

**EDWARD M. GRUSHKO**

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February 19, 2020

Via Email: [ssallie@nassaucountyny.gov](mailto:ssallie@nassaucountyny.gov)  
And First Class Mail

Sean E. Sallie, AICP  
Nassau County Department of Public Works - Planning Commission  
1194 Prospect Avenue  
Westbury, New York, 11590

RE: Proposed Willow View Estates Subdivision

Dear Mr. Sallie,

I did not receive any response from you nor Mr. Perrakis to my email correspondence of November 12, 2019, a copy of which is annexed hereto for your convenience.

This email shall serve as additional notice to you, all the other recipients of this email and the developers that the SEQRA process was fatally flawed and will be required to be repeated with proper regard to New York State law. Until the final determination is made on the proposed development plan an Article 78 proceeding would be premature. It is highly unlikely that the final determination could be deemed reliable inasmuch as, the public and affected residents did not have a meaningful opportunity to comment on the proposed redevelopment because of the materially inaccurate information provided by the developers and disseminated by the Planning Commission. The inadequacies in the SEQRA process as conducted by the Nassau County Planning Commission as Lead Agency were brought to your attention and made known to the developers prior to the adoption of the flawed Final Scope. Please refer to my previous correspondence for detailed descriptions of the deficiencies.

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Any equitable defense or argument that the Planning Commission and developers were unaware of the deficiencies in the SEQRA process will be vigorously opposed. The Planning Commission and developers have an additional opportunity to jointly restart the SEQRA process and distribute accurate information for consideration and comment by the public.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Ed M. Grushko".

Edward M. Grushko

EMG:al

Enclosures

cc: John Perrakis, Planner II (via email: [willowseqr@nassaucountyny.gov](mailto:willowseqr@nassaucountyny.gov))  
Howard J. Kopel (via email: [hkopel@nassaucountyny.gov](mailto:hkopel@nassaucountyny.gov))  
Todd Kaminsky (via email: [kaminsky@nysenate.gov](mailto:kaminsky@nysenate.gov))  
Laura A. Gillen (via email: [lgillen@tohmail.org](mailto:lgillen@tohmail.org))  
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November 12, 2019

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Sean E. Sallie, AICP  
Nassau County Department of Public Works - Planning Commission  
1194 Prospect Avenue  
Westbury, New York, 11590

RE: Proposed Willow View Estates Subdivision

Dear Mr. Sallie,

This letter is a follow-up to my letters to you dated August 27, September 9, and September 20, 2019, and my email responding to Mr. Perrakis' email sent to me on September 24, 2019. You were copied on the email to Mr. Perrakis. I acknowledge your letter dated September 13, 2019.

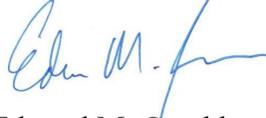
Neither your letter of September 13, nor Mr. Perrakis' email adequately addressed the principal issue I raised in my letters. I had informed you and provided sufficient details to establish that the maps made available online by the Nassau County Department of Public Works-Planning Commission and at public meetings conducted by the Planning Commission were factually incorrect in a material way and unreliable for the purpose of giving the public an opportunity to meaningfully participate in the scoping process as required by law. Nevertheless, on September 26, 2019, the Nassau County Planning Commission as 'Lead Agency' approved the Final Scope Draft Environmental Impact Statement for the Proposed Residential Subdivision of the Woodmere Club, without having corrected the misinformation disseminated to the public and relied on by the public when evaluating the proposed subdivision. Meaningful comments about significant aspects of the proposed subdivision were prevented because, in part, the publicly disseminated maps failed to accurately identify the borders of the jurisdictions governing and impacting the different areas of the proposed subdivision, making it impossible to determine and evaluate applicable zoning laws. Among others, the public was unable to determine the amount of buildable square feet of the proposed subdivision because the different applicable zoning requirements impose significantly different buildable square feet allowances. In short, the SEQRA review will be inadequate because it is based on inaccurate information.

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Prior to the adoption of the Final Scope by the Planning Commission I had requested several times that the Planning Commission distribute and make available accurate maps and allow the public to review and comment on the proposed subdivision based on accurate information. The developers were also made aware of the deficiencies of the scoping process. The Planning Commission failed to accept my reasonable request which would have avoided tainting the scoping process. The developers also had an opportunity prior to the adoption of the Final Scope to request that accurate information be distributed to the public.

I am renewing my request that the scoping process be reopened and the public be accorded its legal right to participate in the scoping process based on accurate information. If the Planning Commission fails to avail itself of this opportunity, the final SEQRA determination will be subject to challenge in an Article 78 proceeding as a result of the Planning Commission's failure to abide by procedures governing the scoping process and also because its ultimate determination will be premised on inaccurate information. It would be unfortunate for the taxpayers to endure the additional and unnecessary costs of another entire scoping process.

Very truly yours,



Edward M. Grushko

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cc: John Perrakis, Planner II (via email: [willowseqr@nassaucountyny.gov](mailto:willowseqr@nassaucountyny.gov))  
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