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INCORPORATED VILLAGE OF FREEPORT
PLANNING BOARD

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

April 25, 2023
7:00 p.m.

M E M B E R S :

MICHAEL HERSHBERG	CHAIRPERSON
ED CAMPBELL	DEPUTY CHAIR
CAROLE RYAN	MEMBER
ANNEMARIE DI SALVO	MEMBER
HEATHER DAWSON	MEMBER

* * *

LISA DEBOURG	DEPUTY VILLAGE CLERK
ROBERT McLAUGHLIN	DEPUTY VILLAGE ATTORNEY

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April 25, 2023

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-----EXHIBITS-----

BOARD'S FOR I.D. PAGE

1 Affidavit of Publication 4

2 Affidavit of Posting 4

3 Affidavit of Mailing 4

WITNESSES FOR I.D.

A Photographs 38

B Photographs 43

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April 25, 2023

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

APPLICATION#	ADDRESS	PAGE
SP-3628	862 South Long Beach Avenue	4 - 48

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CHAIRPERSON HERSHBERG: Please rise for Pledge of Allegiance.

(Pledge of allegiance recited.)

CHAIRPERSON HERSHBERG: Do we have any Affidavits of Publication or Posting?

THE CLERK: We have one Affidavit of Publication and one Affidavit of Posting and one Affidavit of Mailing to be placed on the record as exhibits.

(WHEREUPON, the above-referred to documents were marked as Boards Exhibits 1 through 3, for identification, as of this date.)

CHAIRPERSON HERSHBERG: Do we have any requests for adjournment.

THE CLERK: No requests for adjournment.

CHAIRPERSON HERSHBERG: Please call our first application.

THE CLERK: Site Plan Number 3628 - 862 South Long Beach Avenue, Section 62, Block 156, Lot 343, Residence A. Oscar Guevara. Non-compliance with original decision. Multiple changes done to windows,

1
2 doors, siding, soffits, lighting, railings,
3 roofing, fascia, columns, stairs and a 290
4 square foot second story deck on third story.

5 R U S S E L L J O R D A N,
6 having been first duly sworn by a Notary
7 Public of the State of New York, was
8 examined and testified as follows:

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

11 MR. JORDAN: Russell Jordan. 44
12 Casino Street, Freeport, New York.

13 CHAIRPERSON HERSHBERG: Mr. Jordan,
14 is the owner of the property here?

15 MR. JORDAN: The owner is here, yes.

16 CHAIRPERSON HERSHBERG: I just want
17 to give a little background, because this is
18 not a usual circumstance for this Board. We
19 met initially, not you, Mr. Jordan, but we
20 had a representative meet with us on
21 September 28, 2021 where we heard testimony
22 on an application. The Board reviewed the
23 application. At the time, we reserved
24 decision and closed to further evidence and
25 testimony and reserved decision.

1
2 When the Board was discussing the
3 application, we had added some conditions to
4 the application, and we rendered an approval
5 decision which was sent to the owner of the
6 property, the applicant. Then we had asked
7 for a submission of an Affidavit of
8 Compliance, which was stating that everything
9 had been done. And some of the conditions
10 that we had talked about were with respect --
11 first of all, all of the information on the
12 initial application and then some additional
13 conversation and conditions with respect to
14 some items such a shielding of the air
15 conditioning units, sizes of columns. And
16 then subsequent to all of this, you are
17 before us. I'm wondering what occurred that
18 they would have on the record sworn testimony
19 on the application, receipt of an
20 Affidavit -- receipt of our approval of the
21 application, signature on an Affidavit of
22 Compliance, and yet we see difference between
23 that was approved by the Board and what was
24 actually constructed. So, I'd like to
25 understand those circumstances before we even

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address what has been done.

MR. JORDAN: First of all, let me clarify something is that I am not the architect of record. I was hired to assist them in putting this particular application together, all right. I have gone back through what was initially approved with the original construction documents and what was subsequently built. The project is essentially 100 percent complete, at this point.

The last couple of years have been extremely difficult on a supply chain issue, as far as finding and getting particular materials. That was one of the issues here.

I think that there was probably also some change in personal choices by the owner, which they can address more directly than I can.

There was also, from a Building Department standpoint, the addition of a deck in the rear, which is stated on the letter.

And also, there was a reorientation of some of the interior rooms so they

1
2 oriented more towards the south, the sun, and
3 where the primary view is. That affected, I
4 believe, some of the window sizes, locations,
5 etcetera.

6 The pallet of materials in terms of
7 colors are very similar to what was
8 originally approved the whites, light gray,
9 and black windows. The pallet of materials
10 itself did change in some respect. I believe
11 that the original approval was for standing
12 seam metal roof, which is actually somewhat
13 unusual on residences in Freeport, and a more
14 conventional asphalt shingle roof was
15 substituted.

16 There were some changes, again, in
17 railing profiles where a cable rail may have
18 been specified and a Timber Tech more picket
19 style railing was used in the front.

20 There was a minor change in the
21 configuration of the front door, as far as
22 what it looked like, and also the garage
23 door.

24 The siding material is a James Hardie
25 product, which I believe was originally

1
2 specified. It may not be in exactly the
3 configuration that was originally approved
4 versus the horizontal board and batten.

5 Any of these questions, I think,
6 probably need to be directed to the owners,
7 in that I, obviously, wasn't there during the
8 construction process. I was only recently
9 hired. I would like to bring them up.

10 CHAIRPERSON HERSHBERG: I think that
11 would be helpful.

12 MR. JORDAN: Please come up.

13 G A B R I E L L E M A N A R A,
14 having been first duly sworn by a Notary
15 Public of the State of New York, was
16 examined and testified as follows:

17 COURT REPORTER: Please state your
18 name and address for the record.

19 MS. MANARA: Gabrielle Manara. 136
20 Boylston Street, Hempstead, New York 11550.

21 CHAIRPERSON HERSHBERG: Ms. Manara,
22 you spoke on the original application.

23 MS. MANARA: Correct.

24 CHAIRPERSON HERSHBERG: We have the
25 transcript of that. I just wanted to check

1
2 and make sure we have some Board members that
3 were present at that meeting. I think the
4 majority of the Board members were and some
5 are newly added to the Board.

6 MS. MANARA: Okay.

7 CHAIRPERSON HERSHBERG: I'm just
8 trying to understand. As part of the
9 approval of the application, we make the
10 statement about any changes and/or
11 modifications to the approved plan are
12 subject to further review by the Planning
13 Board.

14 So, there were significant changes to
15 what was originally approved, and we're
16 finding out about it now after the work is
17 done, which is not the best of positions to
18 be in.

19 MS. MANARA: Well, I feel as though
20 during our building process we have been in
21 compliance. I worked with the Building
22 Department closely to ask whether we can do
23 this, what is the process? We submitted
24 subsequent plans for our house, if we need
25 any changes.

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As far as this goes here, this is more of an aesthetic, correct? We're all in kind of an agreement to that, right.

CHAIRPERSON HERSHBERG: Yes.

MS. MANARA: It is an aesthetic. Anyone that's built a house, you know it's been -- our meeting was in 2021, correct?

CHAIRPERSON HERSHBERG: Correct.

MS. MANARA: During this time, right, if you're building a house, if anyone knows what's going on right now, it's hard to procure certain materials, especially, like, say a door. We can pick out a door we thought we were going to use the 2021. That door might not be available for quite some time. That door might not be available anymore. That door might be triple the price because of inflation, correct? This is something that we have seen with the building materials across the board. We've had to deal with what we thought it was going to cost the build. It's tripled, in the past couple of years. So, there are hardships that you face along the way. That's the day

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and age we're in right now, right?

On top of that, we're building a house, it's for us. I changed my mind a lot. I'm a woman. There's are four women up here right now. You know you're going to look at something, you're going to see something on Pinterest, you're going to see something -- I like it better this way, I like it better that way. I just feel like that's kind of a natural process. I can't say what I looked in 2021, I may not like that right now.

It's my home, right? Am I right or wrong with that.

CHAIRPERSON HERSHBERG: It is your home.

MS. MANARA: Yes.

CHAIRPERSON HERSHBERG: The application that you submitted, that we approved, well, it met the approval of this Board as submitted. Certainly there are provisions that if you're going to make changes that you come back to the Board and discuss those changes.

So, it's not as if there's no

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2 opportunity to change your mind, but that
3 would be best advised to do under the rules
4 here that you signed off on. You received
5 our approval, you signed an Affidavit of
6 Compliance, or somebody, one of owners signed
7 an Affidavit of Compliance, and you have
8 constructed the home different from what was
9 originally submitted. So, that's what I was
10 trying to understand. Certainly changing
11 your mind or having material issues, that's
12 understandable and we have provisions to deal
13 with that.

14 So, now we're in a position of
15 something that is completed and you're before
16 us hoping that the Board is going to be okay
17 with the changes that you made.

18 MS. MANARA: Well, we're talking
19 about me changing my front door or me
20 changing a light fixture. I didn't know I
21 had to come here every time I had to change
22 an item. That's kind of cumbersome. Is
23 everybody in Freeport coming here every time
24 they change an item?

25 MEMBER RYAN: No, but it's a similar

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style.

MS. MANARA: We are in the same similar style as what I originally -- we're not far off. As far as aesthetic, we are not far off from what our original plan was.

CHAIRPERSON HERSHBERG: I well tell you that the Board has had applicants -- first of all, I just wanted to understand the circumstances, because I've been on the Board for over a decade and I've never had a list where changes included this many items. Changes to windows, doors, siding, soffits, lighting, railings, roofing, fascia, columns, stairs, as well as some other things that we noticed when we went by the property that are aren't even listed here that are different from our original approval. Never before has the Board been confronted with this may changes. My questions were to understand the circumstances.

MS. MANARA: Okay. I explained the circumstances. I will say this in rebuttal. Never before have I built a home where I have been under the gun about such miniscule

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2 aesthetic items. If I built my house in
3 another shape, added another story, fine.
4 100 fine. The home still remains the same.
5 The aesthetic, the white, black windows,
6 black door, black garage door, black light
7 fixture, we are still in the scheme of that.
8 If my siding goes a different way or my
9 railing in the back is a cable instead of
10 Craftsman, it's not -- you know, it's just a
11 decision-making process along the way.
12 That's going to look better along the water,
13 this is going to look better for the view,
14 correct? We're trying to do -- the home
15 looks beautiful, right?

16 CHAIRPERSON HERSHBERG: I understand
17 that.

18 MS. MANARA: The home down the block
19 looks exactly the same as our after the fact.
20 In fact, it seems as though maybe they were a
21 little inspired by our design. If we go a
22 few doors down, right? I would think so.

23 CHAIRPERSON HERSHBERG: I stand by my
24 comment that we had an agreement as to what
25 was going to be done. We have built in the

1
2 mechanism for you to make changes, if you
3 want to. That would be coming back to the
4 Board. I stand by my comment that you're
5 here before us now hoping that the Board will
6 approve the changes that you made. I stand
7 by that comment.

8 I just wanted to understand. I
9 didn't know what had occurred. It seemed --
10 it could seem -- and I don't know what
11 occurred. That's why I asked -- that there
12 was a disregard for the way that it was
13 approved. That the Affidavit of Compliance
14 was signed without full disclosure, that not
15 everything was done as to what was approved.
16 It could be viewed as a disregard for those
17 things. I'm not saying that it was. But we
18 don't know, which is why I proposed the
19 question.

20 MS. MANARA: No, it's not a
21 disregard. It's more just that I'm a woman.
22 I'm building my home, I'm changing my mind,
23 I'm working, you know. That's it.

24 DEPUTY CHAIR CAMPBELL: We understand
25 about changes that were added. We respect

1
2 that. It's not just about the changes. We
3 also look at it. I would ask you to look at
4 the standpoint of maybe your neighbor and
5 they game came before us -- here me out. If
6 they just had a plan and we agreed to it, and
7 then that plan was different from what we
8 approved and you may find that as an eyesore,
9 you would come to the Board and say why the
10 hell did you guys approve this? This is not
11 your approval, this is totally outside the
12 character of the neighborhood, if we start
13 not allowing or disallowing rules and
14 regulations.

15 We appreciate the fact that everybody
16 has gone through COVID and there is a
17 shortage of materials, so on and so forth.
18 That's also a matter of coming down to the
19 Building Department filing the permit and
20 then coming to us and we don't have this
21 conversation.

22 MS. MANARA: If I may answer that.
23 If my house is an eyesore, then the house
24 that looks exactly like mine five doors down
25 is also an eyesore.

1
2 And secondly, just to answer, I would
3 never care what my neighbor does with their
4 house to that extent. To each live their
5 lives.

6 DEPUTY CHAIR CAMPBELL: You may be
7 the exception to the rule. But there are
8 some neighbors we hear from all the time --

9 MS. MANARA: I'm very aware.

10 DEPUTY CHAIR CAMPBELL: -- as a
11 Board. That's why we have the rules. We say
12 the same thing: Sign off on the compliances,
13 we have the agreement. If you want to make
14 changes, that's your prerogative, absolutely.

15 MS. MANARA: Yeah.

16 DEPUTY CHAIR CAMPBELL: We agree on
17 that. But there's also rules and procedures
18 that you stop by the Building Department and
19 say I'm making this change, I'm making this
20 change, and it gets filed and we know about
21 it and we don't have this discussion. That's
22 all.

23 MS. MANARA: Okay.

24 MEMBER RYAN: It looks good.

25 MS. MANARA: Thank you. I agree.

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2 DEPUTY CHAIR CAMPBELL: No one said
3 it's an eyesore. We just want you to be
4 aware, so we have an understanding where
5 we're coming from.

6 MS. MANARA: Right. Right. You
7 know, if you're building your home, you feel
8 you want it how you want it, right? It's my
9 home.

10 DEPUTY CHAIR CAMPBELL: To a certain
11 degree.

12 MS. MANARA: We're talking about
13 aesthetics. I like it a little pretty, I
14 like it to look pretty to my aesthetic
15 person, right? Bottom line.

16 DEPUTY CHAIR CAMPBELL: Improve the
17 quality of the whole neighbor when you have a
18 good home. We're in agreement.

19 MS. MANARA: Thank you.

20 CHAIRPERSON HERSHBERG: So, I think
21 that answers my question as to the
22 circumstances that brought us to this point.
23 So, I don't know if we want to hear the
24 testimony with respect to the specific
25 changes that were made, Mr. Jordan. Unless

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you have further comments you want to make.

MS. MANARA: No, I think we're good. We answered everything, right? Do you have any others?

CHAIRPERSON HERSHBERG: No. My question was why this occurred the way that it did, since it's unusual to occur in this way. And in my experience, being on this Board for over a decade, I've never experienced this many differences from an approved application. That's what prompted my question to understand how that occurred. Now I think it's important to understand the details of the changes.

MS. MANARA: Thank you.

MEMBER RYAN: Thank you.

MR. JORDAN: I think, actually, in my initial presentation, I did go through most of what the changes were to my knowledge, is that the standing seem metal roof changed to an asphalt roof. What was shown as a cable rail in the front was changed to Timber Tech picket style rail. I'm not sure what the Building Department was referring to, when

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2 they said there were changes in the
3 staircases, other than the fact there was a
4 staircase involved at the back where the deck
5 was added. And I will point out that the
6 addition of the deck and the rearrangement of
7 the interior spaces which caused some of the
8 changes in window location and sizes. From
9 what I understand from the home owners, that
10 was submitted to the Building Department. I
11 don't know whether the Building Department
12 informed this Board of those changes that had
13 been made.

14 It's that there are minor changes to
15 the style of the front door and the style of
16 the garage door, and there was some
17 substitution for board and batten Hardie
18 siding as opposed to clapboard on the front
19 of the building. Let's see what else we have
20 here. The size of the columns are six by six
21 white Azek, which I think was similar to what
22 was originally specified.

23 MEMBER DI SALVO: Eight by eight
24 originally.

25 Mr. Jordan, can I go back to the rear

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upper deck?

MR. JORDAN: Yeah.

MEMBER DI SALVO: It's hard to see on my plan. It looks to me like it was originally over two sliding doors, which would make the rear deck originally seven feet, and now it's the width of the entire back of the house on the second floor.

MR. JORDAN: From what I have been told, that change was filed with the Building Department.

MEMBER DI SALVO: Okay.

MR. JORDAN: I believe it's now 269 square feet. I would suspect it had been about 35 square feet, if it was seven by five, or something like that.

MEMBER DI SALVO: One of the conditions, something that was of much discussion from the original hearing was the air conditioning screening. The raised condensers on the south side of the house.

MR. JORDAN: I don't have any specific information about that.

CHAIRPERSON HERSHBERG: That was a

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condition to the original approval.

MR. JORDAN: What kind of screening was required?

CHAIRPERSON HERSHBERG: In the transcript we say the elevated air conditioning units are to be screened from the street and neighboring homes. That was the condition.

MR. JORDAN: I don't know exactly how that would have been employed, because if you're cutting off air circulation with some kind of screening they will not operate properly.

CHAIRPERSON HERSHBERG: We discussed that, actually, where it doesn't need to be complete fencing in of the units, but it would be screened from the street and neighboring homes.

MR. JORDAN: As I said, I don't have any specific information regarding that.

MEMBER DI SALVO: There is also the front driveway that was supposed to have a curve to it and more railing in the front.

MR. JORDAN: Excuse me?

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2 MEMBER DI SALVO: It's been squared
3 off. I'll show you the original. This is
4 the original and what is there now
5 (indicating).

6 MR. JORDAN: I would refer this back
7 to the owners. I suspect it's probably a
8 cost issue. Is that we did submit -- there
9 was a landscape plan here, which I believe
10 was the original landscape plan that was
11 submitted to you, which does show the
12 driveway as you're indicating it. I would
13 refer back to the owners as to why that
14 change was made.

15 CHAIRPERSON HERSHBERG: You can
16 explain to us the changes. While you're
17 here, I see there's a planter on the north
18 side of the property that hasn't been planted
19 yet. I know we just got through winter.

20 MS. MANARA: At this time --

21 CHAIRPERSON HERSHBERG: Discuss the
22 driveway.

23 MS. MANARA: This area here?
24 (Indicating.)

25 MR. JORDAN: The driveway,

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apparently, goes straight, and that area didn't get paved.

MS. MANARA: Where?

MR. JORDAN: This is the front of your house. Does the driveway just go straight up now or does it do this (indicating)?

MS. MANARA: It goes straight.

MR. JORDAN: Over on the side, right?

MS. MANARA: Yeah.

MR. JORDAN: And the front door is here? (Indicating.)

MS. MANARA: Right. Quite frankly, we have a lot of flooding issues on our property, in particular, and a drain that doesn't drain in front of our house. It looks better straight. Less grass is fine.

CHAIRPERSON HERSHBERG: Actually, grass well help drainage, where not as much drainage happens over paved areas. So, you may be exacerbating the flooding problem by covering more of the land. You're shaking your head, but I'm telling you, generally, that's the way it works.

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MR. JORDAN: I thought the comment was that they're covering less.

MEMBER DI SALVO: Covering more.

CHAIRPERSON HERSHBERG: They're covering more with a paved driveway area than was originally submitted and approved on the landscape plan.

MS. MANARA: Just design aesthetic. I thought it looked better.

CHAIRPERSON HERSHBERG: Was there a consideration for how drainage would work with that additional paved area?

MS. MANARA: I think the drainage issue is the storm drain in front of my house that doesn't drain.

MR. JORDAN: There is a serious problem on South Long Beach with storm drainage.

MS. MANARA: Particularly in front of my house, and before we did any paving.

CHAIRPERSON HERSHBERG: I'm not disputing that there would be a water issue which is the reason for --

MS. MANARA: That --

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CHAIRPERSON HERSHBERG: Excuse me.

MS. MANARA: Yeah.

CHAIRPERSON HERSHBERG: Which is the reason for our questions.

So, if you were to pave -- hypothetically, if you were to pave your entire front area and then a water runoff would interfere with one of your neighbors, that would be an issue.

MR. JORDAN: The water runoff --

CHAIRPERSON HERSHBERG: Mr. Jordan, I will allow to you speak as well as the owner, when I'm done.

So, that's why we're asking the question. So, we take that into consideration. It's a change from what was initially submitted. We're trying to understand.

MR. JORDAN: What I was going to say is, the rain water runoff isn't the issue. The issue is salt water coming up through the storm drain system on that part of South Long Beach.

CHAIRPERSON HERSHBERG: Okay. Are

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there other questions from the Board?

MEMBER DI SALVO: No, I don't have any questions.

CHAIRPERSON HERSHBERG: Mr. Jordan, can you give a solution for the shielding of the air conditioning unit?

MR. JORDAN: I'm sure we can come up with something, yes. I'll have to go look and see exactly where the units are and what kind of shielding can be done.

CHAIRPERSON HERSHBERG: Since an approval, if this application were to be approved, it would involve a condition with respect to the shielding of the units. I can show you a picture, if you want to try and come up with some sort of solution that could be part be a condition on the application.

MR. JORDAN: I'm sure there is some kind of aluminum louver system we can come up with.

CHAIRPERSON HERSHBERG: Do you want us to take a shot at what would look like, or do you want to try and describe what that would appear to be.

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MR. JORDAN: I'll describe exactly what it would look like. We would take a commercial aluminum louver that would provide enough free air to supply the units with fresh air. And we'd have to make some kind of framework, probably stainless steel frame, that would suspend those louvers on the south side and to east side of the units.

MEMBER RYAN: Can you just match the deck fencing, the railing and put it around it so it matches everything else?

MR. JORDAN: Walk me through that. What do you mean match the fencing?

MEMBER RYAN: You know, around the deck there's that railing in front.

MR. JORDAN: Yeah.

MEMBER RYAN: Can you do something like that to shield the area?

MR. JORDAN: Those have balusters that are four inches apart. Is that enough shielding?

MEMBER RYAN: Yeah. They're only gray. They're not going to be an eyesore.

MR. JORDAN: No, it will pretty much

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meld into the building. We can do something with the railing to shield them.

CHAIRPERSON HERSHBERG: I'm going to show you this picture. See this area right back here?

MR. JORDAN: If the railing she is talking about is sufficient to put a railing right around that.

CHAIRPERSON HERSHBERG: Shield with the same material?

MR. JORDAN: I would say it's the same material as the railing that's on the front of the building, Timber Tech, with balusters, four inches, on the side.

MS. MANARA: This is just to cover the look of the AC unit?

CHAIRPERSON HERSHBERG: It's the aesthetic.

MR. JORDAN: They want to finish the presence of the AC.

MEMBER RYAN: But also for the house next door. Because it's high, it's at people's window level. So nobody is looking straight at your unit.

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2 MS. MANARA: Yeah. It was originally
3 supposed to be on the other side. I complied
4 with moving that.

5 MEMBER RYAN: Yeah, I saw that.

6 MS. MANARA: But you know.

7 MR. JORDAN: Are there any other
8 questions?

9 MEMBER RYAN: I don't have any.

10 CHAIRPERSON HERSHBERG: Any other
11 questions from the Board.

12 (No response was heard.)

13 CHAIRPERSON HERSHBERG: Madam Clerk,
14 I'm going to ask for public comment. Do you
15 want to address the procedures for that?

16 THE CLERK: Yes. I have a speech I
17 would like to make.

18 Before we begin the public hearing
19 for tonight's meeting, I would like to remind
20 everyone that each speaker will be allowed to
21 address the Board from the podium for a
22 maximum of three minutes. Speakers are not
23 permitted to yield time to other speakers.

24 At the conclusion of their
25 questioning, the Board may respond verbally

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2 or in writing at a later date. If a verbal
3 response is given, the speaker may ask one
4 follow up question during the two minute
5 rebuttal. Speakers shall not interrupt each
6 other and shall wait for completion of the
7 question or answer.

8 We are very proud of the professional
9 and respectful way in which we speak to each
10 other and will have nothing less. No one has
11 the right to speak in a derogatory,
12 accusatory, or inflammatory manner toward any
13 members of the Board administration for the
14 staff. If that should occur, permission to
15 speak will be immediately rescinded.

16 Our first speaker is Cindy Ye.

17 C I N D Y Y E,

18 having been first duly sworn by a Notary
19 Public of the State of New York, was
20 examined and testified as follows:

21 COURT REPORTER: Please state your
22 name and address for the record.

23 MS. YE: Cindy Ye. 874 South Long
24 Beach Avenue, Freeport.

25 MEMBER RYAN: How are you?

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2 MS. YE: For the first meeting, I'm
3 on the right side, 874. My land was lower
4 than this house. It's about this lower
5 (indicating). So, last time I raised this
6 question, I was concerned about flood. When
7 water comes, and the water is going from his
8 house and comes to mine. So, that was what I
9 was concerned about last time. And Oscar
10 replied back to me, in front of everyone. He
11 said he's in construction, he's a builder, so
12 he's going to build some type of wall a
13 little higher than water coming. But I
14 didn't see that. He didn't build anything to
15 prevent anything. So, when the rain comes,
16 all rain come to my garage.

17 CHAIRPERSON HERSHBERG: Have you had
18 that experience where that has occurred?

19 MS. YE: Yes.

20 CHAIRPERSON HERSHBERG: The water
21 from their --

22 MS. YE: Yes.

23 CHAIRPERSON HERSHBERG: When that was
24 initially addressed on September 28, 2021,
25 that issue would be under the purview of the

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Building Department. So, I don't know -- do we have a Building Department representative?

THE CLERK: No.

MS. YE: The last time, one of your Board members mentioned the Building Department. But that time, I think he's going to build a little over there.

CHAIRPERSON HERSHBERG: If you give me a second, I do recall that being addressed. If you give me a second. Bear with me please.

(WHEREUPON, there was a pause in the proceedings, after which the following transpired:)

MEMBER DI SALVO: You are on the south side of this property?

MS. YE: Yes.

CHAIRPERSON HERSHBERG: The issue was addressed at the last meeting. It's really in the hands of the Building Department. Just so that we can have a fresh recollection of what occurred is the owner, Mr. Guevara, made a statement saying, "I'm thinking of building retaining walls on both sides and

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2 pitch everything to the front, because our
3 property is higher."

4 I think it was you that brought the
5 objection at the initial meeting and you
6 thanked him. We talked about conditioning
7 it, and I made a statement that the Building
8 Department would sign off on that. And the
9 owner stated that he went direction -- I'm
10 sorry. My statement was, "Well, you signed
11 off, the Building Department signed off.
12 Actually, you signed off stating that the
13 direction of storm water discharge either
14 from point or non-point sources. Will the
15 storm water discharge go to the adjacent
16 properties?" And the owner stated, "No."
17 And I said, "So you're referring in your
18 application to the Building Department that
19 you will not have storm water that will flow
20 to the adjacent properties."

21 So, that's part of the application
22 that's already submitted to the Building
23 Department. So, it's my understanding that
24 that was covered by the Building Department.
25 It's not under our purview. But there are

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2 already statements with regard to changes
3 that were submitted to the Building
4 Department that this Board was is not fully
5 aware of. So, we're going to be looking into
6 those things, but I would suggest following
7 up with the Building Department.

8 Counsel, does that sound like a
9 reasonable approach?

10 MR. McLAUGHLIN: Yes.

11 CHAIRPERSON HERSHBERG: Any other
12 questions or concerns that you have? What
13 would be the best way?

14 MR. McLAUGHLIN: Contact the
15 Superintendent of Buildings, Sergio Mauras,
16 tomorrow.

17 MS. YE: ONE question. You did say
18 you are going to build --

19 CHAIRPERSON HERSHBERG: I'm sorry.
20 You can ask the question and we can ask the
21 home owner to respond, but we can't have
22 responses from the audience, because we're
23 trying to capture a recording of the meeting.

24 MS. YE: Thank you.

25 CHAIRPERSON HERSHBERG: Did you have

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a question that you wanted to try to get answered?

MS. YE: No, that's okay.

MEMBER DI SALVO: Thank you.

CHAIRPERSON HERSHBERG: Is there any other public comment?

THE CLERK: Yes. Our next speaker is Jeanne Dipolito.

J E A N N E D I P O L I T O,
having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

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

MRS. DIPOLITO: Jeanne Dipolito. 856 South Long Beach Avenue.

MEMBER DI SALVO: Good evening.

MRS. DIPOLITO: Tom and I lived at our 856 South Long Beach Avenue for over 25 years, and we are experiencing a lot of difficulties with the changes that have been made to the home next door to us. We're also experiencing mud wash and water. The majority of the retaining walls on his north

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side are ours that we had put in when we did returns for whatever area. That doesn't have that. That is creating a problem with mud and whatever.

We're also experiencing a tremendous problem with the lighting in the soffits. And I will give you some pictures up for you to see.

MR. McLAUGHLIN: Ma'am, before you do that, we have to mark it.

(WHEREUPON, the above-referred to document was marked as Witness Exhibit A, for identification, as of this date.)

CHAIRPERSON HERSHBERG: You have given us quite a few pictures here, and your testimony was with respect to the lighting in the soffits.

MRS. DIPOLITO: That's one of our issues, yes.

CHAIRPERSON HERSHBERG: In your three minute period, do you want to quickly address the other issues?

MRS. DIPOLITO: I would like to address it, because these situations have

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2 destroyed our quality of life to the point we
3 can no longer live there. This is not
4 something I'm taking very lightly. We tried
5 very hard to talk to these people and work
6 the situation out, but it became apparent
7 from day one that they were not going to
8 follow any of the rules and do precisely what
9 they felt like doing without any regard to
10 the effect it was going to have around us.
11 So, this is a very emotional, and I feel like
12 the Board should know. We realize the work
13 is done and that, yes, we are leaving. I
14 also notice they sold their home. So, I
15 guess we're not the only ones that can't live
16 with each other. But it's my privacy, my
17 quality of life, the lights, picture windows
18 on the side of the house, the water, the
19 damage to our home that they're building.
20 The fact that there was never any screening
21 put up. I have vet bills. My dog ate
22 something and ripped her tongue apart. My
23 niece had to get all new tires. I cleaned
24 between 30 and 40 packs of nails
25 continuously. We have cement all on the side

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2 of the house. Those lights. I can't. We
3 have to close the bathroom door and the
4 bedroom door and it's still never enough
5 time. Sometimes they are left on for three,
6 four days at a shot. We have a noise problem
7 now because of the tunnel. I am so
8 intimidated, and I find it so demeaning to
9 have someone standing five feet on their
10 upper deck over my 20 foot arborvitae and
11 looking over into my yard if I'm gardening,
12 out with dog. We just put \$100,000 of
13 landscaping in our yard. We have a major sun
14 loss on our whole side of the house. This is
15 serious, and I feel like we need to bring
16 this to the Board because -- although he
17 was --

18 THE CLERK: You get two more minutes.

19 MRS. DIPOLITO: I don't know what you
20 want to address first.

21 CHAIRPERSON HERSHBERG: Certainly we
22 are listening to your comments. But there's
23 only certain things that this Board -- is
24 under the purview of this Board.

25 MRS. DIPOLITO: I understand.

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2 CHAIRPERSON HERSHBERG: Certainly
3 from a design point, light bleeding over onto
4 your property is something that this Board
5 would want to be aware of. Shielding of the
6 air condition units, we had already
7 addressed.

8 MRS. DIPOLITO: Cameras aimed at my
9 yard. Who addresses that?

10 CHAIRPERSON HERSHBERG: Some of these
11 things are not under the purview of this
12 Board.

13 MRS. DIPOLITO: We have no --

14 CHAIRPERSON HERSHBERG: In the time
15 that you have --

16 MRS. DIPOLITO: We went down to the
17 Building Department many, many times about
18 some of these issues. So, they seem to feel
19 that it was -- because the site review okayed
20 one of them that it was their situation. I
21 don't really know who, at this point, it is.
22 Tom and I really want to make everyone aware
23 of the impact that this house has had on us
24 and our quality of life, my safety, security,
25 my sense of home and wellbeing. We spent a

1 lot of money trying to rectify some of it.
2 We spent maybe eight or nine thousand on
3 arborvitae so we can have privacy. And now
4 we have these picture windows and the decks
5 looming over us. I mean, I'm always on
6 display. I've had people wave upstairs.
7 Very friendly people.
8

9 This is builder did not come into our
10 community to form a cohesive bond with
11 anyone. He came here to make money, and
12 that's what he's going to do. I feel like
13 the Board should know when a home,
14 established people have run into a situation
15 that is costing them their home. That's all
16 I really have to say.

17 MEMBER RYAN: Thank you.

18 MEMBER DI SALVO: Thank you.

19 CHAIRPERSON HERSHBERG: Are there any
20 other comments from the public?

21 THE CLERK: Yes, we have one more.
22 Tom Dipolito.

23 T O M D I P O L I T O,
24 having been first duly sworn by a Notary
25 Public of the State of New York, was

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examined and testified as follows:

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

MR. DIPOLITO: Tom Dipolito. 856 South Long Beach Avenue, Freeport, New York.

MEMBER DI SALVO: Good evening.

MEMBER RYAN: Good evening.

(WHEREUPON, photographs were marked as Witness Exhibit B, for identification, as of this date.)

CHAIRPERSON HERSHBERG: What are these pictures of?

MR. DIPOLITO: Very similar to the ones you saw already. However, they're better. That picture with the light is at 5:00 in the morning. And the picture of the back deck is from the center of my yard. Just to give you an idea of what we're living with and the overpowerment (sic) of everything that has been done.

The blueprints on this job, in the beginning, was always questionable. We believe that the house was supposed to be ten feet off the property line not five foot six,

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2 especially with the height of 32 or 33 feet.

3 The windows, like my wife said, are
4 overwhelming, overpowering. The lighting is
5 overpowering. Like we said, we feel like
6 we're on display. And I brought this to
7 Sergio's attention about the location of the
8 house. When he put the footings in, I have
9 only myself for blame for not stopping the
10 job, because it was ridiculously close,
11 especially since my garage is four, five feet
12 from theirs. So, there's no room for
13 anything. She's completely right. She
14 doesn't feel like it's comfortable.

15 I want to present to the Board, that
16 you should -- I'm not going to tell you what
17 you should do. But in the future, you should
18 really look at these situations a little
19 closer, so you don't ruin somebody else's
20 life.

21 CHAIRPERSON HERSHBERG: Help me
22 understand, sir, the distance that you just
23 described. What were you referring to, four
24 foot distance?

25 MR. DIPOLITO: My garage.

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CHAIRPERSON HERSHBERG: The side setback.

MR. DIPOLITO: Side setback on the south, correct. And a portion of that alleyway, he has a step platform for his electric meter, which is necessary. I have to say that in the beginning, the air conditioning units were supposed to be on that side. But I had Sergio there and Herman, and they discussed it with him. And one thing he did, he was able to move the units. The boiler is on that side. And I'm under the impression that boiler lines have to go above the roof. They go straight out. When they fire that boiler up, they steam the windows on the side of the garage. I don't know if it still does it, but they're close. It's just ridiculous.

But, obviously, there's nothing that's going to be done. The decking in the back. I don't know what you can do about that. Probably nothing. The house is built. I don't expect the man to take his house down.

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2 I just wanted everybody to be aware.
3 In the future, you should look more closely
4 to these situations. It really did ruin our
5 lives. It's very difficult and we're having
6 trouble with it. All right, that's all I
7 have to say.

8 CHAIRPERSON HERSHBERG: Sir, I just
9 want to comment. First of the all, we listen
10 carefully to all of the comments. This is
11 not to put the fault anywhere necessarily,
12 but -- I don't want this to seem like it's
13 your fault sir, it's not, but the opportunity
14 to speak would have been before the initial
15 approval and changes that we have seen in the
16 house. I will tell you that I will go back
17 and look at the original plans, because I do
18 not recall specifically that design feature
19 of those high soffit lights in the original.
20 They may be there, sir. I do not recall
21 them.

22 But some of the things that you are
23 addressing is -- that's why we have public
24 hearings. This is not your fault, sir. I'm
25 just saying, those are very challenging

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2 quality of life items. Very challenging for
3 this Board to make that determination with
4 respect to how this is going to affect all
5 the components of the way that a construction
6 might affect neighbors.

7 So, we do have certain rules with
8 respect to heights, we do have rules with
9 respect to water runoff, we do have rules
10 with respect to bleeding light into other
11 areas. I know that we have that with respect
12 to commercial properties. I'm not on the
13 Building Department, I'm mostly aesthetics.
14 Of course, I will represent that the Building
15 Department will quote that rule. We have
16 listened to you. We will try to take to
17 envision what that would be like for
18 neighbors. The best thing to happen is that
19 people speak up initially. It's not your
20 fault, sir. I don't mean to come across that
21 way.

22 MR. DIPOLITO: Thank you.

23 MEMBER RYAN: Thank you.

24 CHAIRPERSON HERSHBERG: Are there any
25 other comments from the public?

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(No response was heard.)

CHAIRPERSON HERSHBERG: Hearing none, motion from the Board.

MEMBER RYAN: I'd like to make a motion to adjourn until we can discuss this with the Building Department all the runoff issues.

MEMBER DAWSON: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

DEPUTY CHAIR CAMPBELL: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

CHAIRPERSON HERSHBERG: I'd just like to add, the runoff and the lighting are the primary things that we need to look at the original plans. The runoff issue was addressed. I want to see why -- if that is a problem, what the exact circumstances are surrounding that.

MR. McLAUGHLIN: I'll make sure to

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2 have a Building Department representative
3 here for that.

4 CHAIRPERSON HERSHBERG: Thank you.

5 That's our only application for the
6 public hearing. I'll entertain a motion from
7 the Board.

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

11 DEPUTY CHAIR CAMPBELL: Second.

12 THE CLERK: All in favor.

13 MEMBER DAWSON: Aye.

14 DEPUTY CHAIR CAMPBELL: Aye.

15 MEMBER DI SALVO: Aye.

16 MEMBER RYAN: Aye.

17 CHAIRPERSON HERSHBERG: Aye.

18 THE CLERK: Any opposed?

19 (No response was heard.)

20 (WHEREUPON, the Board entered into
21 executive session from 8:35 p.m. to
22 9:15 p.m., after which the following
23 transpired:)

24 THE CLERK: Site Plan Number 3630 -
25 115 Delaware Avenue.

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2 DEPUTY CHAIR CAMPBELL: Chairman,
3 regarding Application 3630 for the premises
4 located at 115 Delaware Avenue, the Applicant
5 comes before this Board seeking approval to
6 construct 118 square foot one-story rear
7 addition, 459 square foot second floor
8 addition and first floor interior
9 alterations.

10 I, Edgar Campbell, move that this
11 Board make the following findings of fact:

12 This application, as submitted, will
13 not produce an undesirable effect on the
14 neighborhood, if the conditions below are
15 met.

16 This application, as submitted, will
17 produce an aesthetically and confirming
18 positive addition to the surrounding area, if
19 the conditions below are met.

20 This application, as submitted, will
21 not negatively alter the appearance of the
22 neighbor, if the conditions below are met.

23 The site plan and/or artist
24 rendering, dated April 19, 2003, have been
25 submitted by the applicant, reviewed and

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2 approved by the Planning Board. Said site
3 plan and/or artist rendering has been
4 stamped, approved and signed by the applicant
5 and/or the Chairman of the Planning Board.

6 The members of this Board are
7 familiar with the neighborhood surrounding
8 the applicant's site and have fully
9 considered all documents and testimony
10 concerning this application.

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

14 Applicant/Owner must comply with all
15 the Rules and Regulations of the Village of
16 Freeport.

17 Applicant/Owner must execute an
18 Affidavit of Compliance and return same to
19 the Office of the Village Clerk within 30
20 days after the decision is filed in the
21 Village Clerk's office as a prerequisite for
22 issuance of any permit.

23 Applicant/Owner is to provide two
24 sets of stamped original final plans
25 incorporating all conditions and modification

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2 for the Building Department, along with a
3 signed Affidavit of Compliance, to the
4 Village Clerk's Office before issuance of a
5 Building permit.

6 Any changes and/or modifications to
7 the approved plan are subject to the further
8 review by the Planning Board.

9 The Planning Board, as lead agency,
10 accepts the recommendation of the Building
11 Department Superintendent's negative SEQRA
12 declaration and has determined that this
13 action is a Type II action under SEQRA.

14 The Applicant/Owner must obtain the
15 appropriate permits from the Building
16 Department prior to any construction.

17 MEMBER DI SALVO: Second 3.

18 THE CLERK: All in favor.

19 MEMBER DAWSON: Aye.

20 DEPUTY CHAIR CAMPBELL: Aye.

21 MEMBER DI SALVO: Aye.

22 MEMBER RYAN: Aye.

23 CHAIRPERSON HERSHBERG: Aye.

24 THE CLERK: Any opposed?

25 (No response was heard.)

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2 THE CLERK: Site Plan Number 3623, 23
3 Rose Street.

4 MEMBER RYAN: Chairman, regarding
5 Application SP-3623 for the premises located
6 at 23 Rose Street, the applicant comes before
7 this Board seeking approval to construct east
8 and west two-story additions with basement,
9 new front wraparound porch, two exterior
10 basement entrances, new rear covered porch
11 with balcony above, and new 22 by 22.5 foot
12 detached garage, 17 foot by 20 foot pool
13 cabana, and new HVAC.

14 I, Carole Ryan, move that this Board
15 make the following findings of fact:

16 This application, as submitted, will
17 not produce an undesirable effect on the
18 neighborhood, if the conditions below are
19 met.

20 This applicant, as submitted, will
21 produce an aesthetically and conforming
22 positive addition to the surrounding area, if
23 the conditions below are met.

24 This application, as submitted, will
25 not negatively alter the appearance of the

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neighborhood, if the conditions below are met.

The site plan and artist rendering, dated, 3/3/23, has been submitted by the and reviewed and approved by the Planning Board. Said site plan and artist rendering has been stamped, approved and signed by the applicant and/or the Chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

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

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

Applicant/Owner must execute an Affidavit of Compliance and return same to the Office of the Village Clerk within 30 days after the decision is filed in the Village Clerk's office as a prerequisite for

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2 issuance of any permit.

3 Applicant/Owner is to provide two
4 sets of stamped original final plans
5 incorporating all conditions and
6 modifications for the Building Department,
7 along with a signed Affidavit of Compliance,
8 to the Village Clerk's Office before issuance
9 of a Building permit.

10 Any changes and/or modifications to
11 the approved plan are subject to further
12 review by the Planning Board.

13 This approval is subject to any and
14 all conditions imposed by the Zoning Board of
15 Appeals, if any, in its decision dated
16 2/16/23. The Zoning Board of Appeals, as
17 lead agency, has determined that this is a
18 Type II action under SEQRA and the Planning
19 Board as no further review.

20 The Applicant/Owner must obtain the
21 appropriate permits from the Building
22 Department prior to any construction.

23 Other conditions:

24 As stated by the applicant, he can
25 customize the exterior ledge stone, Kingsford

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2 Gray, to be 85 percent mixture of light
3 grays, silver, pewter and off white, and 50
4 percent to dark charcoals and black.

5 Siding color is Stone Harbor by Royal
6 building products.

7 The cedar shakes are Twilight Shadows
8 by Plygem, and the vinyl clad wood is
9 Blackjack.

10 MEMBER DI SALVO: Second.

11 THE CLERK: All in favor.

12 MEMBER DAWSON: Aye.

13 DEPUTY CHAIR CAMPBELL: Aye.

14 MEMBER DI SALVO: Aye.

15 MEMBER RYAN: Aye.

16 CHAIRPERSON HERSHBERG: Aye.

17 THE CLERK: Any opposed?

18 (No response was heard.)

19 THE CLERK: Site Plan Number 3624,
20 855 Bedell Street.

21 MEMBER DAWSON: Chairman, regarding
22 Application SP-3624 for the premises located
23 at 855 Bedell Street, the applicant comes
24 before this Board seeking approval to
25 construct front end alterations to two-family

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dwelling.

I, Heather Dawson, move that this Board make the following findings of fact:

The application, as amended, will not produce an undesirable effect on the neighborhood, if the conditions below are met.

This application, as amended, will produce an aesthetically and conforming positive addition to the surrounding area, if the conditions below are met.

This application, as amended, will not negatively alter the appearance of the neighborhood, if the conditions below are met.

The site plan, survey print and/or artist renderings, dated 3/14/23, has been submitted by the applicant reviewed and approved by the Planning Board. Said site plan, survey print and/or artist rendering has been stamped, approved and signed by the applicant and/or the Chairman of the Planning Board.

The members of this Board are

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

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

The Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

The Applicant/Owner must execute an Affidavit of Compliance and return same to the Office of the Village Clerk within 30 days after the decision is filed in the Village Clerk's Office as a prerequisite for issuance of any permit.

The Applicant/Owner is to provide two sets of stamped original final plans incorporating all conditions and modifications for the Building Department, along with a signed Affidavit of Compliance, to the Village Clerk's Office before issuance of a Building permit.

Any changes and/or modifications to

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2 the approval plan are subject to further
3 review by the Planning Board.

4 This approval is subject to any and
5 all conditions imposed by the Zoning Board of
6 Appeals, if any, in its decision dated
7 2/16/23. The Zoning Board of Appeals, as
8 lead agency, has determined this is a Type II
9 action under SEQRA and the Planning Board has
10 no further review.

11 Applicant/Owner must obtain the
12 appropriate permits from the Building
13 Department prior to any construction.

14 Other conditions:

15 Applicant will add three double hung
16 28 by 46 evenly spaced windows to the
17 enclosed front porch.

18 MEMBER DI SALVO: Second.

19 THE CLERK: All in favor.

20 MEMBER DAWSON: Aye.

21 DEPUTY CHAIR CAMPBELL: Aye.

22 MEMBER DI SALVO: Aye.

23 MEMBER RYAN: Aye.

24 CHAIRPERSON HERSHBERG: Aye.

25 THE CLERK: Any opposed?

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(No response was heard.)

THE CLERK: Site Plan Number 3625,
123 East Milton Street.

MEMBER DI SALVO: Chairman, regarding
Application SP-3625 for the premises located
at 123 East Milton Street, the applicant
comes before this board seeking approval to
construct a new second floor addition.

I, Annmarie di Salvo, move that this
Board make the following findings of fact:

This application, as submitted, will
not produce an undesirable effect on the
neighborhood, if the conditions below are
met.

This application, as submitted, will
produce an aesthetically and conforming
positive addition to the surrounding area, if
the conditions below are met.

This application, as submitted, will
not negatively alter the appearance of the
neighborhood, if the conditions below are
met.

The site plan, dated 3/16/23, has
been submitted by the applicant, reviewed and

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approved by the Planning Board. Said site plan has been stamped, approved and signed by the applicant and/or the Chairman of the Planning Board.

The members of this Board are familiar with the neighborhood surrounding the applicant's site and have fully considered all documents and testimony concerning this application.

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

Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.

Applicant/Owner must execute an Affidavit of Compliance and return same to the Office of the Village Clerk within 30 days after the decision is filed in the Village Clerk's Office as a prerequisite for issuance of any permit.

Applicant/Owner is to provide two sets of stamped original plans incorporating all conditions and modification for the

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Building Department, along with a signed Affidavit of Compliance, to the Village Clerk's Office before issuance of a Building permit.

Any changes and/or modifications to the approved plan are subject to further review by the Planning Board.

This approval is subject to any and all conditions imposed by the Zoning Board of Appeals, if any, in its decision dated January 19, 2023. The Zoning Board of Appeals, as lead agency, has determined that this is a Type II action under SEQRA and the Planning Board has no further review.

The Applicant/Owner is to obtain the appropriate permits from the Building Department prior to any construction.

MEMBER RYAN: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

DEPUTY CHAIR CAMPBELL: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

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THE CLERK: Any opposed?

(No response was heard.)

CHAIRPERSON HERSHBERG: Can I get a motion to approve the minutes.

MEMBER RYAN: I make a motion to approve the minutes of March 25th.

THE CLERK: March 28th.

MEMBER RYAN: 28th. Sorry.

DEPUTY CHAIR CAMPBELL: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

DEPUTY CHAIR CAMPBELL: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

CHAIRPERSON HERSHBERG: Do we have a motion to close?

MEMBER DI SALVO: Make a motion to close.

MEMBER DAWSON: Second.

THE CLERK: All in favor.

MEMBER DAWSON: Aye.

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DEPUTY CHAIR CAMPBELL: Aye.

MEMBER DI SALVO: Aye.

MEMBER RYAN: Aye.

CHAIRPERSON HERSHBERG: Aye.

THE CLERK: Any opposed?

(No response was heard.)

(Time Ended: 9:30 p.m.)

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April 25, 2023

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C E R T I F I C A T E

I, BETHANNE MENNONNA, a Notary Public within and for the State of New York do hereby certify that the foregoing is a true and accurate transcript of the proceedings, as taken stenographically by myself to the best of my ability, at the time and place aforementioned.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of May, 2023.



BETHANNE MENNONNA