M I N U T E S

OF THE MEETING

OF THE

PUBLIC HEARING

INCORPORATED VILLAGE OF MALVERNE

OCTOBER 22, 2026

6:00 p.m.

PRESENT:

TIMOTHY H. SULLIVAN,	MAYOR
SCOTT EDWARDS,	DEPUTY MAYOR
MEGAN O'ROURKE-SCHUTTA	TRUSTEE

ALSO PRESENT:

Benjamin Truncale, Jr. - Village Attorney

Jill M. Valli - Village Clerk

Louis Santora - Building Superintendent

MAYOR SULLIVAN: Good evening and welcome to a Special Use Hearing of the Malverne Village, Board of Trustees.

If everyone could please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MAYOR SULLIVAN: October 22, 2026, Village Madam Clerk, would you mind reading the legal notice, please.

MS. VALLI: Notice is hereby given that the Board of Trustees of the Incorporated Village of Malverne will hold a public hearing at Malverne Village Hall, 99 Church Street, Malverne, New York 11565 on Thursday, October 22, 2026, at 6:00 p.m. to hear the following cases:

Gabriele Casella, 28 Clifford Court, Residential "B" District. Building Permit Application, 2026-0638, proposing to install outside basement entrance.

All interested parties should appear at the above time and place.

By order of the Malverne Board of Trustees, Incorporated Village of Malverne, Jill Valli, Village Clerk. Dated October 1, 2026.

MAYOR SULLIVAN: Thank you.

MR. SANTORA: Good evening, Board. This is the client over here, Francesco Borgese. They're the architects here to represent them. They did come for a zoning various approval two weeks ago and got all variances except for they did not get the full bathroom in the basement. They converted it into a two-piece bathroom.

MR. BORGESE: Good evening, everybody. As Lou mentioned, we did revise the drawings to remove the three-piece bathroom in the basement.

MAYOR SULLIVAN: For the public record, you are?

MR. BORGESE: Francesco Borgese, Architect of record for 28 Clifford Court.

MAYOR SULLIVAN: Thank you.

MR. BORGESE: With that being said, we do have the proposed outside entrance on the left side of the house. It is within the setbacks and it's within the setbacks on the left side. We had a lot of coverage approval, I believe, at the last hearing, and I did some research also. We did have a few other building permits that, I believe, that were outside entrances, 4 Gianna Court, 17 Dallinger Place and 140 Hempstead Avenue, I believe, had filed for outside

entrances as well. I'm not sure if they were approved. I figured I would mention it. I'm not sure if it was in the approval process.

I do want to also add my clients don't have any intentions of renting the basement. They are financially stable and it will be used solely for personal use.

MAYOR SULLIVAN: So, as you know, we frown upon exterior basement stairways. It's not so much that the applicant that intends -- it is the intention of the applicant, it's potential use of secondary residence or access or an apartment that something about it in the municipalities is not encouraging from the state on down that we worry about future use, which is why we scrutinize these things so particularly.

Question: Why on the side and not the back? Usually it is for ease of use to the backyard, right?

MR. BORGESE: Correct. So, in the back they have an existing pool and right now the new dwelling is just over 12 feet away from the pool and they didn't want to take up space in that backyard.

Off on left side, out of sight, out of mind. It's not an eyesore to anybody.

MAYOR SULLIVAN: Anyone else on the board?

MR. BORGESE: We do also --

MAYOR SULLIVAN: Do you have plans to give to Trustee O'Rourke?

MR. SANTORA: Yes.

MR. BORGESE: My client understands if they sold that the new owners would have to reapply for a new special use permit and be subject to, I guess, random inspection.

MAYOR SULLIVAN: So, that is a condition that we ask applicant's to accept as a condition of an approval if the Board such was to approve.

Ben, would you want to read what that condition or describe that condition we normally ask of the applicants?

MR. TRUNCALE: Just, basically, the Board will, if they're inclined to approve your application -- they're asking if they're inclined to approve your application, whether you would offer up as a condition of that grant that the applicants would allow the building superintendent and/or his staff to inspect upon reasonable notice for so long as they own it, and as you said, this grant would expire with a transfer of ownership to another entity or person.

MR. SANTORA: Can I ask the Board a question?

MAYOR SULLIVAN: Yes.

MR. SANTORA: It said inspection upon a

special exception renewal fee. What is the timeframe for the renewals on the conditions?

MAYOR SULLIVAN: I wasn't aware of any other transfer of --

MR. SANTORA: Okay. Because it says it on there.

MR. TRUNCALE: I don't think there is a renewal fee.

MR. SANTORA: Okay. That's what I was talking about.

MR. TRUNCALE: To be clear, for the record, are your clients willing to offer that up as a condition if the Board were to grant the application?

MR. BORGESE: Yes. If it were approved, yes.

MR. TRUNCALE: Okay.

MAYOR SULLIVAN: We have taken an extra step where we're creating a database of all these exceptions that we're granting so the Building Department has a ticker for when the inspections are due and not that we're making them annually or regularly, but certainly, keeping close note of where they exist.

Okay. Any questions?

DEPUTY MAYOR EDWARDS: No.

TRUSTEE O'ROURKE-SCHUTTA: No.

MAYOR SULLIVAN: I'll ask for a motion to

approve.

DEPUTY MAYOR EDWARDS: I'll make a motion with the conditions mentioned.

MAYOR SULLIVAN: Second?

TRUSTEE O'ROURKE-SCHUTTA: Second.

MAYOR SULLIVAN: All in favor?

DEPUTY MAYOR EDWARDS: Aye.

TRUSTEE O'ROURKE-SCHUTTA: Aye.

MAYOR SULLIVAN: Motion to close the Special Exemption Hearing?

DEPUTY MAYOR EDWARDS: Aye.

TRUSTEE O'ROURKE-SCHUTTA: Aye.

MAYOR SULLIVAN: All in favor?

DEPUTY MAYOR EDWARDS: Aye.

TRUSTEE O'ROURKE-SCHUTTA: Aye.

VILLAGE ATTORNEY TRUNCALE: Good luck.

(Whereupon, the Public Hearing was concluded and stood adjourned.)

C E R T I F I C A T I O N

I, Karen Masler, Court Reporter, within and for the State of New York, do hereby certify that I have reported the proceedings, that it is a true and accurate transcription of my stenographic notes. I further certify that I am not related to any of the parties to this action by blood or 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 26th day of October, 2026.

Karen Masler

KAREN MASLER