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OFFICIAL MINUTES OF A MEETING OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF ROSLYN, HELD ON THE
21st DAY OF JULY, 2020 AT 7:00 P.M., VIA
VIDEOCONFERENCE, PURSUANT TO NOTICE OF MEETING.

B E F O R E: John Durkin, Mayor

1 A L S O P R E S E N T :

2

3 TRUSTEE BOARD MEMBERS:

4 Marshall Bernstein, Deputy Mayor

5 Craig Westergard

6 Marta Genovese

7 Sarah Oral

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9 John Gibbons, Esq., Village Attorney

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1 (Meeting called to order at 7:07 P.M.,
2 followed by the Pledge of Allegiance and
3 Moment of Silence.)

4 MAYOR DURKIN: Before we have our
5 public hearings, we have some housekeeping to
6 take care of, which we will do now. The first
7 item on our agenda, would be the approve the
8 abstract #598 and the two payrolls. And I
9 would move that we approve both the abstract
10 and the payrolls.

11 TRUSTEE GENOVESE: I second the
12 motion.

13 MAYOR DURKIN: All in favor?

14 DEPUTY MAYOR BERNSTEIN: Aye.

15 TRUSTEE GENOVESE: Aye.

16 TRUSTEE WESTERGARD: Aye.

17 TRUSTEE ORAL: Aye.

18 MAYOR DURKIN: Aye.

19 Our second item of business would be
20 to approve the minutes dated June 16, 2020,
21 the court reporters, and June 16, 2020, the
22 Village's. I have reviewed the court
23 reporter's and then found them to be in good
24 shape. So I would move that we approve -- I
25 don't know if Marshall had any changes to them

1 or not?

2 DEPUTY MAYOR BERNSTEIN: I sent an
3 e-mail to Anita about that. A few minor
4 changes. The court reporter, I thought, did a
5 very excellent job. I had no problems with
6 our internal minutes of the June 16th meeting.
7 So I will second the motion.

8 MAYOR DURKIN: So I move that we
9 approve both. I just need a second?

10 DEPUTY MAYOR BERNSTEIN: Second.

11 MAYOR DURKIN: All in favor?

12 DEPUTY MAYOR BERNSTEIN: Aye.

13 TRUSTEE GENOVESE: Aye.

14 TRUSTEE WESTERGARD: Aye.

15 TRUSTEE ORAL: Aye.

16 MAYOR DURKIN: Aye.

17 Thank you.

18 And now with the court reporter, we
19 will be begin our Public Hearing's. A
20 proposed of Local Law amending the Municipal
21 Code of the Incorporated Village of Roslyn,
22 Chapter 470 entitled "Zoning", to add thereto
23 section 470-21 to create the
24 "TMU-Transit-Oriented Mixed-Use District".
25 And I am going to make a statement and we will

1 proceed from there. I want to welcome
2 everyone to the Board of Trustees meeting.
3 This is the 21st of July, 2020. As with our
4 prior meeting, these public meetings will be
5 conducted using Zoom, and we have chosen to do
6 this for two reasons. First, despite our
7 collective efforts, COVID still seems to be
8 running rampant and a danger to the public.
9 And we do not believe that anyone should be
10 subjected to physical health risk to
11 participate in a local government, but we do
12 believe that the local government needs to
13 continue, and we need to move forward with our
14 proposals and with the business of government.
15 So we're continuing by having our Zoom meeting
16 tonight. Using Zoom will allow us as citizens
17 to participate in these Public Hearing's in
18 the safety of their own homes. Secondly, we
19 learned from our June meeting that people
20 actually take advantage of this convenience to
21 engage in our event. We had approximately 93
22 people using Zoom to participate in the
23 June 16th meeting. That number is very
24 encouraging and greatly exceeds the neutral
25 number, where we only have a handful of

1 people. And our building itself can only
2 accommodate 40 people. So the 90 is more than
3 double that we normally have in our meeting
4 room to begin with. So we were very happy
5 that this many people to begin with were that
6 interested, were willing to come and use the
7 technology here to help move forward. Now our
8 first hearing tonight is a continuation of the
9 Public Hearing opened on June 16, 2020. To
10 consider a proposed Local Law amending the
11 Municipal Code of the Incorporated Village of
12 Roslyn, Chapter 470 entitled "Zoning", to add
13 thereto section 470-21 to create the
14 "TMU-Transit-Oriented Mixed-Use District". A
15 copy of the proposed Local Law was posted on
16 the Village website for a number of months.
17 At the conclusion of last months hearing, we
18 encouraged any member of the public wishing to
19 submit written comments to please do so. We
20 asked that those comments be submitted within
21 30 days, which was July 16, 2020, to get each
22 Board member the opportunity to review the
23 comments before tonights meeting. For those
24 of you who have took advantage of this
25 opportunity, please know that your comments

1 have been reviewed by the Board members, and
2 those comments will be included in the record
3 of the proceedings. I was sorry to miss the
4 last months hearing and would like to thank
5 the Deputy Mayor, who did an excellent job in
6 my stead. Unfortunately, I have been hampered
7 by a back problem that is not going away any
8 time soon it seems like. It requires surgery,
9 but because of COVID, I have not been able to
10 schedule the operation. So I have been put on
11 hold for a while. Hope to be able to take
12 care of it soon and be back to normal. And I
13 would just like to thank everybody who took
14 the time to wish me well. It's really nice to
15 be able to live in a Town and a Village where
16 people know you well enough to stop you and
17 say "I hope you're feeling better. I hope
18 your problems are okay." And to be cared for
19 that way. So I feel that I am blessed to be
20 living in a Village like Roslyn. So I would
21 like to thank everyone again.

22 Now to business at-hand. I
23 thoroughly reviewed last months meeting
24 transcript, the exhibits introduced during the
25 Public Hearing and Local Law itself, and I am

1 very familiar with this area of the Village.
2 I have given it a lot of thought. I have been
3 thinking about this spot for years actually.
4 I drive pass it quite a bit. I look at it. I
5 see what can be done. I know that it is
6 derelict now. And so I am very much
7 interested in the development of the property.
8 Most of the written comments received were
9 from the residents of Roslyn Heights, who
10 expressed concern that any post-development
11 that may come before the Board in the future
12 under our new Transit-Oriented Mixed-Use
13 Zoning be limited in size and scope. So to
14 not grossly affect the quality of life of
15 Roslyn Heights neighbors, as well as, our
16 neighbors. I should also note, that we
17 received many letters of support of the
18 project from people living in Roslyn. And I
19 will list people's names more towards the end
20 of my statement. I was struck by the
21 sincerity and thoughtfulness of these letters,
22 as opposed to receiving just now, 10 minutes
23 before our meeting began, a letter from the
24 School Board, which we can't read, which we
25 can't study or can't make comment on because

1 we just got it literally before our meeting
2 began. The folks of Roslyn Heights were kind
3 enough to write early enough so that we could
4 really take a look at their letters and study
5 them and mull them over. Each resident
6 recognized that the area is in need of
7 attention, but asked the Board to consider the
8 concerns of the Roslyn Heights residents with
9 regards to traffic, parking and preserving the
10 character of the neighborhood. Now I know
11 that they work very hard to establish a
12 Historic District up there. I live in the
13 Historic District, as do several other Board
14 members, and I know it's very important, that
15 once you do that, to maintain the character
16 and integrity of the neighborhood. And they
17 have done a beautiful job in creating a
18 Historic District in an Unincorporated
19 Village. So I applaud them and congratulate
20 them on the work that they have done there.
21 This Board has and will always take into
22 account, the concerns of our own residents, as
23 well as, the concerns of our neighbors.
24 Presently, this area lies within our CD
25 District. In this Zoning District, Mixed-Use

1 development comprised of retail stores on the
2 first floor and residential apartments above,
3 are already permitted. Maximum density that
4 is presently permitted in the CD District is
5 12 units per acre. The Local Law before us
6 would increase that density to 30 units per
7 acres. The citing of residential apartments
8 in close proximity to transit facilities, such
9 as train station, has become known as Transit
10 Oriented Development. By law, any new
11 residential development greater than 5 units,
12 must include the allocation of affordable
13 housing. Currently this is an aspect of the
14 law before us and I personally find the most
15 beneficial. So I am excited to have a
16 Mixed-Use and a very demographic of people
17 coming into our community. I think it would
18 be a great thing to see, new Americans, young
19 Americans, people looking to get a toe hold of
20 the American Dream. Living in a place close
21 to a train station, where they can get to work
22 easily and making their lives a little bit
23 easier. So I am very much in favor of the
24 affordable housing that will add to this
25 project. However, there have been pressures

1 that must also be recognized and considered.
2 For instance, I think, Mr. Walter Tosey of
3 Roslyn Heights expressed in his e-mail that
4 although he's not opposed to a
5 Transit-Oriented Mixed-Use District, he
6 believes that a 5-story building will change
7 the character of the neighborhood, which is
8 predominantly three-story's. Mr. Tosey
9 believes that the maximum unit count should be
10 30 apartments. Similarly, Mr. Freelander of
11 Roslyn Heights states in his e-mail, that
12 although he believes the area should be
13 developed, the number of apartments should be
14 lower. Mr. Freelander suggested 15
15 apartments. Mr. Freelander cites that traffic
16 congestion has already plagued the area.
17 Mr. Smith of Roslyn Heights agrees with our
18 goal to improve the area, but cautions that we
19 be careful not to create any other problems in
20 our attempt to solve this problem. These
21 types of concerns are also raised by
22 Mrs. Shores, by Mrs. Belfer & Mr. Belfer and
23 Mr. & Mrs. Margone, by Mr. Burrow, by
24 Mrs. O'Connor, by Mrs. Sayer and Mrs. Whead,
25 just to name a few. The majority of these

1 comments, I believe are well summed up by
2 Mrs. Whead in what she wrote, "I am definitely
3 for revitalization of the property, but on a
4 smaller scale." This Board has heard these
5 concerns and the Board will take time to
6 reflect upon the issues raised by all the
7 people who have taken time to make comments.
8 Now on the other side of that, we have letters
9 from Roslyn residents, starting off with James
10 Musicker, who is a Village resident of Roslyn
11 and business owner of Roslyn, and he strongly
12 supports rezoning and the parcel on Warner
13 Avenue to a Mixed Use Transit Oriented
14 development. Such rezoning would help spur
15 development in the immediate area and be
16 transformative for this forgotten section of
17 the Village. As you know, the property has
18 been an eyesore for a very long time.
19 Rezoning would revive this part of our Village
20 from both an aesthetic and economic
21 standpoint. It's my sincere hope, that not
22 only for the Village of Roslyn, but for the
23 community at large. All letters from the
24 Village of Roslyn reflect exactly what
25 Mr. Musicker had to say. I have to say that I

1 got letters from Mr. Synonig and Mr. Weissman
2 and from the Ostrov's and from Joseph
3 Venisterman, who owns the (inaudible), 21
4 Bryant Avenue. A house in the Historic
5 District, in which I used to live. He is also
6 an investor. So the letters from the Village
7 were similar. But again, they are well meant
8 and we take them as seriously as the letters
9 coming from Roslyn Heights. So although we
10 are in charge of representing the interest of
11 the Village of Roslyn, we do not intend to do
12 so at the expense of Village of Roslyn
13 Heights. I think it's prudent now to forward
14 all your comments to our Village Planner.
15 That means, you can go on our website and
16 address the letter to the Village Planner, any
17 further changes that you might consider and
18 any issues that might be raised in the
19 comments that you had provided us. The Board
20 will take the opportunity and consider each
21 revision of our Local Law to ensure that any
22 new Zoning District works for everyone. I am
23 going to defer public comment at this time and
24 wait until our September meeting because right
25 now, it is -- would not be appropriate and not

1 productive. The comments that we received are
2 valuable and we tend to review these and the
3 proposed law in light of the comments, but
4 this Local Law will change and we need time to
5 accomplish these changes. So once the Local
6 Law is ready, we will publish it on our
7 Village website and have a full discussion on
8 that law. As I had mentioned, I hope we can
9 have it in time for the September meeting.
10 Those of you who wish, this hearing remains
11 open and should feel free to still submit your
12 written comments as you like. Those comments
13 all will be read. I now move that we continue
14 this Public Hearing to the September 15, 2020
15 meeting. Can I have a second?

16 DEPUTY MAYOR BERNSTEIN: Second.

17 MAYOR DURKIN: All in favor?

18 TRUSTEE GENOVESE: Second the motion.

19 MAYOR DURKIN: All in favor?

20 DEPUTY MAYOR BERNSTEIN: Aye.

21 TRUSTEE GENOVESE: Aye.

22 TRUSTEE WESTERGARD: Aye.

23 TRUSTEE ORAL: Aye.

24 MAYOR DURKIN: Aye.

25 Thank you. So we will continue this

1 hearing until the September 15, 2020 meeting
2 when we have time to review more letters, more
3 input and more comments from our Village
4 Planner. So I want to thank you all who
5 clicked in on Zoom. Sorry to disappoint you
6 that we will not have a discussion this
7 evening, but I am sure -- as I said, send us
8 letters. We will be glad to read them. We
9 have read every letter that has been sent to
10 us. And again, we will look forward to seeing
11 you in September where we will take comments
12 on Zoom, or perhaps, maybe if things are
13 better, in the Village Hall. Thank you all
14 for attending this evening. And I am going to
15 move now to our second application.

16 The opening of 45 Lumber Road, LLC.
17 Tonights second hearing is 45 Lumber, LLC, a
18 special permit pursuant to Chapter 470 of the
19 code of the Incorporated Village of Roslyn
20 entitled "zoning", Section 470-20.c, entitled
21 "Wd-O Waterfront Development Overlay
22 District", subsection (c) entitled
23 "Development Incentive Bonuses" to construct a
24 4-story apartment building consisting of 33
25 two-bedroom apartments upon the property known

1 as 45 Lumber Road, Roslyn. Now I am going to
2 turn things over to Sarah, so she can explain
3 how the Zoom process works while we do our
4 meeting.

5 TRUSTEE ORAL: Hi, everybody. If you
6 attended last month's meeting, you heard this
7 explanation, but for those of you who are new
8 to the process, here goes. For the purposes
9 of tonight's hearing, we will conduct it like
10 any of our previous hearings. We, the Board,
11 will first hear from the applicant. We will
12 listen, ask questions and make comments. We
13 will then ask for comments from the public.
14 The Board and I are calling in using Zoom.
15 The Village Clerk, Village Attorney, Village
16 Planner and applicants, are also participating
17 using video. All other participants will be
18 limited to audio only, regardless of whether
19 you're connecting via computer or telephone.

20 In order for everyone to hear clearly,
21 we will mute all lines during the first part
22 of each hearing, except for the Board, Village
23 representatives and the applicant. Once the
24 formal presentation has concluded, we will
25 open it up for the public for questions and

1 comments. Those participating using their
2 computer, can utilize the Zoom feature, "Raise
3 Hand", to be recognized to speak. To use the
4 "Raise Hand" feature, you must first click on
5 participants, to see the list of participants.
6 At the bottom of the list, there is a button
7 that says, "Raise Hand." Once this button is
8 pushed, we will be able to identify those
9 participants wishing to speak. We will
10 announce your name and then unmute your line.
11 Those participating using a telephone, will be
12 recognized next. We will identify the last
13 four digits of your phone number in designated
14 -- designating the order of speakers. In
15 order to accommodate all speakers, we will
16 limit comments to three minutes per speaker.
17 You will get a thirty second warning when you
18 are nearing the end of your time. In respect
19 for everyone's time, if a speaker has already
20 expressed the opinions or comments you wish to
21 share, please refrain from stating them again.
22 Members of the public must state their names,
23 address and whether they are residents of the
24 Village of Roslyn before they share their
25 comments. If there are any technical issues

1 during tonight's Public Hearing, we will take
2 our time to ensure that the meeting can move
3 forward in an orderly manner. Please be
4 assured that everyone wishing to be heard will
5 be recognized and given an opportunity to
6 speak. I would also like to point out, that
7 we do have our stenographer participating and
8 keeping a record of the proceedings tonight.
9 As always, the Meeting Minutes will be
10 available through the Village Clerk's office.
11 If you get disconnected or experience any
12 glitches, please feel free to try and
13 reconnect or dial in by telephone. Back to
14 you, Mayor.

15 MAYOR DURKIN: Thank you. I
16 appreciate it. So this application, it's the
17 old Verizon Depot site on creek side of Lumber
18 Road. And it is the abandoned building. It
19 has been abandoned for a while. And the
20 applicant, the representative of the
21 applicant, Ian Zwerdling, being represented by
22 Tom Pantelis. And I am in overall favor of
23 this application. I think it's a project,
24 which is consistent with the Zoning for Lumber
25 Road, and will greatly improve the area by

1 introducing residential, which generally
2 generates less traffic than commercial use
3 with the prior use. That much is pretty self
4 evident. I do have some concerns and some
5 suggestions as to how the project can be
6 improved. And the first thing that jumps out
7 at me is the composition of the apartments as
8 all two bedrooms. I think that's not a great
9 configuration, and would limit the
10 demographics. And as we talked about in the
11 prior application, I think the demographics
12 index is very, very important. And I would
13 like to see a mix of one and two-bedroom
14 apartments on the property. And I think the
15 applicant is willing to do that. We will talk
16 with him or Mr. Pantelis after I am finished.
17 I think that he, Ian, has put together a
18 really good mitigation plan, and in terms of
19 traffic, but I would like to get validation
20 from Nassau County because it's an
21 intersection of Lumber Road and Northern
22 Boulevard, which belongs to Nassau County, not
23 to the Village. We did have a letter
24 contesting that mitigation from some people at
25 Lumber Road, which is directly across the

1 street from Ian's property. They feel that it
2 would interfere with their truck traffic, and
3 in very may well. We are not sure. I mean, I
4 have Sarah Oral on my Board who is a traffic
5 engineer, who will be able to address it
6 during the discussion. I think also the --
7 finally, (inaudible,) are welcome, and I
8 believe the applicant can take a second look
9 at the proposed (inaudible) package with
10 additional value, which would benefit our
11 downtown community and the Village as a whole.
12 For example, the applicant had offered to pay
13 a monetary sum based on the apartments above
14 those allowed. And I felt it would be more
15 appropriate if the applicant paid based on the
16 entirety of the building itself. Rather than
17 just the ones that were above the limit that
18 we allowed. And I believe that Ian is going
19 to agree with that. So overall, generally
20 speaking, 17 Lumber Road, which was a lumber
21 mill at some point, turned out to be very
22 successful. We brought new people into our
23 neighborhood. They walk the community. They
24 walk along the boardwalks. They walk through
25 town. They use the restaurants. They use the

1 shops. I think it has been a really
2 successful project, and I think that we have
3 looked in our -- Master Plan really called for
4 this pro-evolution of Lumber Road from
5 Industrial to a Residential area, where it
6 would be work and apartments mixed together.
7 And this again, achieves that. Again, as I
8 said earlier, the fact that it's going to be
9 residential, really helps in terms of traffic
10 coming in and out of Lumber Road. I know that
11 intersection can pretty much be a nightmare,
12 but this is much more of a de minimis use than
13 what an industrial use would be. It won't be
14 tractor-trailers. It will be cars. It will
15 be a more controlled and more timed. Even
16 though the traffic will be heavier in the
17 morning rush and evening rush and in between,
18 it will be less traffic because of the fact
19 that it is people commuting to work. So
20 overall I think it's a good project. I'm not
21 sure how it went from 27 to 33 units. We're
22 going to talk about that as well, I think?
23 And we will see what we get. The actual
24 drawings of the building itself is a very
25 attractive building, and it's in keeping with

1 the post-industrial look that we have
2 developed on 17 Lumber. I think that is a
3 nice thing to do, consistent. And I think
4 it's going to be a really nice addition to the
5 neighborhood. Having said that, I'm going to
6 turn it over to the Board of Trustees to
7 discuss, and I will start with Deputy Mayor
8 Marshall Bernstein.

9 DEPUTY MAYOR BERNSTEIN: Thank you,
10 John.

11 MAYOR DURKIN: You're welcome.

12 DEPUTY MAYOR BERNSTEIN: I've gone
13 over the form, known as the Full Environmental
14 Assessment Form. I have a few questions. I
15 would like to discuss that with Mr. Pantelis
16 or, if you have your civil engineer present,
17 you can assign this document to him to review.

18 MR. TRENTACOSTE: Deputy Mayor, Tom
19 Pantelis is on. He is unmuted. Tom, I would
20 ask that all your experts use the "raise hand"
21 icon, and we will also unmute them, as well.

22 MR. PANTELIS: Good evening, Mayor
23 Durkin, and Members of the Board. Tom
24 Pantelis, 170 Old Country Road, Mineola, New
25 York. And I am representing 45 Lumber Road,

1 LLC. The Mayor has mentioned, Ian Zwerdling,
2 Ian as being, the unassuming guy that he is, I
3 am sure he doesn't mind hearing his name, but
4 he has two other partners, Kevin Dursun and
5 Howard Kroplick, who are here tonight and
6 available. They all have a long history of
7 being involved with the Village, whether it's
8 commercial dealings, real estate or
9 governmental. And they are very excited about
10 the prospects of this project. I do also have
11 one of the experts we had the last time and I
12 will call upon one or more of them to respond
13 to your question. For the moment I'm not
14 going to respond to some of the suggestions
15 that you made, but we certainly will during
16 the course of the presentation.

17 MAYOR DURKIN: I didn't mean to jump
18 the gun there Tom, sorry.

19 MR. PANTELIS: That's fine. We will
20 start, if you don't mind, Deputy Mayor
21 Bernstein's question or questions that he
22 asked regarding the Environmental Assessment
23 form. And I asked that initially Michael
24 Rant, who is the project engineer, be allowed
25 to address any questions you might have.

1 DEPUTY MAYOR BERNSTEIN: Sure. Fine.

2 MR. TRENTACOSTE: Okay, Michael.

3 MR. RANT: Good evening Mayor and
4 Members of the Board.

5 DEPUTY MAYOR BERNSTEIN: Would you
6 mind jumping over to Page 13 of the document,
7 which is the last page?

8 MR. RANT: Okay.

9 DEPUTY MAYOR BERNSTEIN: My first
10 point is very minor, but in a way, it's
11 important. Tom, you will see this document,
12 that was not signed by the applicant. It was
13 signed as Michael Rant, as president of
14 Northeast Civil. I think this is an important
15 instrument and must be signed by the
16 applicant. This is not a signature by 45
17 Lumber Road or on behalf of 45 Lumber Road.
18 So I will assume you will take care of that
19 and have that executed?

20 MR. PANTELIS: Yes, we can certainly
21 modify that. I think it's customary in many
22 cases, when you're doing Environmental
23 assessments, to have it signed by a
24 professional with knowledge of the facts, but
25 certainly we will have it signed. Not a

1 problem.

2 DEPUTY MAYOR BERNSTEIN: My second
3 question is, I've reviewed a similar document
4 last month, and the same form filed by our
5 Village in connection with the Local Law for
6 the TMU. That has a second part to this
7 instrument called, Part II. I don't see Part
8 II here. Maybe it was not included in the
9 documents sent to me. Part II is something
10 called identification of potential project
11 impacts. Obviously, it's a very important
12 part of this total instrument.

13 MR. RANT: Sure. Again, for the
14 record, Michael Rant. Part II was the portion
15 of the form that gets filled out and completed
16 by the municipality. After they reviewed our
17 form, they complete Part II in order to make a
18 determination of what type of impact this
19 project will have. So that second part would
20 be prepared by the Village.

21 MR. GIBBONS: And we will do that as
22 we get further down the line.

23 MR. PANTELIS: If I may add, these are
24 kind of a guidelines point, consideration of
25 an agency will undertake. Sometimes it can

1 be expensive. Sometimes it's just checking,
2 but that is part of the SEQRA process.

3 DEPUTY MAYOR BERNSTEIN: Well, if I
4 may, I'm just going to run through a few
5 particular paragraphs in this document. I am
6 on Page 2, Paragraph Be, and this talks about
7 governmental approvals. Paragraph e talks
8 about County agencies. This is answered, no.
9 Given the fact that I do believe we need
10 County input, Old Northern Boulevard, should
11 that have been answered, yes?

12 MR. RANT: The development of the site
13 and construction of the building itself does
14 not require County approval. So again, we can
15 update it and clearly delineate that the
16 approval necessary by the county are for
17 changes necessary for sections at Northern
18 Boulevard. It was checked as, no, because of
19 the development of the building itself and the
20 parking, the infrastructure, does not require
21 Nassau County approval.

22 DEPUTY MAYOR BERNSTEIN: So will you
23 include the County here or in some other
24 manner?

25 MR. RANT: We can update and add a

1 narrative as to the County's involvement for
2 the improvements at Old Northern Boulevard.

3 DEPUTY MAYOR BERNSTEIN: Okay. Thank
4 you. Page 3, Paragraph C.4, this is a minor
5 point. This talks about which fire companies
6 will serve the project. It's correct, that
7 Roslyn Rescue. We have a second company
8 called Roslyn Highlands. I think that should
9 be put in there?

10 MR. RANT: That can be done.

11 DEPUTY MAYOR BERNSTEIN: On the same
12 page Paragraph D.1, subparagraph, question is,
13 what is the general nature of proposed action?
14 And the answer that is put in here, is
15 mixed-use residential and commercial. I was
16 wondering why it said "commercial" and what
17 is the commercial aspect is?

18 MR. RANT: That should be changed to
19 residential. Any use that's within the
20 building is accessory only to the residents.
21 So I will make that modification and say
22 residential only.

23 DEPUTY MAYOR BERNSTEIN: Thank you. I
24 am over to Page 5. Paragraph c. Talks about
25 will the proposed action create a demand for

1 water, and there are a few questions that are
2 important and I'm sure you have these answers,
3 let me just ask them. Paragraph 5c talks
4 about water usage. You have a number put in
5 there, looks like 10,400 gallons per day. I
6 am just wondering where that information comes
7 from and what backup you have for this
8 document or for us, to confirm how that was
9 determined and confirm its accuracy?

10 MR. RANT: Sure. The 10,400 gallons
11 per day is generated by the total number of
12 units. So it's 33 two-bedroom units, each
13 unit produces 300 gallons per day, per unit.
14 So that is 9,900. The additional 500 is
15 accounted for irrigation landscaped areas. So
16 those two numbers, 33 two-bedroom units an
17 irrigation results in 10,400 gallons per day.

18 MR. PANTELIS: Michael, where does
19 that come from? What are the sources for
20 those figures?

21 MR. RANT: Sure. Nassau County
22 Department of Health regulations for usage of
23 water for residential apartments. Comes from
24 the Nassau County Department of Health.

25 DEPUTY MAYOR BERNSTEIN: Wouldn't it

1 be more thorough to have a single page
2 document, which explains, just as you did, for
3 where these calculations come from and made
4 part of this document?

5 MR. RANT: Sure. We can add an
6 addendum with that information.

7 DEPUTY MAYOR BERNSTEIN: Similarly,
8 just a couple of paragraphs down, they ask
9 about, will the proposed action obtain water
10 from the existing water supply, yes. Goes on
11 to talk about this. Is expansion of the
12 district needed and that is answered, no.
13 Similarly, will line extensions in the
14 existing district be necessary, these are
15 answered, no. I think, again, some explanation
16 is in order -- forgive me, I'm not an expert
17 in these forms for environmental matters.
18 Just these are the things that stood out to me
19 for -- requiring further explanation. How do
20 we know? How do you know the water district
21 will not need to expand?

22 MR. RANT: Well, the reason for there
23 is no expansion of the district, is that we
24 already fall within the district. We are not
25 outside the boundaries of the district, where

1 the district would need to modify limits of
2 service. So we already fall within district.
3 We have submitted recently a letter request to
4 the Roslyn Water District for water service,
5 and that process has begun. Obviously
6 subsequent approval will be required from them
7 to provide a letter stating that there is
8 adequate water to service the project.

9 DEPUTY MAYOR BERNSTEIN: So at the
10 moment you do not have that approval?

11 MR. RANT: We do not. We just begun
12 that process.

13 MR. PANTELIS: Deputy Mayor, the idea
14 also about extension of lines, there is water
15 service throughout Lumber Road. So I think
16 the question is an extension of water service
17 needed. It was answered, no, because there is
18 presently service. The separate question
19 which Michael has responded to, is yes, we are
20 asking for that letter of water availability
21 and we believe that will be forthcoming.

22 DEPUTY MAYOR BERNSTEIN: Okay. On the
23 same page, Paragraph d, will the proposed
24 action generate liquid wastes? That is still
25 on Page 5. Are you with me?

1 MR. RANT: Yes. The 9,900 gallons is
2 based 300 gallons per day, per two-bedroom
3 unit, and that is a water usage that would go
4 into the municipal sanitary waste system.

5 DEPUTY MAYOR BERNSTEIN: Now, the
6 paragraph underneath -- sorry to be a
7 nitpicker. It's not the Village of Roslyn
8 Sewage Treatment Plant. That's an important
9 point. The Village has not for decades
10 treated the sewage at that plant. We operate
11 a pumping station. Not a water treatment
12 plant. The effluent gets pumped at the County
13 facility. Now, most important under that, is
14 there sufficient capacity at that pumping
15 station for this project? Now this is of
16 vital importance. Those of you -- some of
17 you may remember, all the issues the Village
18 had a couple of decades ago with providing
19 sufficient capacity in that pumping station,
20 and issues that arose from that. It's very
21 important that we know without question, there
22 is sufficient capacity in the pumping station
23 to deal with this effluent. Now, how do
24 you propose to give us comfort on that
25 point?

1 MR. RANT: Well, again, we have
2 submitted a request to the Roslyn Sewage
3 District for a letter stating that there is
4 adequate capacity to accept this sewage flow
5 from this project. And that would be
6 submitted to the Board and to the Village,
7 subject to any type of approval from the
8 Board.

9 MR. PANTELIS: Could I suggest
10 something, Deputy Mayor?

11 DEPUTY MAYOR BERNSTEIN: Yes?

12 MR. PANTELIS: If you could also
13 submit a request of that Village information
14 to the Village Engineer for an opinion as to
15 whether or not this project will affect
16 capacity of the pump station? I think you
17 will get a quick turn.

18 MR. RANT: For other projects in the
19 Village, we submit a request to Cameron
20 Engineering, who prepared a review. We did
21 submit the same request for this project
22 recently. Again, the same process we went
23 through on recent projects, we will go
24 through the same process and conduct the
25 necessary studies and tests to make sure that

1 the system is adequate to accept the
2 additional flow.

3 DEPUTY MAYOR BERNSTEIN: Okay. I am
4 over now to Page 7. Paragraph k, this talks
5 about, will the proposed action for commercial
6 or industrial projects only generate new or
7 additional demand for energy, and and you put
8 in, no. I could be wrong, but I think that,
9 this section should not be filled in at all
10 because it's neither Commercial or Industrial?

11 MR. RANT: The response should be left
12 blank or not applicable.

13 DEPUTY MAYOR BERNSTEIN: I agree with
14 that. I am on Page 8, Paragraph r, again.
15 Will the proposed action, commercial or
16 Industrial projects only, involve or require
17 the management or disposal of solid waste?
18 Just as we both said, I believe it should be
19 "not applicable" also?

20 MR. RANT: Correct. We will modify
21 that to "not applicable."

22 DEPUTY MAYOR BERNSTEIN: On Page 10,
23 there is just some language in here, the very
24 bottom of the page. Very, very bottom of Page
25 10, which talks about environmental site

1 remediation. And there is language put in
2 here, where it says -- and I will just read
3 it. "Contaminated soil has been removed from
4 the site and surface cover has been used to
5 prevent any contact with any remaining
6 contaminated soil. Engineering controls have
7 been proposed for any buildings that are built
8 on-site to reduce the potential soil vapor,
9 and intrusion and related exposures." Could
10 you just expand on that and tell us what
11 you're trying to say here?

12 MR. RANT: This pertains to sites
13 within 200 feet of our property. So this
14 isn't necessarily pertaining to our property.
15 And I can provide the Village with additional
16 documentation, but there was a site within
17 2,000 feet radius of our property where
18 contaminated soil was removed and proper
19 things were put in to prevent soil vapor
20 intrusion. We can provide, again in the
21 Village, as we update the other items, we will
22 provide the DEC documentation for this
23 project.

24 DEPUTY MAYOR BERNSTEIN: Please, do.
25 Thank you. Let me just see. One final

1 question on Page 13, the last page. On the
2 top, it talks about is the project site
3 contiguous to a building or archeological or
4 district which is listed on the National or
5 State Register of Historic places? I think
6 this may be. Is this not relatively close to
7 our Historic District?

8 MR. RANT: The contiguous for
9 adjoining, that's the way it was answered.
10 Any sites contiguous to our property. And
11 there are no adjoining properties that fall
12 within state or registered historic places.
13 We can make a footnote of the nearest
14 property. That way it's documented --

15 DEPUTY MAYOR BERNSTEIN: Why not.
16 Those are my questions. So just to reiterate
17 a major concern, our major concern has to do
18 with sewage treatment. And you have to be
19 very careful about that because it's a major
20 issue in our Village historically. Thank you.

21 MR. RANT: Understood. Thank you.

22 MAYOR DURKIN: Thank you, Marshall.
23 Excellent questions and very well researched.
24 I appreciate the effort there. I think that
25 you did a great job and asked the right

1 questions. The sewage treatment plant is
2 going to be an issue from one day. And as
3 these projects go on line, we have to be very,
4 very careful about that. So it was a
5 well-thought-out question and I do appreciate
6 that. Marta, any questions? Any thoughts?

7 TRUSTEE GENOVESE: I do have some
8 questions. General feeling of this project,
9 it is consistent with the Master Plan. I
10 think in general, a good traffic (inaudible)
11 and in particular, for the attorney, how that
12 will work with the Town and the County since
13 it's a County Intersection? Whatever the
14 actions are proposed, how is that, you know,
15 if they're going to be built into the project
16 approval, how is that going to work if we
17 don't have Nassau County approval yet?

18 MR. PANTELIS: I don't know if we have
19 gotten that far in a sense that -- first of
20 all, we believe that the County will be
21 interested in some mitigation for what has
22 been a difficult intersection. Our thoughts,
23 I guess -- I have discussed with the Village
24 Attorney, is that we would coordinate our
25 efforts with the Village. And we think the

1 Village going with -- when I say, going,
2 participating with the applicant in the
3 process, will at least enhance our likelihood
4 of getting some improvements. It might not be
5 maximum, but certainly we would like to work
6 on that intersection. At the same time, since
7 we're talking about the intersection, we are
8 aware of the letter that was sent by the
9 adjacent property owner indicating their
10 concern about restriction of truck access.
11 And now that we're perhaps more aware of it,
12 we will certainly will incorporate that into
13 our approach. Again, the Village and us going
14 to the County.

15 TRUSTEE GENOVESE: I understand. So
16 once -- you say we work together and present
17 whatever the mitigation is. The other concern
18 that I have and have said it before, is with
19 the left-hand turn coming out of Lumber Road
20 at rush-hour. It's an intersection a D or an
21 E already in terms of it's letter grade. And
22 right now, we're not -- the traffic is not at
23 its normal peak because people are -- because
24 of the COVID crisis, people are staying home.
25 And I think the Biti project which is just to

1 the east, they have a left-hand turn
2 restriction. And they're not even (inaudible)
3 those units are not even fully occupied yet.
4 So I think we have to be mindful of what the
5 traffic is going to look like (inaudible).

6 MAYOR DURKIN: Marta, you're breaking
7 up.

8 TRUSTEE GENOVESE: Sorry. Is
9 something not good with my internet
10 connection?

11 MR. TRENTACOSTE: It's freezing.

12 TRUSTEE ORAL: I think what Marta is
13 trying to say, considering restricting left
14 turns from Lumber Road, just as they're
15 restricted from the Biti property to help with
16 the flow of traffic during the backed up peak
17 hours, even though right now it doesn't appear
18 as a congested as it does during typical --

19 TRUSTEE GENOVESE: Thank you, Sarah.

20 MR. PANTELIS: I am going to ask Sean
21 Mulryan to speak, but our studies were done
22 before we had this issue of reduced traffic.
23 So they reflect what were accurate conditions
24 last year and the year before. So to that
25 extent we're not saying that traffic

1 generation is based on something that was done
2 a month ago or two months ago. May I call
3 Mr. Mulryan?

4 MAYOR DURKIN: Tom, just one minute
5 before you move to Mr. Mulryan. I think that
6 you need to understand that the intersection
7 is a problem to begin with. And it makes your
8 application -- only exacerbates it, we think.
9 And then to use it as a amenity, as part of
10 the amenities package, we were hoping that Ian
11 and Howard and Kevin would be able to get
12 something from the County saying what you guys
13 were proposing. So that it's not the onus of
14 the Village to get that taken care of, but the
15 applicant itself and say that we have
16 accomplished this for the Village rather than
17 the Village do it. We will be glad to give
18 you a hand in that, but we think, if you're
19 going to make it part of the amenities
20 package, you're going to have to do a little
21 bit more leg work then just let -- see what --
22 let's see where it falls.

23 MR. PANTELIS: If I may respond? I
24 know we have several traffic professionals
25 here. Our experience and probably the

1 Village's experience with Nassau County, and I
2 am not going to point fingers at any
3 particular agency, is that it will take a
4 significant amount of time and investment of
5 funds to present projects and develop projects
6 and get approval from the County --

7 MAYOR DURKIN: Understood.

8 MR. PANTELIS: And you would be asking
9 us in advance of any kind of -- even any
10 approval from the Board to make that approach.
11 And it will take quite a bit of time. I will
12 say given our present pandemic situation, it's
13 even going to take much longer.

14 MAYOR DURKIN: I understand. I just
15 wanted to bring it up to you. I know that
16 you're very familiar with the nature of the
17 amenities proposals. I know how that goes. I
18 just wanted to say out loud for the public,
19 it's going to be part of the package of
20 amenities offered to the Village. It has to
21 run to the Village. It has to be something
22 that we benefit from, that we would normally
23 not get and achieve ourselves. That's all.
24 That is what an amenities is by definition for
25 anyone coming before us and looking to make

1 changes.

2 MR. PANTELIS: Perhaps Sean can speak
3 more to this point and the concept of no left
4 turn. You have to keep in mind that we're not
5 a development as Biti is occupying a site. We
6 are one user on an existing street with a
7 number of uses. So no left turn would cause
8 certain, I guess even problems for other
9 users, as well. So I am not quite sure that a
10 left turn restriction should be imposed in
11 connection with a single project, but more
12 importantly with the use of the entire street.

13 DEPUTY MAYOR BERNSTEIN: Can I just
14 respond to that? It is possible that there
15 could be future uses of Lumber Road from
16 future projects. There may or may not be.
17 It's possible it could be. And any additional
18 use is certainly going to add to the burden on
19 Lumber Road, which is already burdened. As
20 Marta pointed out, as part of that, the people
21 seeking to make a left hand turn going east,
22 particularly in the evening and rush hour, I
23 mentioned a month ago, traffic is flowing
24 very heavily from the west to the east.
25 People seeking to get to the Highway's. I

1 would like to ask Sean Mulryan. I am sure you
2 have not had a chance to study the letter that
3 we have received from the Traffic Engineer and
4 counsel to 25 and 35. Maybe you know the
5 answer to this and maybe you don't. Did you
6 take into account any actual usage by very
7 large trucks in your analysis? Did you see
8 any of that?

9 MR. MULRYAN: Well, what I would like
10 to state is, Sean Mulryan, Mulryan
11 Engineering, 1205 Franklin Avenue in Garden
12 City, New York. We did have an opportunity to
13 review the letter. And what I would like to
14 point out is, at the last Zoom hearing,
15 Trustee Oral made similar comments concerning
16 the ability to get truck traffic on and off
17 the roadway. What I will state is, the plans
18 that were prepared by our office, they were
19 Concept A and Concept B, were simply that.
20 Were concept plans. Some of the things that
21 were mentioned at the last hearing, Number 1,
22 was truck access and Number 2, the feasibility
23 of installing what is referred to "Do not
24 block the box" pavement markings within that
25 intersection. There was then a followup

1 question concerning proposed crosswalk that
2 was proposed on the east side of the
3 intersection. Each of these improvements
4 would require the review and approval by the
5 County. We by no means are trying to
6 interfere with other business owners or limit
7 the traffic on or off the road. The
8 requirement or the revisions to those plans to
9 accommodate that or to make that more
10 accessible, would certainly be to increase the
11 radius' that are shown. So this is not a
12 major change to what was presented. And
13 again, that was presented as a concept. So we
14 believe that we would have no issue creating
15 an intersection in terms of creating large
16 truck traffic coming to and from that site.
17 To answer your specific question, we do know
18 that there are trucks, when you go down to the
19 site next to ours, you will see trucks in the
20 back. Obviously the amount of trucks that are
21 using Lumber Road over the last 5, 6 10, years
22 has significantly decreased. I have worked on
23 an ample amount of projects on this road.
24 Starting with Chase Bank, the lumber yard and
25 now this project. And obviously when the

1 local yard was active, there was a lot of
2 truck traffic in and out. When we worked on
3 that traffic Verizon Depot was still active,
4 although they didn't use large trucks, they
5 had a large fleet of smaller vehicles, vans
6 and other types of trucks that came in and out
7 of Lumber Road. So this proposed residential
8 development is similar to; however, less
9 intense's to what was created at 17 Lumber
10 Road. 17 Lumber Road is a mixed-use
11 development with residential units over
12 commercial. This is strictly residential.
13 And I believe that the Trustees are most
14 likely aware of what happens at 17 Lumber
15 Road. We believe that something similar,
16 however, less intense would happen at this
17 site because it's strictly residential. So we
18 did take those factors into account. Any plan
19 that goes forward to Nassau County DPW would
20 include those revisions. And I think in terms
21 of the left turns, as we have mentioned,
22 because a no left turn restriction would
23 impact any and all users on Lumber Road, we
24 don't necessarily be in our purview to propose
25 that. Now that is not saying that the

1 Village can at any time propose that to the
2 County while we're making these other
3 improvements. The "Do not block the box" is
4 something that would benefit users of that
5 road and would not restrict movements to and
6 from Lumber Road. So I believe that for our
7 presentation to the County that would be more
8 appropriate. So whether or not the Village
9 wants to move forward with restrictions
10 either for this project or separately,
11 obviously the Village has that privilege that
12 they can do that at any point in time.

13 TRUSTEE ORAL: Sean?

14 MR. MULRYAN: Yes.

15 TRUSTEE ORAL: I think that it would
16 be a good idea to do a, you know, auto turn
17 analysis using a tractor-trailer. Just to
18 physically show how trucks can go in and out
19 of the site. I know they're just sketches and
20 ideas of moving into the future. But maybe
21 even showing the auto-turn and then a hand
22 sketch on how the design could be modified to
23 handle the trucks. I think that might be good
24 enough to get your neighbors to the south a
25 little more comfortable with the idea.

1 Understanding that the sketches you have right
2 now are not designed. They're for computation
3 purposes and for the County to see and what
4 the County is willing to do. I think doing an
5 auto-turn will go a long way visually. To
6 help people understand better how the trucks
7 can maneuver in and out of Lumber Road. And I
8 would like to modify Marta's request for left
9 turn sign, to potentially no left turns during
10 4:00 to 6:00 P.M. Just like on Willis Avenue,
11 Mineola Boulevard, there are no right turn's
12 from I think 4:00 to 7:00 maybe. Not just
13 4:00 to 6:00. Because people use the
14 neighborhood as a cut-through to get to the
15 LIE service road. Here it could be a timed
16 restriction because really the left turn's out
17 of Lumber Road are that impacted are during
18 the peak hours. So I know that would not be
19 blanketed no left turn. Actual enforcement of
20 the restrictions, a sign is just a sign if
21 it's not enforced. But I think when you have
22 talks with the County, that might be
23 something else to bring up to them. I think
24 the auto-turn is very important at this
25 point.

1 DEPUTY MAYOR BERNSTEIN: May I ask one
2 final question of Mr. Mulryan?

3 MR. MULRYAN: Go ahead.

4 DEPUTY MAYOR BERNSTEIN: I can't get
5 through my head, this concept of the peak A.M.
6 there would be only 15 trips through that peak
7 time. 15 cars coming out of Lumber Road. You
8 have 33 units and if you are proposing those
9 that they may require two-bedroom apartments,
10 that would be two parking spaces, assuming
11 that's correct. That kind of contemplates two
12 vehicles owned by one tenant in the -- in each
13 of the units. And then I kind of looked at
14 your Schedule C -- sorry, it's Table #3, which
15 you cited is your conclusion as to the 15
16 vehicles. And I could not -- I just could not
17 figure out where you get those 15 vehicles. I
18 am just kind of skeptical about that 15
19 number.

20 MR. MULRYAN: The A.M, trip generation
21 on Table 3 shows a source of The Institute of
22 Transportation Engineers, Trip Generation 10th
23 Edition and the number of units or the
24 variable is 33. The 33 units that are
25 proposed here, the rate that is shown from

1 7:00 to 9:00, is the ITE trip generation rate,
2 which was based on 53 studies, individual
3 apartment units. So when you're talking about
4 the parking demand, typically the parking
5 demand of residential units peaks in the
6 evening when everyone is home. Now where they
7 may be two cars associated with one unit, that
8 does not necessarily mean that each of those
9 persons leaves within the same hour. So if
10 someone goes to work earlier than the other
11 person, someone works, doesn't work, it does
12 not mean that they would be leaving or coming
13 back at the same time.

14 DEPUTY MAYOR BERNSTEIN: Suppose we
15 say we just cut it in half. Supposed we just
16 say, maybe you're right, they don't come out
17 the same time. Suppose we say just for the
18 ease of understanding, that instead of one
19 coming out at the peak time and one coming out
20 and 1.5 come out at the peak time, and if you
21 multiply that by 33 apartments, according to
22 my calculations, you would conclude -- reach
23 the conclusion that there are 50 trips. Not
24 15.

25 MR. MULRYAN: Right. That would not

1 be based on 50 trips (inaudible) which is
2 locally used and nationally used as the
3 standard for traffic engineering studies. So
4 those studies that were performed were literal
5 counts and existing locations with a set
6 number of units. And that number of units is
7 prorated to get that trip generation. So that
8 is where that number comes from. It's not
9 something that was -- not something that was
10 created by our office. It's something that is
11 documented and something that is generally
12 recognized by Board's throughout Long Island
13 and elsewhere.

14 DEPUTY MAYOR BERNSTEIN: Did you say
15 something about little towns?

16 MR. MULRYAN: I did not.

17 TRUSTEE ORAL: If I may something from
18 my experience?

19 MAYOR DURKIN: Go ahead, Sarah.

20 TRUSTEE ORAL: I live in an apartment.
21 I live in a co-op. And my porch has entry to
22 four apartments. So there is four apartments
23 and there is 7 vehicles amongst the four
24 apartments. There are more than 7 people.
25 And one of my neighbors leaves for work at

1 2:30 in the morning. One of my neighbor
2 leaves to work at 5:30 in the morning. Me and
3 another woman usually leave at ten to 8:00,
4 and one leaves at 6:30, and one doesn't work.
5 So of those, the peak hour would be two cars.
6 Of the 7 vehicles, only 2 of them leave
7 during the same peak hour in the morning.

8 MAYOR DURKIN: So you're generally
9 comfortable with the ITE number?

10 TRUSTEE ORAL: I am very comfortable
11 with the ITE numbers. And it's sometimes hard
12 -- and again, I live and breathe this like
13 Sean does. It's sometimes hard to understand
14 how parking spaces don't translate to the
15 number of trips. And I think it needs to be
16 stated that they need to be separate. And I
17 think Sean was correct in saying, you know,
18 there are 33 units but not everyone is leaving
19 during the same 60 minute period of the
20 morning. These national studies show at most,
21 there is half the units.

22 MAYOR DURKIN: So you would support
23 the 15 -- the number of 15 cars pulling out of
24 that site at rush hour in the morning? That
25 is an accurate count?

1 TRUSTEE ORAL: ITE is the gold
2 standard. And especially something like
3 apartment units, they have so -- there are
4 some uses for a couple of studies. But 53
5 studies is pretty sufficient to create --

6 MAYOR DURKIN: It begs like, c'mon,
7 how is that possible, but you're the --

8 TRUSTEE ORAL: That is why I explained
9 realtime with my neighbors. We share a porch
10 and at no time is there more than two people
11 leaving at once.

12 MAYOR DURKIN: Thank you. Thanks for
13 sharing that. Do you have any other comments,
14 Sarah?

15 TRUSTEE ORAL: No. Other than wanting
16 the auto-turn. And the Mayor mentioned
17 earlier about the mix of units. Having all
18 two bedroom units, I am not comfortable with
19 that. I think it should be a mix of one's and
20 two's. When you want a vibrant downtown, you
21 want a mix of different residents.

22 MAYOR DURKIN: We will get back to
23 that. I just want to get to Trustee
24 Westergard, any comments?

25 TRUSTEE WESTERGARD: Yes, Mayor. My

1 comments -- I guess I will start by saying
2 that I am in support of the project. I think
3 as Marta says, it falls into the category of
4 falling into the -- what the Master Plan is
5 looking for. Rather than -- my comments
6 rather than the traffic issues or technical
7 issues is one of the aesthetics. As you all
8 know, I am an architect and more of a visual
9 person. And I find that -- find it kind of
10 ironic, I was looking at the current design,
11 and I was looking at the original design that
12 was submitted some time ago. I think now
13 it's a couple of 3-4 years. It's ironic that
14 the current design of the building is quite
15 similar to the original design that we looked
16 at. But I find the aesthetics of the
17 building, it looks kind of -- I think it
18 looks kind of like an office building. If you
19 look at the facades. And because of the
20 nature of the building, it's a very boxy
21 building. I think there would be an
22 improvement in the aesthetics if -- as in
23 some of the former designs, the building could
24 step from one story to the next. My feeling
25 always was that the 17 Lumber Road that we

1 have talked about tonight is really about the
2 tallest a building should be on Lumber Road.
3 And that building is a three-story tall
4 building. I understand that this applicant
5 needs to make the building taller by virtue of
6 the parking that is underneath the building.
7 So in essence they're losing one whole floor
8 of the building area to parking, which is
9 unfortunate. On the other hand, that is what
10 makes the site better. And harping back to
11 what you said in the beginning, Mayor, about
12 this 27 unit versus 33 units, as well as,
13 now combining more one-bedroom apartments
14 rather than two, I would be hopeful that the
15 applicant could modify the design. Maybe the
16 center section of the building might have this
17 four-story configuration but maybe the two
18 ends of the building might be the three-story
19 design. I think it would be more pleasing.

20 MAYOR DURKIN: A step down on either
21 side?

22 TRUSTEE WESTERGARD: Yes. Exactly. I
23 guess not too much unlike our other
24 application tonight. What they did. They
25 stepped back the building. That might be

1 something that they can look at. Make the
2 building more pleasing architecturally. I
3 think because of the shape, it's kind of
4 sterile. Kind of office building looking.
5 And I think that direction would be a big
6 improvement to the aesthetic of the building.
7 But overall, I am in favor of the concept.
8 It's certainly going to be an improvement of
9 what was there and what is now.

10 MAYOR DURKIN: I wanted to circle
11 back, Tom Pantelis, I know there has been
12 discussions between you and our attorney, but
13 the guys have agreed to mix the use between
14 two and one-bedroom apartments; is that
15 correct?

16 MR. PANTELIS: Yes. Let me speak to
17 that for a moment.

18 MAYOR DURKIN: Sure.

19 MR. PANTELIS: First of all, the
20 original concept and the concept that is
21 before you, is for two-bedroom units, and
22 there is a reason for that. As we made it
23 very clear, we would like this to be an
24 upscale rental project. Very upscale, means
25 that your rents may range from \$5,000 to

1 \$7,500, \$8,000 a unit. The demographics as we
2 anticipate is somewhat reflected by 17 Lumber
3 Road, is that, you're going to have a renter
4 that is selling a house, probably in Roslyn or
5 one of the nearby communities. They're going
6 to be people with cash and established income
7 and they want a luxury apartment. A larger
8 apartment. And the function of a second
9 bedroom, and I think most of you easily
10 appreciate this, you're going to want to
11 have an extra room for your overflow or use
12 it as an office or for your child or
13 grandchild who is coming to spend the weekend.
14 Whether they're coming locally or coming from
15 Manhattan. So the two-bedroom concept was
16 really based on that. It makes them more
17 appealing to the demographics of our renters.

18 MAYOR DURKIN: That's \$7,500 an
19 apartment, I can't imagine the cars pulling
20 out of Lumber Road. I would be very careful
21 of them.

22 MR. PANTELIS: I know where you're
23 going with this.

24 MAYOR DURKIN: Again, a one-bedroom
25 could appeal to Johnny Depp right now. You

1 never know.

2 MR. PANTELIS: Now your one-bedroom --
3 even in this -- profile of rental, usually has
4 an accessory room. It might not be a bedroom
5 but it's a little office or a study --

6 TRUSTEE ORAL: Like an alcove?

7 MR. PANTELIS: An alcove. Right.
8 It's not a bedroom in a sense that you would
9 have closets and everything. But this is what
10 people are looking for. So that is why we had
11 the two-bedroom concept. Now we understand
12 the Board's interest in having some
13 one-bedrooms. I think the mix with 17 Lumber
14 Road was 23 two-bedroom's and 2 one-bedroom's.
15 So again, we're also keeping in mind that
16 there is an affordability concept, which for
17 the record, we will comply with Nassau County
18 and New York State percentages and things. We
19 haven't gotten that far. That would be part
20 of a condition of approval. I am not sure
21 where the Village -- what the Village's role
22 in this, other than seeing that we are
23 complying with the law. To that extent, we
24 would feel comfortable with bringing in six
25 one-bedroom units. That you would have some

1 in the mix and maintaining the 27
2 two-bedrooms.

3 MAYOR DURKIN: They could be very
4 luxurious one-bedroom's.

5 MR. PANTELIS: Well, we think the
6 whole project will be on an upscale thing.
7 And we understand. Lots of upscale
8 developments in recent years have
9 affordability concepts. Certainly we support
10 that and we know the Village supports that.

11 MAYOR DURKIN: That's correct.

12 MR. PANTELIS: So to that extent, that
13 is what we would like to be able to do.

14 TRUSTEE ORAL: I would hope that the
15 six one-bedroom units would not all be made to
16 be affordable units, and some of the
17 two-bedroom units would be made affordable
18 units.

19 MR. PANTELIS: I think we're required
20 to do a mix.

21 TRUSTEE ORAL: Good. Just wanted to
22 make sure. That it was --

23 MAYOR DURKIN: Right.

24 MR. PANTELIS: We have not worked
25 those details out yet. But they certainly

1 have to be addressed as part of going
2 forward.

3 DEPUTY MAYOR BERNSTEIN: I am glad to
4 hear you say that, Tom. I just would like to
5 mention that this project and the Local Law of
6 Transit Mixed Use that we discussed earlier,
7 were both commented on by the Nassau County
8 Planning Commission, just a day or two before
9 this meeting.

10 MR. PANTELIS: Yes.

11 DEPUTY MAYOR BERNSTEIN: Just so the
12 public knows, it's the position of the
13 Nassau County Planning Commission that they
14 had made a recommendation that the Village
15 adopt a new Local Law with respect to
16 affordability different than the State Law.
17 And I just want you to know and everybody
18 listening in should know, that I feel safe to
19 say that we will take that recommendation
20 very seriously. And I would not be surprised
21 that the proposed law that the County has sent
22 to us is in fact adopted by us. So I was very
23 pleased to hear you say that, Tom. Are you
24 familiar with that recommendation?

25 MR. PANTELIS: Yes, I am. I have not

1 looked at it in a while.

2 MAYOR DURKIN: So you're saying that
3 you would be complying with that, that is very
4 important. And by the way, one day in the
5 near future, become very important with
6 respect to the Warner Avenue project.

7 MR. PANTELIS: And again, at the level
8 of cost of construction and the amenities that
9 we're proposing, we understand that there
10 should be affordability, but we want to be
11 able to keep the predominant number of units
12 as two-bedroom's to be able to absorb what
13 would normally be an income flow, but we're
14 prepared for that. May I also respond, you
15 also talked about the amenities package --

16 MAYOR DURKIN: Yes.

17 MR. PANTELIS: As we have the
18 correspondence to the Board, we had offered in
19 addition to the other amenities, the
20 construction of the waterfront access, the
21 easements that go with it, the replacement of
22 the bulkhead and those things. We had also
23 offered to make a contribution of \$10,000 per
24 unit for the bonus units, which were the
25 17 units, and upon further consideration,

1 we would actually be willing to incorporate
2 and extend that to all of the units. So that
3 instead of \$170,000 bonus payment, we would
4 pay the \$330,000. And it does give, as you
5 could appreciate, the Village Board the
6 ability to apply these sums to either
7 improvements on Lumber Road or general
8 improvements in the Village.

9 MAYOR DURKIN: That's great. Thank
10 you, Tom. And I am really excited. Ian and
11 those guys have done a great job with
12 creating the boardwalk along there. I know
13 you're going to do the bulkhead and the
14 boardwalk along the bulkhead. And all those
15 are great amenities for our Village. And I
16 think it has been our vision to walk along
17 sides those creeks very soon, and your
18 project coming in and the work that you have
19 done. So we're very happy about that. That
20 is really good.

21 MR. PANTELIS: So I don't have any
22 further comments unless we have not responded
23 to some --

24 MAYOR DURKIN: I have no more comments
25 to make. I would ask Mr. Gibbons, are we

1 good with our comments?

2 MR. GIBBONS: Yes. I think there may
3 be members of the public?

4 MAYOR DURKIN: That would be my next
5 thing. I just want to say, as far as the
6 Board is concerned, we hit our points, I
7 believe; is that correct?

8 MR. GIBBONS: Yes.

9 MAYOR DURKIN: Good. So I will open
10 it up to the public now. The rules for
11 public comment were stated by Trustee Oral.
12 You would hit -- "raise your hand" button.

13 MR. TRENTACOSTE: If anybody has any
14 questions, you can "raise your hand" with the
15 icon and it can be acknowledged. Right now,
16 Mayor and the Board, we have an individual by
17 the name of "my iPad." I am going to unmute
18 you.

19 MS. SIMONCIC: Hi. Good evening.
20 Mayor and Members of the Board. I am a
21 person. I am not an iPad. It's Judy
22 Simoncic. I am an attorney with the firm of
23 Forchelli, Deegan Terrana, I am appearing this
24 evening on behalf of my clients, 25 Lumber,
25 LLC and 35 Lumber, LLC. As you know, we

1 had submitted a letter earlier today to the
2 Board which contains support by our traffic
3 engineer, as to the negative impacts that any
4 modifications to the intersection of Lumber
5 Road and Old Northern Boulevard would have.
6 My clients ability to have trucks access, his
7 properties are off Lumber Road -- I just want
8 to first say that we are in no way -- and I
9 indicated this in my letter. We are in no way
10 opposed to this development. Really our
11 concerns are primarily and solely to the
12 mitigation measures being proposed by the
13 applicant. And I just wanted to address, you
14 know, I heard Mr. Mulryan state that the
15 amount of truck traffic has decreased over the
16 years on Lumber Road. And while that may be
17 true, the facts are, there are still a
18 significant number of properties that do have
19 large trucks coming to and from those
20 properties and rely on those. In fact, my
21 clients two properties on that road depend
22 upon it. They depend on it every day of the
23 week. So we can't really minimize the
24 impact that these modifications to Lumber Road
25 will have. I heard mention of no left turn

1 lane. Possibility of that restriction.
2 Whether it's simply 4:00 to 6:00 as suggested
3 by Trustee Oral, would severely impact my
4 clients ability to operate their businesses.
5 It would seem, and I agree with Trustee Oral,
6 and I have to say for the record, I respect
7 her professional abilities to the utmost.
8 She's a terrific traffic engineer and I am in
9 full support of her request for the turning
10 analysis. You should absolutely see that, but
11 based upon our engineering and what they have
12 looked at, and the existing conditions of that
13 intersection, I would say that we can all be
14 certain that these modifications after that
15 analysis is performed would demonstrate that
16 it will only exacerbate an already deficient
17 turning movement coming to and from Lumber
18 Road. So I think we can all respect that. We
19 need to look forward and figure out how we're
20 going to address that. Mr. Pantelis made a
21 statement that the County would be interested
22 in these mitigation measures. I think that's
23 overly ambitious. I think knowing the County
24 DPW and its traffic unit, I can't imagine that
25 the County -- I see Trustee Oral smiling

1 because she knows them as well very well. She
2 has dealt with them a lot longer than I do,
3 but I can't imagine that the County is going
4 to entertain any improvements that are going
5 to make this intersection even more unsafe
6 than it already is. And you know, I keep
7 hearing how these mitigation measures are
8 being referred to as "amenities", I don't
9 think --

10 MR. TRENTACOSTE: 30 seconds.

11 MS. SIMONCIC: Sorry?

12 MR. TRENTACOSTE: You have 30 seconds.

13 MS. SIMONCIC: I guess I just agree
14 with Mayor Durkin's comments that it's the
15 applicant's burden to demonstrate its project
16 will not have a negative impact on its
17 surrounding properties and certainly it's
18 their burden to demonstrate the mitigation
19 measures are not going to have an adverse
20 impact on other properties along Lumber Road,
21 including my clients and others.

22 MAYOR DURKIN: I can assure you like I
23 have assured the folks up at Warner, that
24 everybody will -- we're not going to do one
25 project that will hurt another project. So

1 we take these comments very seriously and we
2 will, of course, look very closely at the
3 turning radius and all the mechanisms that go
4 into the application up at that intersection.
5 Do not worry. We will take into consideration
6 your comments extremely seriously.

7 MS. SIMONCIC: Okay. Thank you,
8 Mayor. That is all my comments. If the Board
9 has questions of me, I am happy to answer
10 them. We just wanted to go on record this
11 evening on that issue. Thank you so much for
12 your time.

13 MAYOR DURKIN: Peter back to you?

14 MR. TRENTACOSTE: Right now, I have no
15 other hands raised. Wait one second, I have
16 school district attorney.

17 MS. TONDO: Good evening, Mayor Durkin
18 and Members of the Board and Trustees and
19 Mr. Gibbons, and all those present. My name
20 is Carri-Anne Tondo of Ingermann, Smith, 150
21 Motor Parkway, Suite 400, Hauppauge, New York.
22 Appearing on behalf of the Roslyn Union
23 Preschool District. Thank you for the
24 opportunity to speak this evening regarding
25 the application concerning 45 Lumber Road. If

1 you may recall, a letter was submitted to the
2 Members of the Board back in September of 2019
3 concerning the project as originally presented
4 to the Village and the Board of Trustees. We
5 did submit a second letter this evening,
6 reiterating those concerns, which I am sure
7 you can appreciate, having modified to include
8 some additional concern related from factors
9 from the COVID-19 pandemic. And to share with
10 the Village, as we said we would do in the
11 past, the District's ongoing preliminary
12 analysis on the impact to the District. At
13 the outset, I would like to remind the Members
14 of the Board, that the District does support
15 the notion of responsibility when planning for
16 the future of the community. And while it's
17 not generally opposed to redevelopment and
18 renovations that service to benefit the
19 collective contingency of the Village and
20 the District, developments and as shared
21 with you in the past, more importantly,
22 multiple developments in the short period
23 of time do have the potential to place strain
24 on infrastructure and essentials to the
25 community and emergency services. And those

1 community services including the school as
2 such. As I am sure the Board can fully
3 appreciate, these are unprecedented times.
4 It's specially in the School District setting
5 as it navigates daily challenges, to the
6 provision of education through this health
7 crisis and it's focussed on the reevaluation
8 of opening up schools. For these reasons
9 that I have shared with the Board previously,
10 by the Board President, we do respectfully
11 request that the Board take pause during this
12 pandemic to allow for an additional flow of
13 information to be shared and further
14 information to be adequately evaluated. It is
15 the District's further understanding that
16 although the number of stories, included in
17 the initial application has in fact decreased,
18 the project has in fact increased by 6
19 two-bedroom units, which I understand by
20 listening to all of you speak this evening,
21 may be subject to further modification based
22 upon your discussions. Nevertheless, the
23 District does submit that this proposed
24 project does potentially individually and
25 collectively with other projects, have the

1 potential to impact the school system through
2 its water supply and essential emergency
3 services. As previously shared with the
4 Board, we ask that these impacts be taken into
5 consideration. For purposes of District
6 planning, the School District planning that
7 is, that can take approximately 5 years and
8 it's truly critical for the District to look
9 at totality and proposed developments located
10 within the District in its entirety for
11 purposes of planning. And not just an
12 isolated project, although I fully recognize
13 that is what this hearing is about this
14 evening.

15 MR. TRENTACOSTE: 30 seconds.

16 MS. TONDO: Thank you. I did want to
17 share with the District that it has been
18 undertaking a study to determine the impact of
19 this development on the school system and
20 according to the District's consultant, the
21 preliminary analysis that has been undertaken
22 relative to this project will yield 16 school
23 aged students. And that's based upon a
24 factors of the analysis of the context that
25 applies to the School District and School

1 District settings, an exchange analysis as
2 explained in our submission to the Village
3 this evening, and the needing and age of this
4 community. I want to reiterate this is not
5 for students residing in this proposed
6 development but as a result of the proposed
7 construction of development. I would
8 respectfully and I understand that my time is
9 up. I would respectfully request that you
10 look at the other items that were contained in
11 the School District's submission earlier this
12 evening and look at the impact of cost to the
13 School District as a result of these
14 projections, which I admit, may need to be
15 modified based on the new make-up of the
16 units, and the concerns raised by the traffic
17 studies, which I previously shared did not
18 take into account generation of the trips
19 during school. Those were done on June 28th
20 and June 30th when school was closed.
21 Respectfully ask that you take a look at that
22 and pause to look at these concerns and
23 request further evaluation moving forward, and
24 thank you for your time.

25 MAYOR DURKIN: Thank you.

1 MS. TONDO: You're welcome.

2 MAYOR DURKIN: Peter?

3 MR. TRENTACOSTE: We have Glen's iPad.
4 I am going to unmute you. If you just give
5 your name and address?

6 MR. KOBEL: Hi. Glen Kobel, 7 Hedwigs
7 Street, Apartment 2F Roslyn Heights. Thank
8 you, Mayor. Thank you, guys. I just want to
9 say that if you're on the borderline of 50/50,
10 I approve it. I see nothing wrong with it and
11 I just want to say, you guys can build it, no
12 problem. I have no objections. Thank you for
13 your time. I don't want to waste any more of
14 it. I am sitting here for an 1 1/2 too, 2
15 hours.

16 MAYOR DURKIN: Thank you. Anybody
17 else?

18 MR. TRENTACOSTE: At this time, I
19 don't have any "Raised Hands" icons.

20 MAYOR DURKIN: I appreciate everyone's
21 comments and I would move that we continue
22 this hearing. I want to thank the applicant.
23 We have given him a lot to consider. And I
24 think that we should move it to the
25 September 15th hearing. We're off in

1 August. Give us plenty of time to really
2 study it in fine detail. So I move that we
3 continue the hearing and I need a second?

4 DEPUTY MAYOR BERNSTEIN: Second.

5 MAYOR DURKIN: All in favor?

6 DEPUTY MAYOR BERNSTEIN: Aye.

7 TRUSTEE GENOVESE: Aye.

8 TRUSTEE WESTERGARD: Aye.

9 TRUSTEE ORAL: Aye.

10 MAYOR DURKIN: Aye.

11 Please let the record reflect a
12 unanimous "Aye" on that. I want to thank
13 everyone for tuning in tonight and we will
14 see you all back here again on September 15th.
15 And we will let you know whether it's going to
16 be via Zoom or in real-life. Whether it's
17 going to be a play or a movie. We will let
18 you know.

19 TRUSTEE GENOVESE: Thank you.

20 DEPUTY MAYOR BERNSTEIN: Thank you.

21 MR. GIBBONS: Mayor, if the Board can
22 just hold on for the three resolutions.

23 MAYOR DURKIN: Sorry, John. You
24 always do that and I appreciate it, John.

25 Just got a couple of resolutions to

1 approve, 2015, \$3,000,000 public improvement
2 serial bond interest payment of \$45,334.38 due
3 on August 15, 2020.

4 DEPUTY MAYOR BERNSTEIN: I move to
5 approve.

6 TRUSTEE GENOVESE: Second.

7 MAYOR DURKIN: All in favor?

8 DEPUTY MAYOR BERNSTEIN: Aye.

9 TRUSTEE GENOVESE: Aye.

10 TRUSTEE WESTERGARD: Aye.

11 TRUSTEE ORAL: Aye.

12 MAYOR DURKIN: Aye.

13 A resolution to approve the 2016
14 \$3,500,000 public improvements serial bond
15 interest payment of \$28,265.63 due on
16 September 1, 2020.

17 DEPUTY MAYOR BERNSTEIN: I move to
18 approve.

19 MAYOR DURKIN: I second.

20 MAYOR DURKIN: All in favor?

21 DEPUTY MAYOR BERNSTEIN: Aye.

22 TRUSTEE GENOVESE: Aye.

23 TRUSTEE WESTERGARD: Aye.

24 TRUSTEE ORAL: Aye.

25 MAYOR DURKIN: Aye.

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Finally, a resolution to designate the Nathan Stern community room as the location for the September 15, 2020 Village elections to be held at 12:00 Noon to 9:00 P.M.

DEPUTY MAYOR BERNSTEIN: I so move.

MAYOR DURKIN: Second.

All in favor?

DEPUTY MAYOR BERNSTEIN: Aye.

TRUSTEE GENOVESE: Aye.

TRUSTEE WESTERGARD: Aye.

TRUSTEE ORAL: Aye.

MAYOR DURKIN: Aye.

We can adjourn the meeting. Thank you.

(Time Noted: 8:41 P.M.)

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

I, JESSICA DILALLO, a Court Reporter and Notary Public, for and within the State of New York, do hereby certify:

THAT the above and foregoing contains a true and correct transcription of the hearing held on July 21, 2020, via videoconference, and were reported by me.

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 28th day of August, 2020.



Jessica DiLallo

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