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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
Presiding Officer

PLANNING, DEVELOPMENT AND THE  
ENVIRONMENT COMMITTEE

MICHAEL VENDITTO, Chairman

1550 Franklin Avenue  
Mineola, New York

Monday, February 4, 2013  
3:42 P.M

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

MICHAEL VENDITTO,  
Chairman

DAVID DUNNE, (substituted by  
Vice Chairman Rose Walker)

RICHARD NICOLELLO

DENISE FORD

JUDY JACOBS,  
Ranking

DAVID DENENBERG

KEVAN ABRAHAMS

WILLIAM J. MULLER, III  
Clerk of the Legislature

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LIST OF SPEAKERS

KEN ARNOLD, Nassau County  
 Department of Public Works.....6

MICHAEL KELLY, acting director,  
 Nassau County Department of  
 Public Works,  
 Division of Real Estate  
 Services.....11

JULIE SEGHROUCHNI, public comment.....16

Planning & Development Committee/2-4-13

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

6 CLERK MULLER: Legislator  
7 Abrahams?

8 (No verbal response.)

9 CLERK MULLER: Legislator  
10 Denenberg?

11 LEGISLATOR DENENBERG: Here.

12 CLERK MULLER: Ranking Member  
13 Jacobs?

14 (No verbal response.)

15 CLERK MULLER: Legislator Ford?  
16 She is here, and Legislator Nicoletto is  
17 here.

18 Legislator Walker substituting  
19 for Legislator Dunne?

20 LEGISLATOR WALKER: Here.

21 CLERK MULLER: Chairman Venditto?

22 CHAIRMAN VENDITTO: Here.

23 CLERK MULLER: We have a quorum.  
24 And Legislator Abrahams is here.

25 CHAIRMAN VENDITTO: Thank you.

Planning & Development Committee/2-4-13

2 We have four items on the agenda. If you  
3 allow me, I'm going to read through them  
4 first.

5 It is Clerk Item 57-13, a  
6 resolution authorizing the county executive  
7 to accept on behalf of the County of Nassau  
8 the dedication of certain real property for  
9 highway purposes comprising of approximately  
10 12,955 square feet on Old County Road,  
11 Westbury, Town of Hempstead, County of  
12 Nassau, State of New York. May I have a  
13 motion?

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR FORD: Second.

16 CHAIRMAN VENDITTO: Motion by  
17 Legislator Walker, seconded by Legislator  
18 Ford. The item is before us. Do we have  
19 anyone here from the administration to speak  
20 on this item?

21 MR. MAY: We do. We have Mr. Ken  
22 Arnold.

23 CHAIRMAN VENDITTO: Legislator  
24 Jacobs is here by the way for the record.

25 How are you, Mr. Arnold?

Planning & Development Committee/2-4-13

2 MR. ARNOLD: Very well. Thank  
3 you. This is a dedication of property in  
4 front of the Galleria Mall, which was part  
5 of the 239 approval that the department gave  
6 back last year. This will allow for easier  
7 access on Old Country Road for a right turn  
8 lane. It's consistent with what we did up  
9 at the mall by -- it's consistent with the  
10 same right turn lanes that we put in a  
11 couple of years ago up at the Fortunoff  
12 Mall. That's what I'm thinking of.

13 CHAIRMAN VENDITTO: Source Mall.

14 MR. ARNOLD: Yes.

15 CHAIRMAN VENDITTO: Wonderful.  
16 Any discussion or questions for Mr. Arnold?  
17 Legislator Nicolello.

18 LEGISLATOR NICOLELLO: I was just  
19 wondering how the study of the traffic light  
20 is going which is at the intersection of Old  
21 Country Road and Cherry Lane.

22 MR. ARNOLD: I understand there  
23 are some concerns from the civic community.  
24 I know that the traffic engineer will be  
25 meeting with that civic community shortly

Planning & Development Committee/2-4-13  
2 and discuss what their further needs are.

3 I know we have done some paper  
4 marking changes and signage, but I believe  
5 there's still some issues up in that  
6 location that we're going to sit down with  
7 the civics and figure out what we need to  
8 do.

9 LEGISLATOR NICOLELLO: Thank you.

10 CHAIRMAN VENDITTO: Thank you,  
11 legislator. Any further questions,  
12 discussion?

13 (No verbal response.)

14 Seeing none, is there any public  
15 comment regarding this item?

16 (No verbal response.)

17 Seeing none, we will take the  
18 vote, all those in favor of passing this  
19 item signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Mr. Clerk, the item passes  
24 unanimously.

25 We have two items on the agenda

Planning & Development Committee/2-4-13  
2 for today. The second item on the calendar  
3 is Clerk Item 60-13, an ordinance making  
4 certain determinations pursuant to the State  
5 Environmental Quality Review Act and  
6 authorizing the county executive of the  
7 County of Nassau to accept on behalf of the  
8 County of Nassau an offer of purchase from  
9 Young Ok Ahn Kim and Kwan Bae Kim of certain  
10 premises located in Port Washington, Town of  
11 North Hempstead, County of Nassau, State of  
12 New York, said property known as Section 5,  
13 Block 161, Lot 60, on the land and tax map  
14 of the County of Nassau and authorizing the  
15 county executive to execute a deed contract  
16 of sale and all pertinent documents in  
17 connection therewith to consummate the sale.

18 Motion, please.

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR NICOLELLO: Second.

21 CHAIRMAN VENDITTO: Motion by  
22 Legislator Walker, seconded by Legislator  
23 Nicolello. The item is before us. Anyone  
24 here from the administration, Mr. May?

25 MR. MAY: Yes. We have Mr. Mike



Planning & Development Committee/2-4-13  
2 Kelly from real estate/DPW. Might I ask,  
3 Mr. Chairman, can we also call Clerk Items  
4 61-13 and 62-13 since they're related and  
5 perhaps waive the reading?

6 CHAIRMAN VENDITTO: We can do  
7 that, Mr. May, but, if it's all right, only  
8 because from my understanding it is what the  
9 law demands of us. I'm going to read them  
10 into the record, okay?

11 MR. MAY: Absolutely.

12 CHAIRMAN VENDITTO: So we'll have  
13 a motion to call Clerk Item 60-13, 61-13,  
14 and 62-13 together. May I have a motion?

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR NICOLELLO: Second.

17 CHAIRMAN VENDITTO: Motion by  
18 Legislator Walker, seconded by Legislator  
19 Nicolello.

20 Clerk Item 61-13, an ordinance  
21 making certain determinations pursuant to  
22 the State Environmental Quality Review Act  
23 and authorizing the county executive of the  
24 County of Nassau to accept on behalf of the  
25 County of Nassau an offer of purchase from

Planning & Development Committee/2-4-13

2 Eleanor Pettersen of certain premises  
3 located in the Incorporated Village of  
4 Rockville Centre, Town of Hempstead, County  
5 of Nassau, State of New York, said property  
6 known as Section 36, Block 382, Lot 100, on  
7 the land and tax map of the County of Nassau  
8 and authorizing the county executive to  
9 execute a deed contract of sale and all  
10 pertinent documents in connection therewith  
11 to consummate the sale.

12                   Next, also, we have Clerk Item  
13 62-13, this is an ordinance making certain  
14 determinations pursuant to the State  
15 Environmental Quality Review Act and  
16 authorizing the county executive of the  
17 County of Nassau to accept on behalf of the  
18 County of Nassau an offer of purchase from  
19 Terry Famigletti of certain premises located  
20 in the Incorporated Village of Bayville,  
21 Town of Oyster Bay, County of Nassau, State  
22 of New York, said property known as Section  
23 29, Block G, Lot 644, on the land and tax  
24 map of the County of Nassau and authorizing  
25 the county executive to execute a deed

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Planning & Development Committee/2-4-13

2 contract of sale and all pertinent documents  
3 in connection therewith to consummate the  
4 sale.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRMAN VENDITTO: Motion by  
8 Legislator Walker, seconded by Legislator  
9 Nicoletto. Mr. Kelly, good to see you.

10 MR. KELLY: Thank you. Michael  
11 Kelly, acting director, Nassau County  
12 Department of Public Works, Division of Real  
13 Estate Services.

14 Clerk Item 60-13 is a sale of  
15 real property to Young Ok Ahn Kim and Kwan  
16 Bae Kim. Purchase price is \$5,500. The  
17 property is Section 5, Block 161, Lot 60  
18 located in Port Washington.

19 The appraisal for this property  
20 came in at \$3,500. This property was heard  
21 at public hearing March 15th, 2012, and  
22 OSPAC and planning made recommendations on  
23 April 4th and April 5th, 2012 respectively,  
24 and we are requesting that this legislature  
25 designate this as an unlisted action and

Planning & Development Committee/2-4-13

2 issue a negative declaration and  
3 determination of non-significance.

4 CHAIRMAN VENDITTO: Any questions  
5 on this item? Legislator Denenberg.

6 LEGISLATOR DENENBERG: Was there  
7 any opposition at OSPAC or at the planning  
8 commission?

9 MR. KELLY: There was no  
10 opposition at the public hearing. It was  
11 requested that this property not be  
12 transferred to a certain major developer  
13 that was next door to the property. It was  
14 offered to that developer per our standard  
15 procedures but they did not bid on the  
16 property.

17 LEGISLATOR DENENBERG: So there  
18 was no opposition to the purchase by this  
19 particular purchaser?

20 MR. KELLY: No, not at all.

21 LEGISLATOR DENENBERG: Any  
22 restriction on subdivisions?

23 MR. KELLY: The planning  
24 commission recommended a restriction on  
25 subdivision but that came out of the

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2 previous concern about selling the property  
3 to that major development that was there,  
4 but since we are selling it to an individual  
5 property owner there is no restriction on  
6 it.

7 LEGISLATOR DENENBERG: Is this  
8 going to enable this property owner to make  
9 a subdivision?

10 MR. KELLY: No. The planning  
11 commission resolution, the acquisition to  
12 the property by an adjacent owner cannot  
13 result in a single lot that can be  
14 subdivided for residential development as of  
15 right.

16 LEGISLATOR DENENBERG: Thank you.

17 MR. KELLY: You're welcome.

18 LEGISLATOR NICOLELLO: I have a  
19 question.

20 CHAIRMAN VENDITTO: Legislator  
21 Nicolello.

22 LEGISLATOR NICOLELLO: Mr. Kelly,  
23 is it possible for the owner, the new owner  
24 of that property to then sell it to the  
25 development next door?

Planning & Development Committee/2-4-13

2 MR. KELLY: They could. But that  
3 was -- the planning commission already made  
4 the determination that it can't be  
5 subdivided as of right, so -- but they could  
6 sell it.

7 CHAIRMAN VENDITTO: Thank you.  
8 Just as a reminder, we have now three clerk  
9 items before the committee. Are there any  
10 other questions or any discussion from any  
11 of the legislators on any these three  
12 remaining items?

13 (No verbal response.)

14 If it's all right, if you will  
15 allow me, we will do the votes one at a time  
16 since there are only three items.

17 So Clerk Item Number 60-13, all  
18 those in favor of passing this item signify  
19 by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously.

24 Clerk Item Number 61-13, all  
25 those in favor of passing this item signify

Planning & Development Committee/2-4-13

2 by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item passes unanimously.

7 Finally Clerk Item Number 62-13,

8 all those in favor of passing this item

9 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 This item passes unanimously as  
14 well. I know it's not customary, members of  
15 the committee, for us to have this  
16 situation, but a resident from Long Beach  
17 has some concerns that she would like to  
18 share with this committee.

19 As long as there are no  
20 objections, I would like to ask her to come  
21 forward for the next few minutes and just  
22 speak with us.

23 Julie, are you here? Just state  
24 your name and address for the record one  
25 more time. How are you, Julie?

Planning & Development Committee/2-4-13

2 MS. SEGHTROUCHNI: Sure. I'm very  
3 well. Thank you. Thank you everyone for  
4 allowing me to speak.

5 My name is Julie Seghtrouchni and  
6 I'm a horticulture educator and a forestry  
7 educator for Cornell Cooperative Extension.  
8 I am a resident of Long Beach, so I did deal  
9 with many of the ramifications of Sandy. My  
10 home address is 134 Cleveland Avenue, Long  
11 Beach, New York.

12 Basically I'm here to speak  
13 about, I should pass it out, this is an  
14 ordinance that was --

15 CHAIRMAN VENDITTO: The  
16 documents, please distribute them.

17 MS. SEGHTROUCHNI: In 2008, Nassau  
18 County passed a tree ordinance which was a  
19 wonderful thing because it really showed the  
20 environmental mindset of Nassau County that  
21 you want to pursue to think about the future  
22 of the environment.

23 Within this ordinance, there was  
24 a recommendation for a Nassau County Tree  
25 Advisory Committee, which, unfortunately, in



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2 the past hearing, did not pass because I  
3 believe there was just not enough  
4 information about specifically what the  
5 advisory committee would do.

6 In the ordinance, there's  
7 specific roles, five recommendations. One  
8 is for the department of public works for  
9 one of the representatives to be, that would  
10 be Rich Arnados who is a designee. The  
11 commissioner of parks, Mr. Foskey, a  
12 representative of LIPA, Larry Fernandez,  
13 because he is a utility arborist specialist,  
14 myself, an educator from Cornell, and also  
15 an educator from another nonprofit  
16 organization from relief who could work on a  
17 lot of the youth education in arbor culture.

18 The main purpose of this  
19 committee is to educate and include this in  
20 Nassau County mailings, on the Nassau County  
21 website, on which trees are more wind  
22 resistant, how to prune trees to be wind  
23 resistant, and how to take this opportunity  
24 where we have lost so many trees, to do it  
25 right.

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2 I mean, most of the trees that  
3 fell, actually initially they fell during  
4 Irene because they were so battered. It's  
5 just amazing how resilient trees are. They  
6 were hit by weed whackers, roots were  
7 completely broken during construction,  
8 incorrect pesticides, incorrect irrigation.  
9 We really have to make a tremendous change,  
10 not just the planting and the choosing but  
11 in the ongoing maintenance. When that's  
12 done, in the long run, you do save a lot of  
13 money. You don't have to go and have  
14 emergencies and take down thousands of  
15 trees.

16 Hurricane Sandy was a little  
17 different. It had very sustained winds. It  
18 came from all different directions.  
19 Hopefully we won't have that type of thing  
20 again. That, unfortunately, we did lose  
21 some healthy trees. But that's part of the  
22 program. When you plant your trees, and you  
23 look at where you're planting them, you want  
24 to make sure they have room. You want to  
25 try to plant trees that are larger obviously

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2 in parks where they there are -- you don't  
3 want to have them near targets where they  
4 can fall on homes.

5 But the biggest thing is choosing  
6 the right tree and planting correctly. We  
7 have a lot of research that the USGA gave  
8 Syracuse University \$130,000 for research.  
9 It doesn't make sense to let to let this  
10 research go to waste. Cornell University  
11 has a complete urban institute. All the  
12 information is available.

13 What we need to do is to really  
14 begin to apply that research. Now is the  
15 time to do it, to be the visionaries. You  
16 may might not be able to see the product of  
17 what you started, but this can really save  
18 Nassau County.

19 The green-scape of Nassau County  
20 has been so diminished, and, unfortunately,  
21 I think that people have forgotten the value  
22 of trees. In addition to obviously oxygen,  
23 big thing is a reduction in crime, cleaning  
24 the air, cleaning the water. We have so  
25 many problems with our waterways, with storm

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2 water, with erosion, just making people feel  
3 better. It's healthier. After emergency  
4 crises, there have been so much research  
5 showing that being in a green environment  
6 helps people.

7 This is not a speech to try to  
8 push hugging trees and to be overly  
9 environmental, just to balance. We really  
10 have to find the balance. People and trees,  
11 it's one ecology, and basically we need each  
12 other.

13 So what I'm hoping is that at the  
14 next meeting, on February 25th, if I can  
15 meet with some of you and go over some of  
16 these specific duties of each person in the  
17 commission. We could hopefully get it  
18 passed by the next legislative meeting.

19 CHAIRMAN VENDITTO: Julie, thank  
20 you so much for coming down today and  
21 raising this issue that clearly is a lot on  
22 our minds and will be going forward.

23 I think, Legislator Ford, you  
24 wanted to address Julie?

25 LEGISLATOR FORD: Julie, I do

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2 want to thank you very much for coming down.  
3 I know that we met a while back up at City  
4 Hall in Long Beach talking about the trees  
5 and hoping to at that time to make Long  
6 Beach tree city designation.

7 MS. SEGHTROUCHNI: Yes. And I'm  
8 still going to push it.

9 LEGISLATOR FORD: And I think you  
10 should. And I also believe that you bring  
11 up some very interesting ideas in regard --  
12 because we're going to have to re-plant a  
13 lot, especially in the areas that were  
14 severely impacted by Sandy. You know,  
15 whether or not the trees were blown over, or  
16 torn down or uprooted, we are also going to  
17 find that a lot of our trees and shrubs are  
18 dying and are not going to come back.

19 MS. SEGHTROUCHNI: Right.

20 LEGISLATOR FORD: And I actually  
21 paid attention to you at that meeting way  
22 back when and I do believe, with our  
23 arborists, those who truly know and study  
24 trees, and how important it is to not only  
25 pick out the right type of tree for a

Planning & Development Committee/2-4-13

2 certain environment, but to make sure that  
3 you don't use all the same tree in a  
4 community that you do diversify and also how  
5 important the planting is, whether or not  
6 the depth, for when you do plant.

7 So I would be happy to meet with  
8 you before that meeting because I would like  
9 to hear more of what you have to say.

10 MS. SEGHROUCHNI: Thank you.

11 LEGISLATOR FORD: And I think  
12 that if we all work together that maybe we  
13 have an opportunity of doing something  
14 different with some of the trees because  
15 I've known over the years some of them have  
16 died not because of disasters but just  
17 because they weren't properly taken care or  
18 planted properly. So I think if we have an  
19 opportunity now of doing it right, let's do  
20 it.

21 MS. SEGHROUCHNI: Thank you.  
22 Yes. We will be in touch. I appreciate you  
23 remember the importance of diversity.

24 CHAIRMAN VENDITTO: Legislator  
25 Denenberg.

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2                   LEGISLATOR DENENBERG:   Just  
3 quickly, Julie, thanks.  When this was  
4 passed in '08 on bipartisan lines at that  
5 time, the whole idea of this committee is  
6 not necessarily to be planting trees all  
7 over.  Being a tree city is plant the trees,  
8 where the right tree is for the right  
9 location.  No trees in the wrong location.  
10 So that we can save a lot of the trees that  
11 came down in storms or just over time.  I  
12 don't know if anything would have helped  
13 under Sandy, but --

14                   MS. SEGHTROUCHNI:  It would have  
15 helped if things were better.  You still  
16 would have lost good trees, but it would  
17 have helped.

18                   LEGISLATOR DENENBERG:  But the  
19 part of this and part of the goal always was  
20 to plan how we re-plant or how we plant.  So  
21 it's not just a matter of putting up as  
22 many trees in as many locations, it's  
23 being smart, the right tree for the right  
24 location.

25                   MS. SEGHTROUCHNI:  Thank you.  I

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2 would much rather have fewer trees done  
3 correctly than more trees done incorrectly.  
4 And you are absolutely right, a goal of --  
5 once you have a committee, then you can move  
6 towards becoming what's called a tree city.  
7 Which is Nassau County would be the first  
8 county to be a tree city, so that would be a  
9 nice thing to be able to say about the  
10 county.

11 CHAIRMAN VENDITTO: Very much so.  
12 Legislator Jacobs.

13 LEGISLATOR JACOBS: Hi. I just  
14 want to ask you one fast question.

15 You mentioned certain names on  
16 the committee, which is great, has the  
17 committee met since this was passed?

18 MS. SEGHTROUCHNI: No. The  
19 ordinance specifically said a representative  
20 from DPW/parks, so that's how the committee  
21 was formed. A representative from two  
22 non-profits, and --

23 LEGISLATOR JACOBS: I'm trying to  
24 remember because I believe I was presiding  
25 officer at the time. I'm trying to



Planning & Development Committee/2-4-13

2 understand why this was never put into place  
3 as a committee.

4 MS. SEGHTROUCHNI: I would like to  
5 understand that too.

6 LEGISLATOR JACOBS: I believe it  
7 passed though. I'm trying to think back.

8 MS. SEGHTROUCHNI: It did pass but  
9 the committee was never formed. So that's  
10 kind of the goal.

11 LEGISLATOR JACOBS: So that's  
12 really something that we don't have to  
13 reintroduce as much as make it happen. All  
14 right. Because Dave and I were trying to  
15 figure out why didn't it go anywhere. But I  
16 imagine it might be an executive order to  
17 establish the committee. It's a good idea  
18 especially now, we've learned an awful lot.

19 MS. SEGHTROUCHNI: So hopefully we  
20 can meet and maybe get on the agenda for  
21 February 25th and then we can get moving.

22 CHAIRMAN VENDITTO: Well, the  
23 bottom line here is, and thank you,  
24 Legislator Jacobs, I think it's a very good  
25 thing that the lines of communication as to

Planning & Development Committee/2-4-13

2 this issue are now open. So let's keep in  
3 contact in the weeks ahead here and let's  
4 see if we can get that committee pieced  
5 together correctly and steer it in the right  
6 direction for the benefit of the county, now  
7 and in the future.

8 Thank you, Julie, again.

9 MS. SEGHRUCHNI: Thank you very  
10 much and for allowing me to speak today.  
11 It's very appreciated.

12 CHAIRMAN VENDITTO: Okay. I see  
13 no other business in front of this  
14 committee, may I have a motion to adjourn,  
15 please?

16 LEGISLATOR WALKER: So moved.

17 LEGISLATOR NICOLELLO: Second.

18 CHAIRMAN VENDITTO: Moved by  
19 Legislator Walker, seconded by Legislator  
20 Nicolello. All those in favor, signify by  
21 saying aye.

22 (Aye.)

23 All those opposed?

24 (No verbal response.)

25 Seeing none, the committee is now

1 Planning & Development Committee/2-4-13  
2 adjourned. Public Works Committee is up  
3 next.

4 (Whereupon, the Planning  
5 Development and the Environment Committee  
6 adjourned at 4:01 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 19th day of February, 2013.

-----

FRANK GRAY