

A scheduled meeting of the Zoning Board of Appeals of the Incorporated Village of Freeport was held on October 16, 2025 in the Municipal Building, Main Conference Room, 46 North Ocean Avenue, Freeport, New York, at 6:30 P.M. with the following present:

Rosa Rhoden	Chairperson	
Jennifer Carey	Deputy Chairperson	Excused
Charles Hawkins	Member	
Ben Jackson	Member	Excused
Anthony Mineo	Member	
Luis Rodriguez	Alternate Member	Excused
Lisa M DeBourg	Deputy Village Clerk	
Gina Terzulli	Secretary of Zoning Board of Appeals	
Jennifer Ungar	Deputy Village Attorney	
Daniela Hernandez	Building Department Representative	

At 6:31 P.M. the Board convened in the Main Conference Room and Chairperson Rhoden led in the Pledge of Allegiance.

Three (3) members of the public were present.

Motion was made by Member Hawkins, seconded by Member Mineo and carried to approve the minutes from September 18, 2025.

The Clerk polled the Board as follows:

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

The Secretary of Zoning Board of Appeals presented one (1) Affidavit of Publication and one (1) Affidavit of Posting which were marked into evidence as Board Exhibits.

Two (2) Affidavits of Mailing were marked into evidence as Board Exhibits for 206 Church Street.

There were no requests for adjournment.

**Application #2025-11 – 206 Church Street, Residence A – Section 55/ Block 366/ Lot 70 – Janna Rodriguez** –Proposed 1- story front addition 118 SF, 2 ½ story rear addition 5,536 SF, new SF front steps & platform with roof, new 20’ x 25’garage, 20’x 10 shed, 2 new cellar entrances and replace existing driveway with 3,143 SF circular driveway and pave 2,393 SF area on the side of the house. *Variances: Village Ordinance §210-6A Conformity Required, §210-21 Permissible Extensions of Use, §210-41 Lot Coverage; Floor Area Ratio*

William Chimeri, Esq. presented the application.

One (1) packet was presented by William Chimeri, Esq. and marked into evidence as Applicant’s Exhibit 1 for this application.

Motion was made by Member Hawkins, seconded by Member Mineo and carried to close the public hearing to further evidence and testimony and reserve decision for this application.

The Clerk polled the Board as follows:

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

**Decisions:**

**Application #2025-10 – 265 S. Long Beach Avenue, Residence AA– Section 62/ Block 122/ Lot 17 – Emilia Guzman** – Install 126’ of 6’ high closed PVC fence and 10’ x 6’ high double gate. *Variances: Village Ordinance §210-6A, §210-171(D) Fences and Enclosures*

Building Department Permit Application #FENC-25-8

Chairman, regarding Application #2025-10 for the premises located at 265 South Long Beach Avenue, Freeport, the Applicant comes before this Board seeking a variance from Village Ordinances §210-6A, 210-171(D) seeking approval to install 126 feet by 6 feet high closed PVC fence and 10 feet by 6 feet high double gate.

Anthony Mineo moved that this Board make the following findings of fact:

A public hearing was held on September 18, 2025 wherein applicant Emilia Guzman and her son Christian Ramos spoke in support of her application. Mr. Ramos explained that his mother owns a daycare, and is looking for a fence to provide more outdoor space for the children in a secure, private area. New York State daycares do not have a specific height requirement for fences. The children at the daycare range from 6 months to 12 years old. They live on a corner lot that borders Archer Street school. The proposed fence is in the secondary front yard, and runs in line with the front of the house, to the sidewalk, along the sidewalk, and then turns back towards the house after the driveway. The primary concern about the fence is backing out of the driveway without sufficient visibility. This creates a safety risk for drivers and pedestrians.

The Board proposed an amendment to the proposed fence. The Board proposed that for the eastern portion of the fence running along the driveway, that the southern most 8-foot section of street, closest to the driveway be 4-foot open fence. Then the gate by the driveway be 4-foot open fence. Finally, the next 8-foot section of fence to the west of the driveway gate would be 4-foot open fence. The remainder of the fence would be 6-foot closed.

Mr. Ramos indicated that this would be a suitable alternative.

1. On balance, the benefit to the applicant by the granting of this variance, as modified, is not outweighed by the detriment to the health, safety and welfare of the neighborhood or community if such variance were to be granted. The Board has determined:
  - a. that an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the area variance;
  - b. that the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance;
  - c. that the requested area variance is insubstantial;
  - d. that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
  - e. that the alleged difficulty may be considered self-created, but this factor is not dispositive.
2. The Board, as lead agency has determined that this action is a Type II action and under SEQRA and no further review is required.

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

1. Applicant/Owner must comply with all the Rules and Regulations of the Village of Freeport.
2. Applicant must obtain the required permits from the Building Department.
3. This application for variance(s) is being granted on the basis of the specific use proposed. If anything in this application is to change, the applicant must return to the Board for further review.
4. This variance is being granted subject to the modification as outlined above. If this modification is not adhered to, then the entire variance is rescinded, and applicant must return to the Board for further review.

Seconded by: Member Hawkins

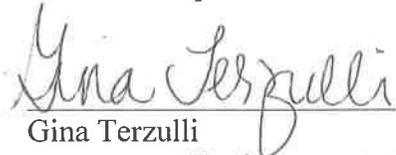
The Clerk polled the Board:

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

At 7:15 P.M., motion was made by Member Hawkins, seconded by Member Mineo and carried to close the meeting.

The Clerk polled the Board as follows:

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



Gina Terzulli  
Secretary of Zoning Board of Appeals