

Board of Trustees Special Meeting
Village of Baxter Estates
April 29, 2026
6:00 PM

Special Meeting Minutes

Present:	Mayor	Nora Haagenson
	Deputy Mayor	Charles Comer
	Trustee	Alice Peckelis
	Trustee	Maria Branco
	Trustee	Alexander Price
	Village Attorney	Christopher Prior
	Village Clerk-Treasurer	Meghan Kelly
	Superintendent of Buildings	Robert Barbach

1. Work Session

The Board convened its work session at 5:30 PM.

2. Executive Session

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to enter Executive Session at 5:30 PM for advice of counsel.

At 5:53 PM the Mayor declared Executive Session to be over, no action was taken.

3. Resolution to Ratify the Amendment of the License Agreement with the Town of North Hempstead for a Staging Area for the Baxter Beach project

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to ratify the amendment of the License Agreement with the Town of North Hempstead for a staging area for the Baxter Beach project, as the portion of the Town's parking lot originally identified in the agreement has been changed at the recommendation of the contractor.

4. Public Hearing – Site Plan Approval for 25 Shore Road

At approximately 7:30 PM Mayor Haagenson opened the Public Hearing duly advertised in the January 22, 2026 and the February 16, 2026, issue of the Port Washington News on the application of The Peter and Jeri Dejana Family Foundation to the Board of Trustees for (a) Site Plan Approval relating to demolition of existing building and construction of new commercial office building at 25 Shore Road, Port Washington, pursuant to Chapter 147, "Site Plan Approval," of the Code of the Village of Baxter Estates, and (b) reduction in amount of required off-street parking spaces for proposed project pursuant to Section 175-46(H) of Chapter 175, "Zoning," of the Village Code.

At approximately 8:34 PM, upon motion by Trustee Branco, seconded by Deputy Mayor Comer, it was unanimously **RESOLVED** to adjourn the public hearing, until Wednesday, June 3, 2026, at 7:30 PM at the Port Washington Public Library, 1 Library Drive, Port Washington, NY 11050 .

A verbatim transcript of the Public Hearing is annexed to and incorporated into these minutes.

5. Negative Declaration under SEQRA with respect to Site Plan Application of Dejana Family Foundation for 25 Shore Road

Following Board discussion, upon motion duly made by Trustee Branco, and seconded by Deputy Mayor Comer, the Board members present, constituting a quorum, unanimously adopted the following resolution:

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BE IT RESOLVED, as follows:

1. **WHEREAS**, the Board of Trustees (“Board”) of the Village of Baxter Estates (the “Village”), has received the application under Village Code Chapter 147, "Site Plan Approval," for site plan approval and related relief (the “Application”), of the Peter and Jeri Dejana Family Foundation (“Applicant”), with respect to the .78 acre parcel known as 25 Shore Road, further identified as Section 5, Block 129, Lots 24, 101 and 102 on the Land and Tax Map of Nassau County (the “Premises”); and
2. **WHEREAS**, the Premises currently are improved with a vacant one-story, 3,332 sq. ft. commercial building with parking area, proposed to be demolished and replaced with a two-story 8,575 sq. ft. commercial building with parking area (the “Project”); and
3. **WHEREAS**, the Project as proposed is an “as-of-right” project under the Village Zoning Code, except that, if approved, the Project will result in 36 on-site parking spaces, while the Village Code requires 43 parking spaces;
4. **WHEREAS**, the Project satisfies no Type II category, and triggers no Type I category, of “action,” under the New York State Environmental Quality Review Act (“SEQRA”), and the regulations promulgated thereunder by the NYSDEC (the “SEQRA Regulations”), and so the Project is deemed an “unlisted action” under SEQRA; and
5. **WHEREAS**, the Board is the agency responsible for considering whether to approve the action, and so is responsible for reviewing the unlisted action under SEQRA; and
6. **WHEREAS**, the Board has determined that it shall serve as Lead Agency with respect to the Project for purposes of SEQRA, and will conduct an uncoordinated review; and
7. **WHEREAS**, the Applicant has submitted to the Board a Short Environmental Assessment Form dated 12/9/2025 (“SEAF”), prepared and signed on the Applicant’s behalf by its consulting engineer, Michael Rant, P.E., to assist the Board in considering the Project under SEQRA; and
8. **WHEREAS**, the Applicant has submitted to the Board a report dated October 8, 2025, by Mulryan Engineering, P.C., Garden City, New York, traffic engineers retained by the Applicant the “Traffic Engineer”), containing a traffic and parking assessment with respect to the Application (the “Traffic Study”), to assist the Board in considering the Project under SEQRA; and
9. **WHEREAS**, the Board has received a letter dated February 4, 2026, from the Port Washington Fire Department, Inc., advising the Board that the “project does not appear to create any operational concerns or negatively impact on [sic] the level of emergency service currently provided by the Port Washington Fire Department” (the “PWFD Letter”); and
10. **WHEREAS**, the Board has reviewed the SEAF, the Traffic Study, and the PWFD Letter, and has heard testimony from the Applicant, Village officials and members of the public at a public hearing opened on February 4, 2026, at Village Hall, adjourned to March 4, 2026, at the Port Washington Public Library, where it was re-opened solely for the purpose of adjourning same to April 29, 2026 at the Port Washington Public Library, at which time and place the hearing was continued, and again adjourned to June 3, 2026; and
11. **WHEREAS**, the Board notes that the Project as contemplated at the time of, and addressed in, the Traffic Study and the PWFD Letter, proposed a larger building requiring 51, but proposing only 36, on-site parking spaces, or a shortfall of 15 spaces; and

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12. **WHEREAS**, the Project has now been reduced in scope by the Applicant, so that, while the proposed number of spaces remains 36, the number of spaces required for the smaller project is now only 43, reducing the shortfall from 15 to 7, which necessarily will have less of a potential adverse impact on traffic or parking conditions in the area surrounding the subject site than the Project considered in the Traffic Study and the PWFD Letter; and
13. **WHEREAS**, in fact, the Traffic Engineer found that even the larger Project initially proposed with a 15 space shortfall would “not result in any adverse impacts on traffic or parking conditions in the area surrounding the subject site” (see Page 15 of 15, under “Findings/Conclusion” of the Traffic Study), and the Fire Department had no concerns regarding even the larger project initially proposed; and
14. **WHEREAS**, based upon the foregoing the Board has determined that the action will not have a significant adverse impact on the environment for purposes of SEQRA; provided, however, that the Board does not at this time make any determination regarding whether to grant the Application, deny the Application or grant same with conditions, a determination that will be made only after the Board concludes its public hearing and closes the record on the Application;

NOW, THEREFORE, the Board hereby determines that:

1. The Board is lead agency for purposes of the SEQRA review of the Project, and, as lead agency, has conducted an uncoordinated review of the Project.
2. The Board finds that the Project, if implemented, will not have a material adverse impact upon the environment for the reasons set forth above, and as more fully described in the SEAF and the Traffic Study.
3. The Board hereby makes a negative declaration under SEQRA with respect to the Project.
4. Pursuant to New York State General Municipal Law Section 239-m.1.(c), the Board determines that the Application materials as submitted, together with this resolution of the Board, constitutes a “full statement of the proposed action.” Therefore, pursuant to General Municipal Law Section 239-m 3., the Board authorizes the Village Clerk to refer the Application, with a copy of this resolution, to the Nassau County Planning Commission.

The vote on the foregoing Resolution was as follows:

Mayor Nora Haagenon	Aye
Deputy Mayor Charles Comer	Aye
Trustee Alice Peckelis	Aye
Trustee Maria Branco	Aye
Trustee Alexander Price	Aye

There being no further business before the Board, on motion made by Deputy Mayor Comer, seconded by Trustee Price, it was unanimously **RESOLVED**, that the meeting be and hereby is adjourned at 8:36 PM.

Meghan Kelly, Village Clerk-Treasurer