

A meeting of the Site Plan Review Board of the Incorporated Village of Freeport was held on Tuesday June 27, 2023 at 6:00 P.M. in the Municipal Building, 46 North Ocean Avenue, Freeport, New York, with the following present:

Michael Hershberg	Chairperson	
Edgar Campbell	Deputy Chairperson	Excused
Carole Ryan	Member	Excused
Ladonna Taylor	Member	
Deborah Welch	Member	Excused
Heather Dawson	Member	
Annemarie diSalvo	Member	
Joy Fernandez	Alternate Member	
Thelma Lambert-Watkins	Alternate Member	

Robert McLaughlin, Counsel to the Board and Scott Braun, Building Department representative also attended the meeting.

At 6:23 P.M. Chairperson Michael Hershberg called the meeting to order.

Motion was made by Heather Dawson, seconded by Annemarie diSalvo and unanimously carried to enter into Executive Session to confer with Counsel.

The Clerk polled the Board as follows:

Ladonna Taylor	Not Present
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Joy Fernandez	In Favor
Michael Hershberg	In Favor

Ladonna enters the meeting at this point.

At 6:45 P.M. motion was made by Heather Dawson, seconded by Ladonna Taylor and unanimously carried to reconvene in Legislative Session.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

## **Public Hearing**

At 6:52 P.M. Chairperson Michael Hershberg called the public hearing to order and led in the pledge of allegiance for which a full stenographic record was taken.

The Clerk presented one affidavit of publication and one affidavit of posting to be entered into the record as exhibits #1 and #2 for the following applications by the stenographer.

There were 18 (eighteen) people in the audience.

**SP-3633 – 224 Buffalo Avenue, Section 62/Block 230/Lot 42. Industrial B. Fred Bruzzone.**  
Construct 14,000 sq. ft. 2<sup>nd</sup> story addition. ZBA approved 11/17/2022

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3634 – 74 Broadway, Section 55/Block 234/Lot 48. Business B. El Balcon Properties Corp.**  
Construct a new 4-story 2,334 sq. ft. apartment building with three 2-bedroom units and six 1-bedroom units with parking under building at grade. ZBA approved 4/26/2023

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Heather Dawson and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3636 – 67 S Main Street, Section 55/Block 205/Lot 19. Business B. 67 South Jara LLC.**  
Façade renovations. ZBA Approved 2/16/2023

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be adjourned at the applicant's request.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3638 – 231 S Brookside Avenue, Section 54/Block 208/Lot 64. Residence A. Felice McCoy.**  
Maintain a 20' x 24' single story 2-car garage. ZBA approved 4/26/2023

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Heather Dawson, seconded by Annemarie diSalvo and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3639 – 60 Mount Avenue, Section 55/Block 231/Lot 204. Residence Apartment. Jose Aguayza.** Maintain finished basement with bathroom and exterior basement stairs.

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be adjourned as the applicant required a Spanish translator.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3641 – 72 Mount Avenue, Section 55/Block 231/Lot 210. Residence Apartment. Cesar Aguayza.** Maintain existing exterior stairway to unfinished basement.

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3644 – 109 Atlantic Avenue, Section 62/Block 84/Lot 37. Residence A. Dennis Marti.**

Construct a 3-story 1-family dwelling with attached garage.

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3645 – 60 W Milton Street, Section 55/Block 169/Lot 316. Residence A. Dennis Marti.**

Construct 2,300 sq. ft. 2-story, 1-family dwelling with attached garage.

The Clerk presented one affidavit of mailing to be entered into the record as exhibit #3 for this application by the stenographer.

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3643 – 77 Babylon Turnpike, Section 55/Block 238/Lot 160. Residence A. Mauro Aguilar.**

Maintain & repair existing extended driveway 10' x 35' & propose widening of existing driveway 20' x 23'. Mauro Aguilar, the owner was present for this application. He indicated that he needed the extra space to park his vehicles and be able to maneuver into and out of his driveway on the busy turnpike. Mr. Aguilar proposed a 4 foot depth of landscaping on the east side and south side of the property. The Board proposed 6-8 feet of landscaping. There was discussion as to the ease of maneuvering vehicles on the property and keeping ample green space.

At 7:58 P.M. motion was made by Heather Dawson, seconded by Ladonna Taylor and unanimously carried to enter into Executive Session.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

At 8:16 P.M. motion was made by Annemarie diSalvo, seconded by Heather Dawson and unanimously carried to enter into Legislative Session.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

Motion was made by Ladonna Taylor, seconded by Annemarie diSalvo and unanimously carried that the application be reserved and closed to further evidence and testimony.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

Motion was made by Heather Dawson, seconded by Ladonna Taylor and unanimously carried to enter into Executive Session.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

Motion was made by Heather Dawson, seconded by Ladonna Taylor and unanimously carried to enter into Legislative Session.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

## **DECISIONS**

**SP-3633 – 224 Buffalo Avenue, Section 62/Block 230/Lot 42. Industrial B. Fred Bruzzone.**  
Construct 14,000 sq. ft. 2<sup>nd</sup> story addition. ZBA approved 11/17/2022

Motion was made by Annemarie diSalvo, seconded by Ladonna Taylor and unanimously carried that the application be approved as submitted subject to the conditions as stated in the approval (complying with the code: Affidavit of Compliance, etc).

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3638 – 231 S Brookside Avenue, Section 54/Block 208/Lot 64. Residence A. Felice McCoy.**  
Maintain a 20' x 24' single story 2-car garage. ZBA approved 4/26/2023

Motion was made by Heather Dawson, seconded by Ladonna Taylor and unanimously carried that the application be approved as submitted subject to the conditions as stated in the approval (complying with the code: Affidavit of Compliance, etc).

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3641 – 72 Mount Avenue, Section 55/Block 231/Lot 210. Residence Apartment. Cesar Aguayza.** Maintain existing exterior stairway to unfinished basement.

Motion was made by Heather Dawson, seconded by Ladonna Taylor and unanimously carried that the application be approved as submitted subject to the conditions as stated in the approval (complying with the code: Affidavit of Compliance, etc).

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3644 – 109 Atlantic Avenue, Section 62/Block 84/Lot 37. Residence A. Dennis Marti.**  
Construct a 3-story 1-family dwelling with attached garage.

Motion was made by Ladonna Taylor, seconded by Heather Dawson and unanimously carried that the application be approved as submitted subject to the conditions as stated in the approval (complying with the code: Affidavit of Compliance, etc).

The Clerk polled the Board as follows:

Edgar Campbell	In Favor
Carole Ryan	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3645 – 60 W Milton Street, Section 55/Block 169/Lot 316. Residence A. Dennis Marti.**

Construct 2,300 sq. ft. 2-story, 1-family dwelling with attached garage.

Motion was made by Ladonna Taylor, seconded by Heather Dawson and unanimously carried that the application be approved as submitted subject to the conditions as stated in the approval (complying with the code: Affidavit of Compliance, etc).

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

**SP-3634 – 74 Broadway, Section 55/Block 234/Lot 48. Business B. El Balcon Properties Corp.**

Construct a new 4-story 2,334 sq. ft. apartment building with three 2-bedroom units and six 1-bedroom units with parking under building at grade. ZBA approved 4/26/2023

Motion was made by Annemarie diSalvo, seconded by Ladonna Taylor and unanimously carried that the application be approved as submitted subject to the conditions as stated in the approval (complying with the code: Affidavit of Compliance, etc).

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

Rezoning recommendation for 106 Broadway:

Motion was made by Annemarie diSalvo and seconded by Heather Dawson that it is the recommendation of the Planning Board of the Incorporated Village of Freeport that the application of the Refuge Apostolic Church of Christ and the D & F Development Group, Inc. to rezone the premises known as 106 Broadway, Freeport, New York 11520 Section 55 Block 232 p/o Lot 201 from Residence Apartment District to include a Golden Age Floating Zone Classification, be approved as follows;

**WHEREAS**, the Petitioner, Refuge Apostolic Church of Christ and The D & F Development Group Inc., filed a petition with the Board of Trustees of the Incorporated Village of Freeport for a rezoning of the above premises from Residence Apartment District to include a

Golden Age Floating Zone Classification; and

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

**WHEREAS**, the Planning Board has agreed that said Residence Apartment District with inclusion of 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 June 27, 2023 did 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, and

**WHEREAS**, the application for rezoning was presented to the Nassau County Planning Commission for their review and recommendation, and the Nassau County Planning Commission has, by resolution dated May 18, 2023 recommended approval of the requested rezoning,

**NOW THEREFORE**, it is the recommendation of the Planning Board of the Incorporated Village of Freeport that the properties known as 106 Broadway, Freeport, New York 11520 Section 55 Block 232 p/o Lot 201 be developed as Residence Apartment District with a Golden Age Floating Zone Classification.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

Motion was made by Heather Dawson, seconded by Annmarie diSalvo and unanimously carried that the minutes from the June 13, 2023 meeting be approved.

The Clerk polled the Board as follows:

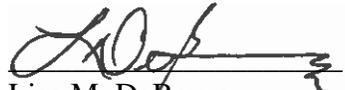
Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor

06-27-2023

At 8:55 P.M., it was moved by Heather Dawson, seconded by Ladonna Taylor and unanimously carried, that the meeting be closed.

The Clerk polled the Board as follows:

Ladonna Taylor	In Favor
Heather Dawson	In Favor
Annemarie diSalvo	In Favor
Michael Hershberg	In Favor



Lisa M. DeBourg  
Deputy Village Clerk