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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

PLANNING, DEVELOPMENT AND THE
ENVIRONMENT COMMITTEE

LAURA SCHAEFER, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, January 11, 2016
2:01 P.M

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A P P E A R A N C E S :

LAURA SCHAEFER,
Chairwoman

DENNIS DUNNE,
Vice Chairman

DENISE FORD

STEPHEN RHOADS

JUDITH JACOBS,
Ranking

CARRIE SOLAGES

LAURA CURRAN

WILLIAM J. MULLER, III
Clerk of the Legislature
(Substituted by Linda Vocatura)

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LIST OF SPEAKERS

DAVID RAGANETTI 6

SEAN SALLEY 10

Planning Development Environment/1-11-16

2 CHAIRWOMAN SCHAEFER: At this
3 time I will call the Planning, Development
4 and Environment Committee to order. I'll
5 ask the clerk to please call the roll.

6 ASST. CLERK VOCATURA: Legislator
7 Curran?

8 LEGISLATOR CURRAN: Here.

9 ASST. CLERK VOCATURA: Legislator
10 Solages?

11 LEGISLATOR SOLAGES: Here.

12 ASST. CLERK VOCATURA: Ranking
13 Member Jacobs?

14 LEGISLATOR JACOBS: Here.

15 ASST. CLERK VOCATURA: Legislator
16 Rhoads?

17 LEGISLATOR RHOADS: Present.

18 ASST. CLERK VOCATURA: Legislator
19 Ford?

20 LEGISLATOR FORD: Here.

21 ASST. CLERK VOCATURA: Vice
22 Chairman Dunne?

23 LEGISLATOR DUNNE: Here.

24 ASST. CLERK VOCATURA: Chairwoman
25 Schaefer?

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2 CHAIRWOMAN SCHAEFER: Here.

3 ASST. CLERK VOCATURA: We have a
4 quorum.

5 CHAIRWOMAN SCHAEFER: Before
6 calling the item on today's agenda, may I
7 have a motion to suspend the rules.

8 LEGISLATOR RHOADS: So moved.

9 LEGISLATOR DUNNE: Second.

10 CHAIRWOMAN SCHAEFER: Motion by
11 Legislator Rhoads, seconded by Legislator
12 Dunne. All those in favor of suspending the
13 rules please signify by saying aye.

14 (Aye.)

15 The rules are suspended. We have
16 four items on the agenda today. The first
17 item number is Clerk Item 8-16, an ordinance
18 making certain determinations pursuant to
19 the State Environmental Quality Review Act
20 and authorizing the County Executive of the
21 County of Nassau to accept on behalf of the
22 County of Nassau an offer of purchase from
23 Bolla Management Corporation of certain
24 premises located in the Town of Hempstead,
25 County of Nassau, State of New York, said

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property known as Section 37, Block 421,
part of lots 25 and 27 on the land and tax
map of the County of Nassau and authorizing
the County Executive to execute a deed
contract of sale and all pertinent documents
in connection therewith to consummate the
sale.

May I have a motion?

LEGISLATOR DUNNE: So moved.

LEGISLATOR FORD: Second.

CHAIRWOMAN SCHAEFER: Moved by
Legislator Dunne, seconded by Legislator
Ford. The item is before us.

MR. RAGANETTI: Good afternoon.
My name is David Raganetti from the County
Attorney's Office. This item is a proposed
direct sale to Bolla for two parcels as
Elmont Road crosses Linden Boulevard north
of the Southern State Parkway. The proposed
use of the neighboring parcels will be used
as a gas station and a mart will be
reserving an easement in the deed in
relation to a culvert that runs adjacent to
the roadway through these two parcels and

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2 there will be 239F review by DPW of the
3 proposed development.

4 CHAIRWOMAN SCHAEFER: Is there
5 any debate or discussion on this item?
6 Legislator Rhoads.

7 LEGISLATOR RHOADS: Just one
8 question, Deputy County Attorney Raganetti.
9 Did this pass through OSPAC or did it not
10 have to go through OSPAC?

11 MR. RAGANETTI: Yes. This went
12 through OSPAC in Planning and actually went
13 through twice in response to some of the
14 community comments and comments from OSPAC
15 in planning, there were some changes to the
16 plans and we felt it necessary to go through
17 OSPAC and planning again and it passed
18 through both sessions again.

19 LEGISLATOR RHOADS: Thank you.

20 CHAIRWOMAN SCHAEFER: Legislator
21 Curran.

22 LEGISLATOR CURRAN: Hi. Can you
23 please explain what the purpose of this is,
24 what the county purpose of this is?

25 MR. RAGANETTI: These are two

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2 parcels that the county owns. The only --
3 the applicant Bolla came to us to purchase
4 them, and the only adjacent property owner
5 is Bolla except to the south there's the
6 state owned lands in relation to the
7 Southern State Parkway. So they applied for
8 the sale to us.

9 My understanding is that at the
10 moment there is a similar use, not that I
11 have anything to do with the zoning, but
12 there is similar use, there's a gas station
13 on that area now, and they felt it necessary
14 to purchase that area which we are
15 comfortable with because it staves off
16 issues of liability as well as we're getting
17 some money in.

18 LEGISLATOR CURRAN: Right. It's
19 a small amount and it's a very small parcel.
20 I'm just curious to know how is it appraised
21 in a case like this?

22 MR. RAGANETTI: We have a panel
23 of appraisers -- first I should say real
24 estate has a panel of appraisers. This one
25 appraisal was selected and we kicked out

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2 this item to them to appraise -- I don't
3 think I have a copy of the actual email
4 request detailing the appraisal but my
5 understanding is they'll look at comps and
6 give us an appraisal and the fee for the
7 appraisals is tied into the sale.

8 LEGISLATOR CURRAN: Thank you
9 very much.

10 CHAIRWOMAN SCHAEFER: Is there
11 any public comment?

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of passing this item signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The ayes have it. The item
21 passes unanimously.

22 MR. RAGANETTI: Thank you.

23 CHAIRWOMAN SCHAEFER: The second
24 item is Item Number 29-16, a resolution to
25 authorize the release of the surety bond and

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escrow deposit covering improvements on the
map of Babylon at Garden City, situated in
Uniondale, Town of Hempstead, County of
Nassau, New York.

May I have a motion?

LEGISLATOR DUNNE: So moved.

LEGISLATOR RHOADS: Second.

CHAIRWOMAN SCHAEFER: Moved by
Legislator Dunne, seconded by Legislator
Rhoads. The item is before us.

MR. SALLEY: Good afternoon.

Sean Salley with the Nassau County
Department of Public Works on the Nassau
County Planning Commission.

This is an application for the
release of a surety or construction
performance bond and escrow for the map of
Avalon at Garden City. This was a single
family subdivision to permit or to construct
19 or 20 homes with a private roadway in the
area formerly it was Navy property, that a
portion of it was conveyed to the county and
a portion of it was conveyed by the Navy to
Avalon Bay.

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2 There were 19 military homes that
3 were actually converted to single family
4 homes for sale and Avalon Bay built an
5 additional home for a total of 20 that they
6 renovated. That passed through the Nassau
7 County Planning Commission for subdivision
8 approval and, as with all the major
9 subdivision approvals, the county takes a
10 performance bond for the completion of the
11 public improvements along with a cash escrow
12 deposit again to ensure that the public
13 improvements are constructed and completed
14 properly.

15 The Nassau County Planning
16 Commission met this past November, November
17 12, 2015, at a public hearing to hear the
18 request for a release of bond and escrow.
19 The Planning Commission, after taking
20 testimony, recommended via resolution to the
21 County Legislature that the bond and escrow
22 monies be returned to the developer.

23 CHAIRWOMAN SCHAEFER: Thank you,
24 Mr. Salley.

25 LEGISLATOR DUNNE: These homes

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2 were to go to veterans?

3 MR. SALLEY: They're not set
4 aside for veterans but my understanding is,
5 there is an agreement with the town during
6 the zoning process to make them available to
7 returning veterans.

8 LEGISLATOR DUNNE: When County
9 Executive had a press conference, it implied
10 that it was all going to go to veterans.

11 MR. SALLEY: Okay. I think there
12 are two, a couple of housing developments in
13 that area. That was, actually, that area
14 was actually Navy property. The subdivision
15 that we are talking about today went to
16 Avalon Bay. There was another portion just
17 to the west that came to the county,
18 duplexes, actually, and those homes that are
19 under county ownership and management are
20 reserved for veterans.

21 LEGISLATOR DUNNE: This is going
22 to go on the tax rolls?

23 MR. SALLEY: On the tax rolls,
24 yes.

25 LEGISLATOR DUNNE: Thank you.

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2 CHAIRWOMAN SCHAEFER: Any other
3 questions from the legislators?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of passing this item please signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The ayes have it. The item
14 passes unanimously. Thank you, Mr. Salley.

15 The third item Item Number 30-16,
16 a resolution to authorize the release of the
17 surety bond and escrow deposit covering
18 improvements on the map of Knickerbocker at
19 Manhasset Bay, situated in Hamlet of Port
20 Washington, Town of North Hempstead, County
21 of Nassau, New York.

22 May I have a motion?

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR FORD: Second.

25 CHAIRWOMAN SCHAEFER: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Ford. Mr. Salley, please go ahead.

4 MR. SALLEY: This is also a major
5 subdivision that was approved by the Nassau
6 County Planning Commission. It's a 32 unit
7 senior development with an HOA and actually
8 a restaurant lot as well.

9 This was a requirement for the
10 bond and escrow monies to be held by the
11 county while construction of the public
12 improvements was being completed. That has
13 since occurred. The application went
14 through the Nassau County Planning
15 Commission on December 17th for a public
16 hearing. The Planning Commission
17 recommended that the bond and escrow monies
18 be returned to the applicant.

19 CHAIRWOMAN SCHAEFER: Thank you.
20 Are there any questions from the
21 legislators? Legislator Ford.

22 LEGISLATOR FORD: The development
23 has been completed, people are living there
24 now?

25 MR. SALLEY: Yes, there are.

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2 LEGISLATOR FORD: The restaurant
3 as well, and the sewers, everything is in,
4 right?

5 MR. SALLEY: Right.

6 CHAIRWOMAN SCHAEFER: It's a
7 Golden Age residence?

8 MR. SALLEY: Yes.

9 CHAIRWOMAN SCHAEFER: How many
10 units again?

11 MR. SALLEY: 52 units.

12 LEGISLATOR DUNNE: When you say
13 Golden Age, what age does that start at?

14 MR. SALLEY: There are actually,
15 in certain zoning districts, it's 62 with
16 that you typically get a bump in the number
17 of units per acre. Otherwise it's 55 and
18 older, age restricted, but you don't get the
19 benefit.

20 CHAIRWOMAN SCHAEFER: Is there
21 any public comment on this?

22 (No verbal response.)

23 All those in favor of passing
24 this item please signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 The ayes have it. The item
5 passes unanimously.

6 The last item we have on today is
7 Clerk Item Number 32-16, a resolution to
8 authorize the release of the surety bond and
9 escrow deposit covering improvements on the
10 map of Dutch Gate at North Valley Stream
11 situated in the Hamlet of North Valley
12 Stream, Town of Hempstead, County of Nassau,
13 New York.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR RHOADS: Second.

16 CHAIRWOMAN SCHAEFER: Moved by
17 Legislator Dunne, seconded by Legislator
18 Rhoads. Mr. Salley.

19 MR. SALLEY: This is actually a
20 388 unit senior development in North Valley
21 Stream, Unincorporated Village of Valley
22 Stream. This development goes back a number
23 of years because of its size. It was built
24 out in phases. The bond had been reduced
25 over the years. The project is finally

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2 complete. There are some ancillary
3 improvements going on on Dutch Broadway
4 being overseen by the County Department of
5 Public Works but the public improvements
6 within the development itself are complete
7 and satisfactory to the Department of Public
8 Works and the Nassau County Planning
9 Commission.

10 The Nassau County Planning
11 Commission held a public hearing on December
12 17th and voted in favor of recommending that
13 the bond and escrow be released.

14 CHAIRWOMAN SCHAEFER: Thank you.
15 Any debate or discussion from the
16 legislators?

17 (No verbal response.)

18 Is there any public comment on
19 this item?

20 (No verbal response.)

21 There being none, all those in
22 favor of passing this item please signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The item passes unanimously.

4 There is no other business in
5 front of this committee, may I have a motion
6 to adjourn?

7 LEGISLATOR RHOADS: So moved.

8 LEGISLATOR DUNNE: Second.

9 CHAIRWOMAN SCHAEFER: Moved by
10 Legislator Rhoads, seconded by Legislator
11 Dunne. All those in favor of adjourning say
12 aye.

13 (Aye.)

14 Passes unanimously. The Towns,
15 Villages and Cities Committee is next.

16 (Whereupon, the Planning,
17 Development & Environment Committee
18 adjourned at 2:13 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 25th day of January, 2016.

FRANK GRAY