRD HOUSING		195 E MERRICK RD 120	FREEPORT NY	11520-4064
182 E MERRICK RD FREEPORT, NY 11520	FREEPORT COLLISION INC		182 E MERRICK RD	FREEPORT NY	11520-4020
211 E MERRICK RD FREEPORT, NY 11520	FREEPORT MERRICK PROP MGM		2094 SMITH ST	MERRICK NY	11566-3614
234 E MERRICK RD FREEPORT, NY 11520	FREEPORT MERRICK RD GASOL		100 JERICHO QUADRANGLE	JERICHO NY	11753-1049
0 ALBANY AVE FREEPORT, NY 11520	FREEPORT UNION FREE SCHOO		235 N OCEAN AVE	FREEPORT NY	11520-2135
81 ALBANY AVE FREEPORT, NY 11520	GONIAS KONSTANTINOS	C/O WOLF	81 ALBANY AVE	FREEPORT NY	11520-4701
91 ALBANY AVE FREEPORT, NY 11520	GONIAS KOSTAS		91 ALBANY AVE	FREEPORT NY	11520-4701
71 ALBANY AVE FREEPORT, NY 11520	GONIAS REALTY INC		91 ALBANY AVE	FREEPORT NY	11520-4701
150 CLEVELAND AVE FREEPORT, NY 11520	INC VILLAGE OF FREEPORT		46 N OCEAN AVE	FREEPORT NY	11520-3023
30 ALBANY AVE FREEPORT, NY 11520	INC VILLAGE OF FREEPORT		30 N OCEAN AVE	FREEPORT NY	11520-3818
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210 E SUNRISE HWY FREEPORT, NY 11520	KIR MEADOWBROOK 027 LLC		500 N BROADWAY	JERICHO NY	11753-2128
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206 E MERRICK RD FREEPORT, NY 11520	PRESTIGIACOMO JOSEPH &	C/O KEVIN KEANE	210 E MERRICK RD	FREEPORT NY	11520-4029
82 BUFFALO AVE FREEPORT, NY 11520	PRESTIGIACOMO JOSEPH &	KATIE ANN	210 E MERRICK RD	FREEPORT NY	11520-4029
63 BUFFALO AVE FREEPORT, NY 11520	PRESTIGIACOMO JOSEPH &	KATIE ANN	210 E MERRICK RD	FREEPORT NY	11520-4091
210 E MERRICK RD FREEPORT, NY 11520	PRESTIGIACOMO JOSEPH &	KATIR ANN	210 E MERRICK RD	FREEPORT NY	11520-4029
194 E MERRICK RD FREEPORT, NY 11520	PRESTIGIACOMO KATIE ANN		210 E MERRICK RD	FREEPORT NY	11520-4029
61 ALBANY AVE FREEPORT, NY 11520	REAL NY REALTY LLC		240 E MERRICK RD	FREEPORT NY	11520-4029
100 MILL RD FREEPORT, NY 11520	RITY INC PENN PROP		25 RESEARCH DR	WESTBOROUGH MA	01581-5230
6 BUFFALO AVE FREEPORT, NY 11520	SCRATCHLINE PROD INC	C/O BJ'S WHOLESALE CLUB	26 BUFFALO AVE	FREEPORT NY	11520-4014
60 ALBANY AVE FREEPORT, NY 11520	SIXTY ALBANY HOLDING LLC		60 ALBANY AVE	FREEPORT NY	11520-4702
0 MEADOWBROOK PARKWAY FREEPORT, NY 11520	STATE OF NEW YORK	DEPT OF TRANSPORTATION	OFC OF RIGHT WAY RM 6A-10	HAUPPAUGE NY	11788-5518
177 E MERRICK RD FREEPORT, NY 11520	TT OF FREEPORT INC	C/O AUTOMOTIVE MGT	505 S FLAGLER DR	WEST PALM BEACH FL	33401-5946
253 E MERRICK RD FREEPORT, NY 11520	TT OF FREEPORT INC		100 CLEVELAND AVE	FREEPORT NY	11520-4053
100 CLEVELAND AVE FREEPORT, NY 11520	TT OF FREEPORT INC		100 CLEVELAND AVE	FREEPORT NY	11520-4053
0 E MERRICK RD FREEPORT, NY 11520	ULLIAN MILTON		2094 SMITH ST	MERRICK NY	11566-3614
0 E MERRICK RD FREEPORT, NY 11520	ULLIAN MILTON		2094 SMITH ST	MERRICK NY	11566-3614



INCORPORATED VILLAGE OF FREEPORT
46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Freeport Housing Authority
240 S. Main Street
Freeport, New York 11520

Attn: John Hrvatin



INCORPORATED VILLAGE OF FREEPORT
46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Office of Nassau County Clerk
240 Old Country Road
Mineola, New York 11501

Attn: Maureen O'Connell, Nassau County Clerk



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Town Of Hempstead
One Washington Street
Hempstead, New York 11550

Attn: Kate Murray, Hempstead Town Clerk



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Freeport Public Schools
235 N. Ocean Avenue
Freeport, New York 11520

Attn: B. Roberts, Asst. Superintendent for Personnel
& Special Projects



INCORPORATED VILLAGE OF FREEPORT

46 NORTH OCEAN AVENUE
FREEPORT, NY 11520

Freeport Public Schools
235 N. Ocean Avenue
Freeport, New York 11520

Attn: Dr. K. Kuncham, Superintendent of Schools

AFFIDAVIT

I, Randy Milteer, working in the Publicity Office of the Incorporated Village of Freeport, depose and say that on March 17, 2023, I did publish to the Freeport Village Website, the attached notice regarding a Public Hearing to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone to be held on April 4, 2023 in the Municipal Building, Main Conference Room, 46 North Ocean Avenue, Freeport, New York, at 7:00 P.M.

Randy Milteer

Sworn to before me the 31 day
of March, 2023

Pamela Walsh Boening

NOTARY PUBLIC

Pamela A. Walsh Boening
Notary Public State of New York
No. 01WA6213579
Qualified in Nassau County
Commission Expires November 9, 2025

NOTICE OF PUBLIC HEARING

RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, by virtue of the authority invested by law, shall conduct a public hearing to be duly held on the 4th day of April 2023, at 7:00 P.M., to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

FURTHER RESOLVED, that the foregoing notice of public hearing shall be entered in the minutes of the Board of Trustees of the Incorporated Village of Freeport, and published in the Freeport Leader and a printed copy thereof posted conspicuously in at least three (3) public places in the Incorporated Village of Freeport, Nassau County, New York.

STATE OF NEW YORK, COUNTY OF NASSAU, VILLAGE OF FREEPORT, ss: I, PAMELA WALSH BOENING, Clerk of the Village of Freeport, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of said notice duly authorized by the Board of Trustees of the said Village at a meeting of the Said Board of Trustees, calling for a public hearing to be duly held in the Main Conference Room of the Municipal Building of the Village of Freeport, 46 N. Ocean Avenue, Freeport, New York on the 4th day of April 2023 at 7:00 P.M., and of the whole thereof, as entered upon the minutes of the proceedings of the said Board kept by me as Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said Village this 8th day of March 2023.

Pamela Walsh Boening
Village Clerk

Dated: Freeport, New York
March 8, 2023

RESOLUTION NO. 10521-23

WHEREAS, the NASSAU COUNTY PLANNING COMMISSION, at its regular meeting held on **March 30, 2023**, reviewed as provided by law, the following zoning matters:

<u>MUNICIPALITY</u>	<u>LOCAL CASE NO.</u>	<u>APPLICANT</u>	<u>SEC.</u>	<u>BLK.</u>	<u>LOT(S)</u>
Freeport		El Balcon Properties Corp.	55	234	48, 50
Freeport		Bosfa Development, LLC	55	190	51-55, 63
Freeport		Peace Family Worship Center	62	80	6

THEREFORE, BE IT RESOLVED, that the NASSAU COUNTY PLANNING COMMISSION recommends that the referring agency take action as it deems appropriate, the Commission having no modifications.

Pursuant to Section 239-m of the General Municipal Law, the referring municipality shall file a report indicating its decision with the NASSAU COUNTY PLANNING COMMISSION within thirty (30) days of final action.

The resolution herein was, in accordance with all applicable laws, duly considered moved and adopted by the following vote:

Leonard Shapiro, <i>Chair</i>	Excused
Jeffrey Greenfield, <i>1st Vice Chair</i>	Aye
Neal Lewis, <i>3rd Vice Chair</i>	Excused
Dana Durso	Aye
Ronald Ellerbe	Not Participating/Not Voting
Murray Forman	Aye
Denise Gold	Aye
Khandan Kalaty	Aye
Reid Sakowich	Aye

The Chair declared the resolution duly adopted.

Resolution of the NASSAU COUNTY PLANNING COMMISSION **adopted: 3/30/23**

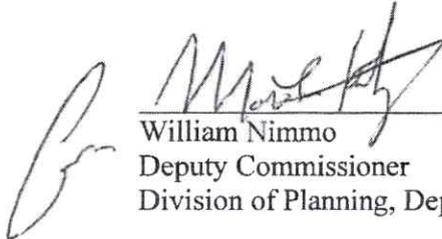
STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

I, William Nimmo, Deputy Commissioner of the NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS, Division of Planning, do hereby certify that I have compared the proceeding with the original resolution passed by the PLANNING COMMISSION of Nassau County, New York on 3/30/23

on file in my office and recorded in the record of proceeding of the PLANNING COMMISSION of the County of Nassau and do certify the same to be a correct transcript therefrom and the whole said original.

I further certify that the Resolution herein above-mentioned was passed by the concurring affirmative vote of the PLANNING COMMISSION of the County of Nassau.

IN WITNESS WHEREOF, I have hereunto set my hand,
This 31st day of March
In the year two thousand and twenty-three



William Nimmo
Deputy Commissioner
Division of Planning, Department of Public Works

INTER-DEPARTMENT CORRESPONDENCE ONLY
Incorporated Village of Freeport

TO: Pamela Walsh Boening, Village Clerk

FROM: Lisa M DeBourg

DATE: March 15, 2023

RE: Application for Rezoning
REZONE from Industrial B District to Residence Apartment
District & Golden Age Floating Zone
Premises: 80-84 Albany Ave & 17-33 Buffalo Ave
Section 55 / Block 190 /Lots 51-55 & 63

At the Planning Board Meeting held on March 14, 2023 the following recommendation was duly adopted.

Motion was made by Edgar Campbell and seconded by Annmarie diSalvo that it is the recommendation of the Planning Board that the application of Village of Freeport to rezone the premises known as 17-33 Buffalo Avenue (AKA 3 Buffalo Ave), Freeport, New York 11520 S/B/L 55-190-63 aka Moxey Rigby Housing Complex and 80-84 Albany Avenue Freeport, NY 11520 S/B/L 55-190-51 through 55 from Industrial B District to Residence Apartment District with a Golden Age Floating Zone Classification, be approved as follows:

WHEREAS, the Petitioner, BOSFA Development LLC, filed a petition with the Board of Trustees of the Incorporated Village of Freeport for a rezoning of the above premises from Industrial B to Residence Apartment District with a Golden Age Floating Zone Classification; and

WHEREAS, the Petitioner has presented an application to the Planning Board of the Village of Freeport for a recommendation for the zone change; and

WHEREAS, the Planning Board agrees that said Residence Apartment District with a Golden Age Floating Zone Classification would be in conformity to the surrounding neighborhood; and

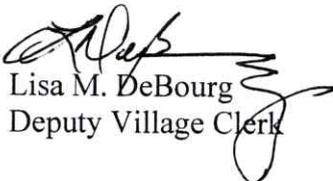
WHEREAS, the Planning Board, by its recommendation to the Mayor and Board of Trustees dated March 14, 2023 does infer that if any rezoning was to be made of the subject property that Residence Apartment District with a Golden Age Floating Zone Classification would be appropriate; and

WHEREAS, the Planning Board recognizes that properties surrounding the subject premises are zoned for use as Residence Apartment.

NOW THEREFORE, it is the recommendation of the Planning Board of the Incorporated Village of Freeport that the properties known as 17-33 Buffalo Avenue (AKA 3 Buffalo Ave), Freeport, New York 11520 S/B/L 55-190-63 and 80-84 Albany Avenue, Freeport, New York 11520 S/B/L 55-190-51 through 55 be developed as Residence Apartment District with a Golden Age Floating Zone classification.

The Clerk polled the Board as follows:

Carole Ryan	In Favor
Deborah Welch	In Favor
Heather Dawson	In Favor
Annmarie diSalvo	In Favor
Edgar Campbell	In Favor


Lisa M. DeBourg
Deputy Village Clerk

VILLAGE OF FREEPORT
Department of Buildings
Recommendation

Notice

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:

- 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: to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

Applicant : Incorporated Village of Freeport

Description: to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone.

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

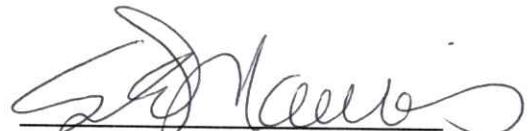
REASON(S) FOR DETERMINATION

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 30, 2023
Freeport, New York



Sergio Mauras
Superintendent of Buildings

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

The Following Resolution was moved by Trustee _____, seconded by Trustee _____, who moved its adoption:

WHEREAS, the Board of Trustees of the Incorporated Village of Freeport, as lead agency, has determined that the proposed action described below, will not have a significant effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared; and

WHEREAS, the proposed action is to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone; and

WHEREAS, said properties are located within the Incorporated Village of Freeport and within that portion of the Incorporated Village of Freeport of which the Freeport Union Free School District a/k/a Freeport Public Schools is a part; and

WHEREAS, this Board determines that the proposed action is an unlisted action, as that term is defined in the New York State Environmental Quality Review Act, herein after referred to as SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality, traffic or noise level, will not affect solid waste production, and will not affect erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna nor interfere with the movement or any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.
3. The proposed action will not encourage or attract a large number of people.
4. The proposed action is consistent with the community's current plans and goals for enforcement of Village laws.
5. The proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources of the Village.
6. The proposed action will not bring about a major change in the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.

8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, after reviewing the above criteria has determined that the proposed action is not environmentally significant.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	VOTING
Trustee Martinez	VOTING
Trustee Squeri	VOTING
Trustee Sanchez	VOTING
Mayor Kennedy	VOTING

The Following Resolution was moved by Trustee _____,
seconded by Trustee _____, who moved its adoption:

WHEREAS, the Board of Trustees of the Incorporated Village of Freeport, as lead agency, has determined that the proposed action described below, will not have a significant effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared; and

WHEREAS, the proposed action is to consider the re-zoning application for Section 55, Block 190, Lot 63 and Section 55, Block 190, Lots 51-55 from Industrial B District to Residence Apartment with a portion of the property designated as a Golden Age Floating Zone; and

WHEREAS, said properties are located within the Incorporated Village of Freeport and within that portion of the Incorporated Village of Freeport of which the Freeport Union Free School District a/k/a Freeport Public Schools is a part; and

WHEREAS, this Board determines that the proposed action is an unlisted action, as that term is defined in the New York State Environmental Quality Review Act, herein after referred to as SEQRA. After careful consideration, the Board has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality, traffic or noise level, will not affect solid waste production, and will not affect erosion, flooding, leaching or drainage problems.
2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna nor interfere with the movement or any resident or migratory fish or wildlife species, nor impact on a significant habitat area, nor result in any other significant adverse effect to natural resources.
3. The proposed action will not encourage or attract a large number of people.
4. The proposed action is consistent with the community's current plans and goals for enforcement of Village laws.
5. The proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources of the Village.
6. The proposed action will not bring about a major change in the use of either the quantity or type of energy.
7. The proposed action will not create a hazard to human health.

8. The proposed action will not produce a substantial change in the use or intensity of land, including cultural or recreational resources, or its capacity to support existing uses.
9. The proposed action will not create a material demand for other actions that would result in any of the above consequences.
10. The proposed action will not change two or more elements in the environment, which when considered together could result in a substantial adverse impact on the environment.
11. When considered cumulatively with other actions, the proposed action will not have a significant effect on the environment or meet one of the above criteria.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Freeport, after reviewing the above criteria has determined that the proposed action is not environmentally significant.

The Clerk polled the Board as follows:

Deputy Mayor Ellerbe	VOTING
Trustee Martinez	VOTING
Trustee Squeri	VOTING
Trustee Sanchez	VOTING
Mayor Kennedy	VOTING