

Board of Trustees Regular Meeting
Village of Baxter Estates
June 3, 2026
7:30 PM

Meeting Minutes

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

Absent:	Trustee	Alexander Price
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1. Work Session

The Board convened its work session at 6:45 PM.

2. Executive Session

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to enter Executive Session at 6:45 PM for advice of counsel.

At 7:15 PM the Mayor declared Executive Session to be over, no action was taken.

3. The Village's 95th Anniversary Celebration

The Mayor announced to the public that the Village would be holding a 95th Anniversary Soiree at the Port Washington Public Library on June 10th at 6:00 PM to 8:00 PM.

4. Amended SEQRA Negative Declaration Resolution for Site Plan Application for 25 Shore Road

The Mayor asked the Village Attorney to update the Board regarding the Board's resolution under SEQRA with respect to the pending application of the Dejana Family Foundation for site plan approval and parking relief for its proposed project for 25 Shore Road. The Village Attorney referred the Board to the original SEQRA Negative Declaration resolution that he prepared for the April 29, 2026 meeting of the Board with respect to the application. He reminded the Board that, at the Board's May 6, 2026 meeting, Trustee Peckelis, upon reviewing the draft minutes of the April 29, 2026 meeting, noted that recital #8 of the original SEQRA resolution referred to the traffic engineer's report dated October 8, 2025, by the Applicant's traffic engineer, Mulryan Engineering, P.C.. She noted that Mulryan Engineering issued an addendum thereto dated April 15, 2026, which the Board received prior to the April 29, 2026 hearing. The Village Attorney also noted that Mulryan Engineering, by its principal Sean Mulryan, testified at the April 29, 2026 hearing, addressing the report and the addendum. The Village Attorney also noted that in adopting its SEQRA resolution with respect to the application on April 29, 2026, the Board referred to the form of resolution circulated that evening by the Village Attorney, which omitted reference to the addendum. At the Board's May 6, 2026 meeting, the Board directed the Village Attorney to correct the SEQRA resolution to reflect the fact that the Board intended to include reference to the traffic engineer's addendum in its SEQRA resolution. The Village Attorney reported that he had made that amendment, and that the corrected version of the SEQRA resolution was included by the Village Clerk in her submission to the Nassau County Planning Commission in referring the application to the Commission. The Village Attorney asked that the Board adopt and ratify the corrected version of the SEQRA resolution incorporating the reference to the traffic engineer's addendum, in substitution for the original version omitting reference to the addendum.

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After discussion, upon motion duly made, seconded, and unanimously adopted by all Board members in attendance, the Board **RESOLVED** as follows:

That the form of the SEQRA Negative Declaration adopted by the Board at its April 29, 2026 meeting with respect to the application of the Dejana Family Foundation for site plan approval and parking relief for its proposed project for 25 Shore Road be, and it hereby is, superseded in its entirety by the corrected form thereof, set forth below, which is hereby ratified and approved by the Board as the Board's negative declaration under SEQRA with respect to said application:

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

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 "Original Traffic Study"), to assist the Board in considering the Project under SEQRA, as well as the Traffic Engineer's Traffic Engineering Report Addendum dated April 15, 2026 (the "Addendum"; the Original Traffic Study as updated by the Addendum, is referred to herein as the "Traffic Study"); 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

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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, as well as a representative of the Fire Department, 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 Original 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
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 Original 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 Original Traffic Study), and the Fire Department had no concerns regarding even the larger project initially proposed; and
14. **WHEREAS**, in the Addendum and at the April 29, 2026 public hearing, the Traffic Engineer confirmed that the Project as reduced in scope will not result in any adverse impacts on traffic or parking conditions in the area surrounding the subject site; and
15. **WHEREAS**, at the April 29, 2026 public hearing, Port Washington Fire Department Treasurer and Board Member Chris Bollerman confirmed that the Project as reduced in scope will not adversely impact service offered by the Department; and
16. **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.

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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 Haagenson	Aye
Deputy Mayor Charles Comer	Aye
Trustee Alice Peckelis	Aye
Trustee Maria Branco	Aye
Trustee Alexander Price	Absent

5. 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 7:36 PM, upon motion by Trustee Branco, seconded by Deputy Mayor Comer, with one abstention from Trustee Peckelis, it was **RESOLVED** to close the public hearing.

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

On motion by Trustee Branco, seconded by Deputy Mayor Comer, it was unanimously **RESOLVED** to schedule a Special Meeting of the Board of Trustees to be held on June 23, 2026 at 6:00 PM.

6. Approval of April 29, 2026, Board of Trustees Meeting Minutes

The board discussed the minutes and tabled the approval of the minutes to the next meeting, no action was taken.

7. Approval of May 6, 2026, Board of Trustees Meeting Minutes

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to accept the minutes of May 6, 2026, regular meeting of the Board of Trustees, in the form presented by the Village Clerk-Treasurer.

8. Public Comment

Residents of Bayside Avenue commented upon the pending Site Plan Application for the proposed project at 25 Shore Road. The Board noted that the public hearing and the record of the related proceedings have already been closed.

Residents of Bayside Avenue suggested that signage implementing Village Code restrictions on parking on Bayside Avenue may be missing or damaged. The Village Clerk advised that the matter would be reviewed and any missing signs will be ordered and erected as soon as possible.

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9. Resolution to Approve Proposal from Marvin Castillo to Remove Three Village Trees

On motion by Trustee Peckelis, seconded by Trustee Branco, it was unanimously **RESOLVED** to accept the proposal from Marvin Castillo to remove one tree on Central Drive in the Village right-of-way and two trees on the Village Parkland on Overlook Drive, in the amount of \$10,800.00.

10. Review of Bid Documents for Snow Removal for Village Hall Properties 2026-2027/2027-2028

On motion by Deputy Mayor Comer, seconded by Trustee Peckelis, it was unanimously **RESOLVED** to authorize the Village Clerk-Treasurer to solicit bids for the 2026-2027 and 2027-2028 Village Hall and Village Owned Properties Snow Removal Contract, subject to changes and approval by Village Clerk-Treasurer Kelly and Village Attorney Prior.

11. Resolution to Renew Termite Protection Services with Protection Exterminating

Upon motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to Renew the Termite Protection Services with Protection Exterminating for a one-time payment of \$300.00 for 2026-2027.

12. Resolution to Approve Proposal from Wheatley Farms to Clean the Village Hall Windows

On motion by Trustee Branco, seconded by Deputy Mayor Comer, it was unanimously **RESOLVED** to accept the proposal from Wheatley Farms for window washing services, in the amount of \$554.10.

13. Approval of Abstract of Audited Claims

After review, on motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** that the Abstract of Audited Claims, dated June 3, 2026, for the General Fund totaling \$69,410.23 in the form presented by the Village Clerk-Treasurer is approved for payment.

14. Financial Report and Audit; Budget Transfers

Clerk-Treasurer Kelly provided the Board of Trustees with the Financial Report and recommended no budget transfers.

15. Baxter Beach Update

The Mayor spoke briefly about the project and noted that, based on input from the Village's consultants, the Village anticipates commencing the project shortly.

There being no further business before the Board, on motion made by Trustee Branco, seconded by Deputy Mayor Comer, it was unanimously **RESOLVED**, that the meeting be and hereby is adjourned at 8:40 PM.

Meghan Kelly, Village Clerk-Treasurer