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NASSAU COUNTY PLANNING COMMISSION

REGULAR MEETING

\*\*\*\*\*

LEONARD H. SHAPIRO

CHAIRMAN

\*\*\*\*\*

OSPAC 2-2024

PUBLIC HEARING

\*\*\*\*

County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

\*\*\*\*\*

Thursday, July 18, 2024

10:00 a.m.

TAKEN BY: BARBARA DANIELS,

OFFICIAL COURT REPORTER

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

Leonard H. Shapiro, Chair (Absent)  
Jeffrey H. Greenfield, Vice Chair (Acting Chair)  
Neal Lewis, 3rd Vice-Chair  
Dana Durso Commissioner  
Ronald J. Ellerbe Commissioner (Absent)  
Murray Forman Commissioner (Absent)  
Denise Gold Commissioner  
Khandan Kalaty Commissioner  
Reid Sakowich Commissioner

**Department of Public Works, Division of  
Planning:**

Gregory Hoesl  
Martin Katz  
John Perrakis  
Timothy Wren  
William Nimmo, Deputy Commissioner  
\*\*\*  
Patrick Gallagher, Esq., Deputy County Attorney  
Robert O'Brien, Esq., Deputy County Attorney

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## AGENDA

The Nassau County Planning Commission (the "Commission") will hold a public hearing on Thursday, July 18, 2024 at 10:00 A.M. at the Theodore Roosevelt Executive & Legislative Building, located at 1550 Franklin Ave., Mineola, NY 11501 to discuss NCPC OSPAC File No. 2-2024. The Commission notifies the public that the hearing concerns the Nassau Veterans Memorial Coliseum ("Coliseum"), which is located at 1255 Hempstead Turnpike, Uniondale, NY 11553. Specifically, the Commission will discuss a proposed lease between the County and LVS NY HOLDCO 2, LLC ("Sands") (a subsidiary of Las Vegas Sands Corp.) For Section: 44, Block: F, Lot(s): 351, 411, 412 and 415 of that address and issue a recommendation regarding that proposed lease to the Nassau County Legislature. That lease will provide Sands site control over the Coliseum site and provide for Sands to operate the Coliseum. The hearing will be streamed live on <https://www.nassaucountyny.gov/5697/Planning-Commission>. A copy of the lease has been made available at the following link: <https://www.nassaucountyny.gov/5697/Planning-Commission>. The public comment period has closed. While Sands intends to seek to develop a casino at the Coliseum site, the proposed lease does not authorize the Coliseum site to (i) be developed or (ii) used for a casino, and any such authorization will occur, if at all, through a separate lease in the future that will be subject to public comment. The lease will also be discussed at the Commission's 8:45 A.M. work session on the same date at the same location. That work session is open to the public and will be streamed live on <https://www.nassaucountyny.gov/5697/Planning-Commission>. This notice is being provided in accordance with an order of the New York Supreme Court, Nassau County.

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**A. General Items**

- 1. Roll Call
- 2. Acknowledge Receipt of Transcript from **June 20, 2024** NCPC Hearing

**B. OSPAC** **Disposition**  
*(Public Comment Period Closed)*

- 1. *OSPAC 2-2024* *Property at:  
Uniondale, Town of  
Hempstead  
1255 Hempstead Turnpike,  
Uniondale, NY 11553  
Section: 44, Block: F,  
Lot(s): 351, 411, 412  
& 415  
\*\*\*Coliseum Lease for  
a portion of the  
Nassau County  
Veterans Memorial  
Coliseum Site between  
the County of Nassau  
and LVS HOLDCO 2, LLC\*\*\*  
\*\*\*OSPAC Recommendation:  
6-0 in favor of the  
proposal (with one (1)  
abstention)\*\*\**

**C. OSPAC** **Public Hearing**  
*(Public Comment Period Open)*

- 1. *OSPAC 3-2024* *Property at: Syosset,  
Town of Oyster Bay  
  
100 Gordon Drive,  
Syosset, NY 11791  
  
Section: 15, Block:  
204, Lot(s): 14  
  
\*\*\*Grant Easement\*\*\**

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**D. Minor Subdivision Applications & SEQRA  
Determination of Significance**  
*(Public Comment Period Open)*

1. **NCPC Minor Sub. File 29-2021** Property  
at: Incorporated Village of Floral Park  
115 Irving Avenue, Floral Park, NY 11001  
Section: 8, Block: 88, Lot(s): 36, 37, 38, 39  
& 235

2. **NCPC Minor Sub. File 33-2024** Property  
at: Elmont, Town of Hempstead 1379 N Street,  
Elmont, NY 11003 Section: 32, Block: 549,  
Lot(s): 46 - 48, 50 - 52, 149 & 249

3. **NCPC Minor Sub. File 34-2024** Property  
at: Bellmore, Town of Hempstead 2770 Marion  
Street, Bellmore, NY 11710 Section: 63, Block:  
210, Lot(s): 1 - 3

4. **NCPC Minor Sub. File 35-2024** Property  
at: Roosevelt, Town of Hempstead  
10 Union Street, Roosevelt, NY 11575  
Section: 55, Block: 340, Lot(s): 162 & 163

5. **NCPC Minor Sub. File 36-2024** Property  
at: Incorporated Village of Freeport  
51 Forest Avenue, Freeport, NY 11520  
Section: 55, Block: 348, Lot(s): 14 & 15

6. **NCPC Minor Sub. File 37-2024** Property  
at: Roosevelt, Town of Hempstead  
24 Bainbridge Street, Roosevelt, NY 11575  
Section: 55, Block: 290, Lot(s): 726 - 730

**E. Zoning Referral Review: Pursuant to  
General Municipal Law Section 239-M**

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(Excerpt from 07.18.24. NCPC  
Public Work Session, OSPAC  
2-2024 Application.)

VICE-CHAIR GREENFIELD: All right.  
Staff, good morning. We're going to  
begin. We have five members here for the  
**Public Work Session**, and we review the  
Agenda during the Public Work Session.

3RD VICE-CHAIR LEWIS: We just want  
to see that all cases are ready. Maybe  
the staff could run through the Agenda  
and tell us, are notices in; are we  
expecting appearances today; were the  
files complete in terms of the letter  
from the Town for zoning compliance; and  
maybe the last question would be were  
there any questions or comments? Did  
anybody e-mail comments on the items?  
We're not getting into what that is until  
the full meeting starts in terms of the  
subject of what the comments were, but  
maybe you could run through where we're

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at with each case's status.

MR. O'BRIEN: Do you want to start with zoning and work back, or do you want to do it in the order of the Calendar?

3RD VICE-CHAIR LEWIS: That's fine.

MR. HOESL: Order of the Calendar? I'll start with -- first up --

MR. O'BRIEN: Greg, maybe because there are people listening, maybe you want to go to the podium.

MR. HOESL: First up is **OSPAC 2-2024**. This is for the operational lease, Las Vegas Sands and Nassau County.

So you guys have all been provided with the -- I think we got about 300 e-mails for public comments. You also have the transcript from last time with public comments.

This was brought back to OSPAC last Wednesday, July 10. OSPAC was provided with all those comments as well. They then held a vote and at the July 10 OSPAC meeting, OSPAC voted on both the following motions:

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~ They voted 6:0 with one  
abstention.

3RD VICE-CHAIR LEWIS: So I'm trying  
to figure out if it's possible so that  
you don't have to go through the entire  
presentation that you're going to make in  
45 minutes.

For this case the items on --  
however you do this, this is a quick Q  
and A. This case is ready to go today on  
the Agenda?

MR. HOESL: Correct, yes.

3RD VICE-CHAIR LEWIS: Okay. So I  
know this because I wanted to find the  
transcript and I was having problems with  
e-mails yesterday, probably on my end, I  
had some problems, my office, but I was  
able to get the transcript from our last  
hearing, 140-something pages. That's on  
the website. Could you just point out --  
is everything up in terms of all the  
materials for this item?

MR. HOESL: Yes. So we have that  
new website we created. Everything has



1  
2           been posted there. The one thing that  
3           has not been posted yet is the public  
4           comments because we have redact personal  
5           information and that has taken some time.  
6           I don't have the ability to do that yet.  
7           We're working on that, but everything  
8           else, all the transcripts, the FEAF for  
9           today is posted up there, meeting  
10          minutes, draft resolutions. I sent  
11          around the draft resolution for this.

12                   3RD VICE-CHAIR LEWIS: And one more  
13           was the OSPAC. We don't usually have a  
14           full transcript of the OSPAC hearing.

15                   MR. HOESL: We do have one from both  
16           of the OSPAC meetings dealing with this,  
17           yup.

18                   3RD VICE-CHAIR LEWIS: Okay. So I  
19           think that's enough for now because  
20           otherwise you're just going to be  
21           repeating this, right?

22                   MR. HOESL: Okay. Yes. Just so you  
23           know that OSPAC voted 6 to 0 to recommend  
24           that you guys recommend.

25                   3RD VICE-CHAIR LEWIS: Again, you're

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just going to have to repeat that later.

I just want to know the case is ready.

Okay.

(Whereupon, above matter,  
OSPAC 02-2024, concludes for  
the Public Work Session portion  
of meeting.)

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(Excerpt from 07.18.24. NCPC  
Regular Public Meeting, OSPAC  
2-2024 Application.)

VICE-CHAIR GREENFIELD: Good  
morning, and welcome everyone to the  
regular public meeting of the Nassau  
County Planning Commission, July 18, 2024.

I'd like call upon Legislator Rose  
Walker to lead us in the Pledge of  
Allegiance.

Please rise.

LEGISLATOR WALKER: Hand over heart  
and join me.

(Whereupon, the Pledge of  
Allegiance was recited by all.)

VICE-CHAIR GREENFIELD: Thank you.

LEGISLATOR WALKER: God bless our  
troops.

VICE-CHAIR GREENFIELD: Good morning  
and welcome, everyone. We have a full  
and exciting agenda here today. Copies  
of the agenda are available by our intern

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-- raise your hand -- over on the side if you haven't picked up an agenda. There are speaker registration forms.

The only OSPAC case that we'll be taking public comment on is OSPAC 2 -- No. I'm sorry, is OSPAC 3-2024. The public comment period on OSPAC 2-2024 was closed, and there'll be no public comment.

So staff, can you begin.

MR. HOESL: Yes. Thank you.

Good morning, Commissioners. I'll start with the roll call.

Commissioner Sakowich?

COMMISSIONER SAKOWICH: Here.

MR. HOESL: Commissioner Kalaty?

COMMISSIONER KALATY: Present.

MR. HOESL: Commissioner Gold?

COMMISSIONER GOLD: Present.

MR. HOESL: Commissioner Forman?

VICE-CHAIR GREENFIELD: Excused.

MR. HOESL: Commissioner Ellerbe?

VICE-CHAIR GREENFIELD: Excused.

MR. HOESL: Commissioner Durso?

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COMMISSIONER DURSO: Present.

MR. HOESL: 3rd Vice-Chair Lewis?

3RD VICE-CHAIR LEWIS: Present.

MR. HOESL: Vice-Chair Greenfield?

VICE-CHAIR GREENFIELD: Present.

MR. HOESL: Chairman Shapiro?

VICE-CHAIR GREENFIELD: Excused.

MR. HOESL: Thank you. Can I an  
acknowledgement of the receipt of  
transcript from the June 20 NCPC hearing?

3RD VICE-CHAIR LEWIS: Yes. I'd  
like to make a motion that we adopt the  
transcript from our last hearing and  
meeting.

COMMISSIONER DURSO: I'll second.

VICE CHAIR GREENFIELD: Motion made  
and seconded.

All those in favor, say "Aye."

(Whereupon, all members of  
the Nassau County Planning  
Commission present respond in  
favor with, "Aye.")

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VICE CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

VICE CHAIR GREENFIELD: So carried.

MR. HOESL: Thank you.

VICE-CHAIR GREENFIELD: Okay.

(Whereupon, OSPAC 03-2024 Hearing addressed out of order and not produced for this transcript.)

(Excerpt from 07.18.24. NCPC Regular Public Meeting, OSPAC 2-2024 Application.)

VICE-CHAIR GREENFIELD: Let's call the main event.

MR. HOESL: Yes. This is OSPAC 2 of 2024. As you've mentioned already, the public comment period was closed on June 28 for this. All of the commissioners, you've been provided with all the public e-mails we've received, you've been provided with the transcripts from the OSPAC meeting as well. You remember the comments from last time.

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So this Item went back to OSPAC on July 10 after the public comment period was closed, and at that OSPAC meeting, OSPAC voted on both of the following motions:

~ 6 to 0 with one abstention;

1. The proposal has no impact on County open space or parks or any areas of cultural archeological habitat or historic or otherwise environmentally sensitive nature; and

2. They recommended that the Planning Commission recommend approval to the Nassau County Legislature.

Again, this is just for an operational needs for Sands to run the Coliseum site. That being said, I think we have representatives here if you have with questions or anything.

VICE-CHAIR GREENFIELD: There is no public comment at this point.

3RD VICE-CHAIR LEWIS: The only thing was whether the Commissioners had any questions.

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By the way, the OSPAC transcript was also included in the packet. All of which, I think I mentioned earlier, that I was getting some of the items off of our website, so all of it's up on the website. Thank you to the staff for getting all that there.

Going forward, it's great to have all that ahead of time like that, particularly the OSPAC transcript, which shows the Committee's discussion of the process and it really was very helpful, I think, for where we're at right now. I think we're all agreeing that this an operations lease, so it's very limited in terms of what we're really covering from an environmental perspective and otherwise.

On the website we have a Resolution in a draft form and, again, I'd like to thank the lawyers for helping to prepare all of this and get it on the new website. This is a helpful thing, I



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think, for members of the public for those that wanted to check it or even check it right now as you're sitting here.

So the Resolution has a number of "whereas", and I wanted to point out one of the points that was always of interest to me and that is that the resolution has a "whereas" where we refer to the Nassau County Master Plan, which technically doesn't say the word "master" anywhere on it, but always referred to as the Master Plan. It's technically the Nassau County Comprehensive Plan.

This is our overarching document that was adopted by the Planning Commission. It serves as our Master Plan, and in our resolution the "whereas, in reviewing the proposal, the commissioners considered the proposals in adherence to the goals laid out in the Master Plan." The Master Plan was circulated with all the commissioners so we could all check on these.

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So we have several references to items that are in the Master Plan. An example would be that County "supports enhanced cultural facilities, services programs and events of the County that improve the quality of life and encourage tourism." So it's certainly maintaining this facility, the operations agreement and all the people that work the facility and provide the services that are very important to our residents. That is one of our overarching goals in a Master Plan, and this action that we're considering today is consistent with that.

So I do have a couple of motions ready to go.

VICE-CHAIR GREENFIELD:

Mr. Vice-Chairman, please proceed.

3RD VICE-CHAIR LEWIS: Thank you, Mr. Vice-Chair.

So I'd like to make a motion that based on a review of the proposed action and the review of the Master Plan that

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was just pointed out and was adopted by the Nassau County Planning Commission, this action -- this proposed action, is in accordance with that Master Plan.

So that's my motion.

VICE-CHAIR GREENFIELD: All right.

We have a motion.

COMMISSIONER SAKOWICH: I second.

VICE-CHAIR GREENFIELD: And we have a second.

Any questions on the motion?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: All those in favor of the motion so signify by saying, "Aye."

(Whereupon, all members of the Nassau County Planning Commission present respond in favor with, "Aye.")

VICE-CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: So carried

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unanimously.

Next motion, Mr. Vice-Chair.

3RD VICE-CHAIR LEWIS: Thank you.

Just for point of reference the Nassau County Master Plan was also the basis that then lead to OSPAC getting established several years after the Master Plan was originally adopted, and the OSPAC plan includes legislation establishing OSPAC.

So I'd like to make a motion that based on the review of the proposed action, the criteria governing the review of OSPAC, which is set off in Title 47, that based on that, the Planning Commission finds that the proposed action is consistent with that criteria for OSPAC review.

VICE-CHAIR GREENFIELD: Thank you for explaining that, but also for those that are in the audience for the first time, OSPAC stands for "Open Space Park Advisory Committee", and we have a lot of hearings on OSPAC cases from time to

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time.

COMMISSIONER SAKOWICH: I second it.

VICE CHAIR GREENFIELD: So we have a motion, seconded.

Any questions on the motion?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: Not hearing or seeing any, all those in favor so signify by saying, "Aye."

(Whereupon, all members of the Nassau County Planning Commission present respond in favor with, "Aye.")

VICE-CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: Another unanimous vote.

3RD VICE-CHAIR LEWIS: So now let's get to SEQRA.

I make a motion that based on a review of the environmental documents which includes the Environmental

1  
2 Assessment Form and other supporting  
3 documentation, this Planning Commission  
4 recommends that the Nassau County  
5 Legislature, that the Legislature first  
6 classify the action regarding NCPC OSPAC  
7 2 of 2024, first that we classify this  
8 action as an unlisted action under the  
9 State Environmental Quality Review Act  
10 (SEQRA), and that includes the relating  
11 implementing regulations of SEQRA, which  
12 is 6-NYCRR Part 617.

13 Also, in addition to classifying the  
14 action, we also determine that the  
15 proposed action will not have a  
16 significant adverse impact on the  
17 environment.

18 VICE-CHAIR GREENFIELD: We have a  
19 motion. Do we have a second?

20 COMMISSIONER KALATY: Second.

21 VICE CHAIR GREENFIELD: We have a  
22 second.

23 Any questions on the motion by the  
24 members?  
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(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: If not, would you please vote, all those in favor so signify by saying, "Aye."

(Whereupon, all members of the Nassau County Planning Commission present respond in favor with, "Aye.")

VICE CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: So carried. Passed unanimously.

3RD VICE-CHAIR LEWIS: Now this will sound similar, but just to be clear, we're recommending to the Legislature.

So I make a further motion that the Nassau County Planning Commission recommend to the Nassau County Legislature that the Legislature complete the review of the proposed action under SEQRA by classifying the proposed action as an unlisted action under SEQRA and the

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SEQRA implementing regulations and by issuing a negative declaration for the proposed action.

We're recommending to the Legislature action.

VICE-CHAIR GREENFIELD: All right. Everyone understand the motion?

Do we have a second?

COMMISSIONER DURSO: I'll second.

VICE-CHAIR GREENFIELD: We have motion made and seconded to recommend to the Legislature.

All those in favor so signify by saying, "Aye."

(Whereupon, all members of the Nassau County Planning Commission respond in favor with, "Aye.")

VICE-CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: So carried unanimously.

3RD VICE-CHAIR LEWIS: Okay. We're



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almost there.

I make a further motion that the Planning Commission recommend to the Nassau County Legislature that the Legislature approve proposed actions without condition.

VICE-CHAIR GREENFIELD: Motion made. Do we have a second?

COMMISSIONER SAKOWICH: I second it.

VICE-CHAIR GREENFIELD: We have a second.

Any questions by the members?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: Not hearing any. All those in favor of the motion, so signify by saying, "Aye."

(Whereupon, all members of the Nassau County Planning Commission respond in favor with, "Aye.")

VICE CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

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VICE-CHAIR GREENFIELD: So carried  
unanimously.

3RD VICE-CHAIR LEWIS: Lastly,  
coming to the Draft Resolution which I  
mentioned is posted on the Nassau County  
Planning Commission website.

I make a motion that the Planning  
Commission approve the Draft Resolution  
which has highlighted portions and that  
that resolution be completed so that it's  
in accordance with our determinations  
here today.

VICE-CHAIR GREENFIELD: Okay. We  
have a motion. Do we have a second?

COMMISSIONER DURSO: Second.

VICE-CHAIR GREENFIELD: Motion made  
and seconded.

Any questions by any members on the  
motion?

(Whereupon, there was no  
verbal response.)

VICE-CHAIR GREENFIELD: Not hearing  
any, all those in favor, so signify by  
saying, "Aye."

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(Whereupon, all members of the Nassau County Planning Commission respond in favor with, "aye.")

VICE-CHAIR GREENFIELD: Any opposed?

(Whereupon, there was no verbal response.)

VICE-CHAIR GREENFIELD: So carried unanimously.

That concludes OSPAC Case No. 2-2024.

I want to thank very much the members of this Commission. A lot of hours of reading, discussing, diligent work.

I want to thank the members of the public that sat by patiently here today and also the members of the public that gave us tremendous input at the last meeting and all the other people that wrote in, the 354 e-mails that we all read and reviewed.

The process has spoken.

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I thank you very much.

(Whereupon, the above  
matter, 02-2024 OSPAC,  
concluded.)

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C E R T I F I C A T E

STATE OF NEW YORK            )  
  :  SS.:  
COUNTY OF SUFFOLK         )

I, BARBARA DANIELS, a Notary Public for  
and within the State of New York, do hereby  
certify:

That the above is a correct transcription  
of my stenographic notes.

I further certify that I am not related  
to any of the parties to this action by blood  
or by marriage and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 18th day of July 2024.



\_\_\_\_\_  
BARBARA DANIELS

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