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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, January 7, 2013
1:25 P.M

REGAL REPORTING SERVICE
(516) 747-7353

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

MICHAEL VENDITTO,
Chairman

DAVID DUNNE,
Vice Chairman

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

GREGORY MAY,
 Director of Legislative Affair.....5

MICHAEL KELLY, acting director,
 Nassau County Department of
 Public Works,
 Division of Real Estate
 Services.....6

MARTIN KATZ, Division of Planning,
 Department of Public Works.....9

Planning & Development Committee/1-7-13

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 LEGISLATOR ABRAHAMS: Here.

9 CLERK MULLER: Legislator
10 Denenberg? I believe he's here. Ranking
11 Member Jacobs?

12 LEGISLATOR BOSWORTH: Here.

13 CLERK MULLER: Legislator Ford?

14 LEGISLATOR FORD: Here.

15 CLERK MULLER: Legislator

16 Nicoletto?

17 LEGISLATOR NICOLELLO: Here.

18 CLERK MULLER: Vice Chairman

19 Dunne?

20 LEGISLATOR DUNNE: Here.

21 CLERK MULLER: Chairman Venditto?

22 CHAIRMAN VENDITTO: Here.

23 CLERK MULLER: We have a quorum.

24 CHAIRMAN VENDITTO: We have two
25 items on the agenda for today. The first is

Planning & Development Committee/1-7-13

2 Clerk Item 14-13 which is an ordinance
3 making certain determinations pursuant to
4 the State Environmental Quality Review Act
5 and authorizing the county executive of the
6 County of Nassau to accept on behalf of the
7 County of Nassau an offer of purchase from
8 Jerald Darvishzadeh of certain premises
9 located in the Incorporated Village of Kings
10 Point, Town of North Hempstead, County of
11 Nassau, State of New York, said property
12 known as Section 1, Block 170, Lot 12, on
13 the land and tax map of the County of Nassau
14 and authorizing the county executive to
15 execute a deed contract of sale and all
16 pertinent documents in connection therewith
17 to consummate the sale.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR BELESI: Second.

20 CHAIRMAN VENDITTO: Motion by
21 Legislator Dunne, seconded by Legislator
22 Belesi. The item is before us. Anyone here
23 from the administration to speak on this
24 item?

25 MR. MAY: We have Mr. Mike Kelly

Planning & Development Committee/1-7-13

2 to speak on this item. And we also need to
3 work on making those titles shorter.

4 MR. KELLY: Good afternoon,
5 Michael Kelly, acting director, Nassau
6 County Department of Public Works, Division
7 of Real Estate Services.

8 What is before you now is an
9 ordinance authorizing the county executive
10 to sell Section 1, Block 170, Lot 12 located
11 in the Village of Kings Point to Jerald
12 Darvishzadeh. The purchase price is
13 \$13,383.66 which was arrived at through a
14 bid amongst the neighboring property owners.
15 The property was appraised for \$12,000 by
16 the county's appraiser.

17 The potential sale of this
18 property was heard at public hearing before
19 the Nassau County Planning Commission on
20 March 1st, 2012. March 14th and March 15th,
21 respectively, OSPAC and planning voted to
22 recommend the sale of the property and to
23 categorize this transaction as unlisted
24 under SEQRA and recommended that the
25 legislature issue a negative declaration and

Planning & Development Committee/1-7-13
2 determination of non-significance.

3 CHAIRMAN VENDITTO: Thank you,
4 Mr. Kelly. Any discussion, any questions?
5 Legislator Denenberg.

6 LEGISLATOR DENENBERG: Yes. Hi,
7 Mr. Kelly. In the hearings before OSPAC and
8 the Planning Commission, was there any
9 opposition from the neighborhood?

10 MR. KELLY: Not that I remember,
11 no.

12 LEGISLATOR DENENBERG: How many
13 people bid?

14 MR. KELLY: This was I believe --
15 well, it was offered to three property
16 owners. This was the only bid for the
17 property.

18 LEGISLATOR DENENBERG: This won't
19 affect an ability to subdivide?

20 MR. KELLY: No, the planning
21 commission has determined that you cannot
22 subdivide as of right by adding this
23 property.

24 LEGISLATOR DENENBERG: Okay.
25 Thank you.

Planning & Development Committee/1-7-13

2 CHAIRMAN VENDITTO: Any other
3 questions?

4 (No verbal response.)

5 Is there any public comment on
6 this item?

7 (No verbal response.)

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

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes unanimously. And
15 we move on to the second item of the day in
16 the planning calendar, Clerk Item Number
17 28-13 which is a regulation authorizing the
18 release of a surety bond and cash escrow
19 monies for the map of high Chai-Noon
20 subdivision.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR FORD: Second.

23 CHAIRMAN VENDITTO: Motion by
24 Legislator Dunne, seconded by Legislator
25 Ford. The item is before us. Anyone here

1 Planning & Development Committee/1-7-13
2 from the administration to speak on this
3 item?

4 MR. MAY: Mr. Martin Katz.

5 MR. KATZ: Yes. Hi. Martin
6 Katz, Division of Planning, Department of
7 Public Works. This is an application to
8 release surety bond and escrow deposit from
9 Bethpage Builders for a 22 lot plus one
10 common lot condominium subdivision, common
11 lots for driveways, parking area and
12 landscaping public areas.

13 It's a 1.01 acre parcel of fronts
14 on Stuart Avenue, approximately 500 feet
15 south of the intersection of Stuart and
16 Hempstead Turnpike. The Planning Commission
17 approved the preliminary map in June of 2005
18 and the final map in September of 2007.

19 The applicant applied for release
20 of surety bond and escrow on August 20, 2012
21 to the Planning Commission in the amount of
22 the surety bond, \$216,841.70. The amount of
23 the escrow deposit is \$8,768.30. A final
24 inspection of the bonded public improvements
25 was made by Nassau County DPW subdivision

Planning & Development Committee/1-7-13
2 inspector on September 11, 2012.

3 The inspector indicated that all
4 required work for the public improvements
5 met all applicable county and local and
6 state requirements, specifications and
7 provisions and concluded that the bond
8 should be released.

9 CHAIRMAN VENDITTO: Any other
10 discussion or questions from the committee?

11 (No verbal response.)

12 Is there any public comment on
13 the item?

14 (No verbal response.)

15 In that case, all those in favor
16 of passing this item please signify by
17 saying aye.

18 (Aye.)

19 All opposed?

20 (No verbal response.)

21 The item passes unanimously. We
22 do have one addendum on today's calendar. I
23 have to make a motion here to suspend the
24 rules.

25 LEGISLATOR DUNNE: So moved.

Planning & Development Committee/1-7-13

2 LEGISLATOR NICOLELLO: Second.

3 CHAIRMAN VENDITTO: Moved by
4 Legislator Dunne, seconded by Legislator
5 Nicolello. We'll get right into it here.
6 Vote on the motion, I apologize.

7 All those in favor?

8 (Aye.)

9 All opposed?

10 (No verbal response.)

11 The motion passes unanimously.
12 We'll read the clerk item number into the
13 record. It's Clerk Item Number 23-13, a
14 resolution making certain determinations
15 pursuant to the State Environmental Quality
16 Review Act and authorizing the acquisition
17 of an easement from the Town of Hempstead
18 Industrial Development Agency over a parcel
19 of real property situation in West
20 Hempstead, Town of Hempstead, County of
21 Nassau, State of New York, said property
22 real property known as Section 35, Block
23 386, Plot 209, on the land and tax map of
24 the County of Nassau and authorizing the
25 county executive to execute a grant of

Planning & Development Committee/1-7-13
2 easement and all pertinent documents in
3 connection therewith to accept such
4 easement.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR BELESI: Second.

7 CHAIRMAN VENDITTO: Moved by
8 Legislator Dunne, seconded by Legislator
9 Belesi. The item is before us. Anyone here
10 from the administration to speak on this
11 item, Mr. May,

12 MR. MAY: Mr. Mike Kelly.

13 CHAIRMAN VENDITTO: Good
14 afternoon again, Mr. Kelly.

15 MR. KELLY: Good afternoon,
16 Michael Kelly, acting director, Nassau
17 County Department of Public Works, Division
18 of Real Estate Services.

19 Item 23-13 is to authorize the
20 county executive to accept an easement from
21 the Town of Hempstead Industrial Development
22 Agency. This easement would be over a small
23 portion of the property for the county to
24 maintain a sidewalk. This is a condition to
25 the 239-F approval for the general

1 Planning & Development Committee/1-7-13
2 development of 130 Hempstead Avenue, West
3 Hempstead.

4 CHAIRMAN VENDITTO: Thank you for
5 that report. Any discussion or questions
6 from our committee?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 All those in favor of passing
11 this item please signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes unanimously.
16 Motion to adjourn.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR NICOLELLO: Second.

19 CHAIRMAN VENDITTO: Motion made
20 by Legislator Dunne, seconded by Legislator
21 Nicolello. There is no other business
22 before this committee.

23 We are now adjourned and the
24 Health Committee is up next. Thank you.

25 (Whereupon, the Planning,

Planning & Development Committee/1-7-13
Development and Environment Committee
adjourned at 1:33 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 _____ day of _____, 2013.

FRANK GRAY