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INCORPORATED VILLAGE OF ROSLYN

BOARD OF TRUSTEES MEETING

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Telephonic  
Roslyn, New York

June 16, 2020

7:10 p.m.

MINUTES OF MEETING.

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**APPEARANCES :**

**MARSHALL BERNSTEIN, DEPUTY MAYOR**

**CRAIG WESTERGARD, TRUSTEE**

**MARTA GENOVESE, TRUSTEE**

**SARAH ORAL, TRUSTEE**

**JOHN GIBBONS, VILLAGE ATTORNEY**

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1 Meeting Minutes

2 DEPUTY MAYOR BERNSTEIN:

3 Welcome to the Board of Trustees  
4 meeting for the Incorporated Village  
5 of Roslyn. Today's date is June 16,  
6 2020. I'm Marshall Bernstein, the  
7 Deputy Mayor of the Village.

8 Mayor Durkin is not able to be  
9 here this evening, due to a rather  
10 severe lower back problem that he has  
11 had for a while. He is scheduled for  
12 surgery, actually, one week from  
13 today, in the City.

14 John Durkin expects to be  
15 recovered in time for our next  
16 meeting of this Board, in July and  
17 I'm sure you join me in wishing him a  
18 speedy recovery.

19 I would like to start tonight's  
20 meeting, as we usually do, to the  
21 salute to the flag and the office of  
22 our counsel, so I ask everybody to  
23 rise for the Pledge of Allegiance.

24 (At this time, the Pledge of  
25 Allegiance was recited.)

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2 DEPUTY MAYOR BERNSTEIN: I just  
3 want to make note, that there is a  
4 custom in our Board meetings,  
5 following the Pledge of Allegiance,  
6 to remain standing and honor the U.S.  
7 servicemen and women, who recently  
8 lost their lives in the ongoing wars.  
9 If their names appear in the press,  
10 we read them.

11 Fortunately, I have not seen  
12 any names recently. However, as I am  
13 sure everybody here would agree, it  
14 is certainly appropriate at this time  
15 to note the death of George Floyd.  
16 Clearly, this is a watershed moment  
17 for our nation. I would suggest that  
18 each of us should honestly look into  
19 our own inner hearts and souls and  
20 ask ourselves if we harbor any latent  
21 racism. If the honest answer to that  
22 is yes, then this is the time to get  
23 rid of it.

24 Let us move on now to our  
25 meeting. We find ourselves in an

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2 extraordinary time. The global  
3 pandemic has brought the world to a  
4 screeching halt and we are trying to  
5 find ways to continue to live and  
6 operate in our society, while mindful  
7 that we may bring harm to others  
8 unknowingly, like our near cousins in  
9 close proximity to one another.

10 Our seniors are particularly  
11 vulnerable and have been sheltered in  
12 seclusion for far too long. So how  
13 do we proceed? For those of us on  
14 this Board, how do we continue to  
15 operate Government, while at the same  
16 time, not putting those that we  
17 serve, you, the public, in physical  
18 danger. There are no perfect  
19 answers.

20 However, we will endeavor the  
21 best we can. Yet, we recognize that  
22 we must as a Governmental unit, move  
23 forward. In that vain, we meet here  
24 tonight, each in our separate  
25 locations, many of us in our homes,

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2 to ensure that Government continues.  
3 Tonight we will do our small part to  
4 fight back against this surge of the  
5 virus and continue to operate our  
6 Government with the participation of  
7 our citizens. As a result, we will  
8 be conducting tonight's public  
9 hearing using Zoom, as will now be  
10 explained by Trustee Oral.

11 TRUSTEE ORAL: Hello, everyone.  
12 For the purpose of our hearing, we  
13 will conduct it like any of our  
14 previous hearings. We, the Board,  
15 will first hear from the applicant.  
16 We will listen, ask questions and  
17 make comments. We will then ask for  
18 comments from the public.

19 The Board and I are calling in  
20 using video. The Village clerk,  
21 Village attorney, Village planner and  
22 applicants, will also participate  
23 using video. All others will be  
24 limited to audio only, regardless if  
25 you are connecting via computer or

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2 telephone.

3 In order for everyone to hear  
4 clearly, we will mute all lines  
5 during the first part of each  
6 hearing, except for the Board,  
7 Village representatives and the  
8 applicant.

9 Once the formal presentation is  
10 concluded, we will open it up to the  
11 public for questions and comments.  
12 Those participating using your  
13 computer, can utilize the Zoom  
14 feature, Raise Hand, to be recognized  
15 to speak. To use the Raise Hand  
16 feature, you must click on  
17 participants, to see the list of  
18 participants. At the bottom of the  
19 list, there is a button that says,  
20 "Raise Hand." Once this button is  
21 pushed, we will be able to identify  
22 those participants wishing to speak.  
23 We will announce your name and then  
24 unmute your line. Those  
25 participating using a telephone, will

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2 be recognized next.

3 We will utilize in alphabetical  
4 order, the order of speakers. In  
5 order to accommodate all speakers, we  
6 will limit comments to three minutes  
7 per speaker. You will get a 30  
8 second warning when you are nearing  
9 the end of your time. If you wish to  
10 make further comment, the record of  
11 tonight's public hearings, will  
12 remain open for 30 days, to allow for  
13 the submission of written comments.

14 Additionally, in respect to  
15 everyone's time, if a speaker has  
16 already expressed the opinions or  
17 comments you wish to share, please  
18 refrain from stating them again and  
19 instead, submit your comments in  
20 writing. Members of the public must  
21 state their name, their address and  
22 whether they are residents of the  
23 Village of Roslyn before they share  
24 their comments.

25 This is a new technology for



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2 many of us and certainly a new  
3 process for our hearings. There may  
4 be some technical issues. We will  
5 take our time to ensure that the  
6 meeting can move forward in an  
7 orderly manner. Please be assured,  
8 that everyone wishing to be heard,  
9 will be recognized and given an  
10 opportunity to speak.

11 I would also like to point out,  
12 that we do have our court reporter  
13 participating and keeping a record of  
14 the proceedings tonight. As always,  
15 the meeting minutes will be available  
16 through the Village clerk's office.  
17 If you get disconnected or experience  
18 any glitches, please feel free to try  
19 to reconnect or dial in by telephone.

20 I'm now going to go to hand it  
21 over to Trustee Genovese.

22 TRUSTEE GENOVESE: Good  
23 evening, everyone and thanks for  
24 joining us. Just to set the stage,  
25 tonight we're going to have two

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2 public hearings. The first public  
3 hearing is on a Proposed Local Law,  
4 amending the Municipal Code of the  
5 Incorporated Village of Roslyn,  
6 Chapter 470, entitled "Zoning," to  
7 add thereto Section 470-21, to create  
8 a Transit-Oriented Mixed-Use  
9 District.

10 Our second public hearing is an  
11 application by Ian Zwerdling for a  
12 special use permit pursuant to  
13 Chapter 470 of the Code, entitled  
14 "WDO Waterfront Development Overlay  
15 District," Subsections C, entitled,  
16 "Development Incentive Bonuses to  
17 construct a four-story apartment  
18 building, consisting of 33 two  
19 bedroom apartments, on the property  
20 known as 45 Lumber Road, Roslyn, New  
21 York.

22 Now we'll begin the first  
23 public hearing and I'll turn it back  
24 to Deputy Mayor Bernstein.

25 DEPUTY MAYOR BERNSTEIN: The

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2 first hearing tonight is the  
3 consideration of a Proposed Local  
4 Law, amending the Municipal Code of  
5 the Incorporated Village of Roslyn,  
6 Chapter 470, entitled "Zoning," to  
7 add thereto Section 470-21, to create  
8 the TMU, Transit-Oriented Mixed-Use  
9 District.

10 A copy of the Proposed Local  
11 Law has been posted on the Village  
12 website for several months. The  
13 purpose of the TMU, Transit-Oriented  
14 Mixed-Use District is to encourage  
15 development that takes advantage of  
16 its proximity to the Long Island  
17 Railroad's Roslyn station and  
18 provides for a mix of uses  
19 appropriate for its unique location  
20 within the Village of Roslyn.

21 At present, this zoning  
22 district is comprised of only two  
23 properties. One of the properties  
24 has a number of retail stores. The  
25 other property is occupied by Verizon

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2 and has telecommunication equipment.  
3 This zoning district is zoned C-V  
4 Commercial District, the same zoning  
5 classification that controls our  
6 Downtown area.

7 As a matter of fact, when we  
8 updated the zoning code, back in 1995  
9 and created the C-V district,  
10 expressed in the code and I quote,  
11 "The C-V Village Commercial District  
12 is intended to provide for small  
13 scale retail trade and personal  
14 service establishments in a  
15 pedestrian oriented Downtown shopping  
16 environment, as well as restaurants,  
17 banks and professional medical and  
18 service oriented uses."

19 Permitted uses in the C-V  
20 district include, convenience retail  
21 establishments, specialty retail  
22 establishments and service retail  
23 establishments. Special uses include  
24 restaurants, educational  
25 establishments and banks, among

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2 others. It is important to note that  
3 the C-V district does permit  
4 residential, Village Code Section  
5 470-18B2, provides that in the C-V  
6 Village Commercial District,  
7 apartments may be permitted above the  
8 first floor, in conjunction with  
9 ground floor retail or office uses.  
10 The permitted density is 12 units per  
11 acre and the minimum size of those  
12 units is 450 square feet.

13 There was some concern  
14 expressed at a prior hearing that  
15 commercial usage should never be  
16 rezoned to residential uses. As I  
17 just noted, certain residential uses  
18 are currently permitted.  
19 Nevertheless, in view of our current  
20 C-V district uses, the intended  
21 purpose to foster a pedestrian  
22 oriented Downtown shopping  
23 environment, makes clear that the  
24 Warner Avenue area that we are  
25 discussing tonight, was not actually

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2 the intended target of that zone,  
3 rather, the existence of a number of  
4 retail stores extant in the area,  
5 made such a classification logical.

6 As many of you remember, back  
7 in 1995, when we redrafted our  
8 Village Code, the Village was  
9 contending with a powerful  
10 corporation known as Stop and Shop,  
11 that intended to locate an 80,000  
12 square foot super store squarely in  
13 the middle of our Downtown. Suffice  
14 it to say, our focus was elsewhere at  
15 that time, when we were refining our  
16 zoning code.

17 Since 1995, the Warner Avenue  
18 area has experienced a steady  
19 decline. It clearly is an area in  
20 the Village that needs our attention.  
21 Trustee Westergard.

22 TRUSTEE WESTERGARD: Thank you,  
23 Marshall. Over the past decade, a  
24 number of developers have submitted  
25 applications to the Village,

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2 proposing uses that would revitalize  
3 this whole strip of stores. I recall  
4 applications for a dialysis center  
5 and for a grocer, which were well  
6 received from the Village.  
7 Ultimately, each developer lost  
8 interest and moved on.

9 Unfortunately, the property has  
10 continued to decline. In 2017, a  
11 local developer and resident, Jerry  
12 Carlick (phonetic), came to this  
13 Board and proposed his idea of  
14 renovating a center and creating a  
15 mixed use (inaudible) -- with  
16 apartments above, retail stores and a  
17 restaurant. The Village was  
18 interested in the project, but was  
19 careful to recognize (inaudible) --  
20 as the Board gave the idea of a mixed  
21 use project some thought, Mr. Carlick  
22 and his team supplied the Board with  
23 research and studies, including  
24 traffic, parking analysis reports,  
25 analysis of the number of school-age

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2 children in our development and  
3 renderings of proposed project.

4 The Board considered the  
5 various submissions and presentations  
6 over a two-year period, but took no  
7 action. All of the developers  
8 presentations took place at the  
9 Board's regularly scheduled meetings,  
10 where we encouraged residents and  
11 local businesses to attend and voice  
12 their opinions and concerns.

13 After two years of presenting  
14 ideas, Mr. Carlick believed that he  
15 had sufficiently studied the project  
16 and in September of 2019, he  
17 presented to this Board, a petition  
18 for change of zone or zoning code  
19 amendment and other related land use  
20 approvals for a Mixed-Use  
21 Transit-Oriented Development, also  
22 known as a TOD, for the premises at  
23 281 through 301 Warner Avenue in  
24 Roslyn.

25 The petition was accompanied by



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2 a number of documents, including a  
3 full environmental assessment form,  
4 traffic impact and parking analysis  
5 report and detailed renderings and  
6 elevations.

7 A public hearing was held on  
8 October 15, 2019, to consider the  
9 petition. Presentation was made by  
10 the petitioner and comment was  
11 received by the public. At the end  
12 of the public hearing, the matter was  
13 closed. The Board was left to decide  
14 whether rezoning the area was  
15 appropriate and in the best interest  
16 of the Village.

17 Thank you, it goes back to  
18 Marta Genovese.

19 TRUSTEE GENOVESE: However,  
20 despite the fact that we are an  
21 experienced Board composed of  
22 lawyers, a restaurateur, an  
23 architect and an engineer, we  
24 recognized that we have a need to  
25 turn to a professional land use

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2 planner for some direction in the  
3 rezoning or the potential rezoning.

4 In that regard, we enlisted the  
5 services of Paul Grygiel and his  
6 firm, Phillips Preiss Grygiel Leheny  
7 and Hughes, Planning and Real Estate  
8 Consultants, to give the Board some  
9 expert guidance on the matter.

10 Mr. Grygiel and his firm are no  
11 strangers to the Village, having been  
12 the land use architect for the  
13 Village rezoning after it's back in  
14 1995. Over the past 25 years, the  
15 Village has called on Mr. Grygiel's  
16 firm on a number of occasions to  
17 reevaluate our zoning and ensure that  
18 the vision that we had back in 1995,  
19 was maintaining its true course.

20 I can take great pride in  
21 saying that the Roslyn today is -- I  
22 can say universally, I will say,  
23 regarded as a beautiful and vibrant  
24 community. Mr. Grygiel's assigned  
25 task on this occasion, was to counsel

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2 the Board as to the benefits and  
3 impacts of the Mixed-Use  
4 Transit-Oriented Development in the  
5 Warner Avenue area.

6 Mr. Grygiel prepared and  
7 submitted a report to the Village,  
8 dated March 10, 2020, detailing his  
9 findings and I think that's all  
10 available on the Village website for  
11 those of who want to read it.

12 Mr. Grygiel also included in  
13 his report, proposed zoning  
14 regulations for the area. As I said,  
15 if you want to get into the details  
16 of the zoning regulation, which is  
17 fairly technical, but pretty all  
18 encompassing, that's available on the  
19 website.

20 While I will leave the  
21 presentation of the report to Mr.  
22 Grygiel himself, I would like to  
23 express my thanks to him, thank you,  
24 Paul, your continued excellence in  
25 guiding us in the right direction for

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2 his thoughtful and responsible land  
3 use planning for the Village.

4 I would also like to just  
5 clarify at the outset, that tonight  
6 what we're considering is a Local Law  
7 to rezone the Warner Avenue area.  
8 Only in the event if the Board adopts  
9 this law, will an application be made  
10 by the proposed developer pursuant to  
11 that law and it's presumably pursuant  
12 to that law's development incentive  
13 bonus provision in the event that  
14 that developer wishes to exceed the  
15 density limitations set forth in the  
16 Local Law adopted.

17 The Proposed Law allows for a  
18 maximum gross density of 30 units per  
19 acre and in order to exceed that  
20 limitation, an application would have  
21 to be made again to this Board. So  
22 what I'm trying to stress here, there  
23 are going to be multiple  
24 opportunities to comment on both the  
25 proposed rezoning and any potential

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2 development that's going to be  
3 presented.

4 I would now like to recognize  
5 our Village attorney, John Gibbons.

6 MR. GIBBONS: Thank you, Marta.  
7 I will offer the following resolution  
8 for the Board's consideration. It is  
9 a preliminary classification of  
10 action and commencement of  
11 environmental review for the adoption  
12 of the amendment of the Village  
13 Zoning Code.

14 Whereas the Board of Trustees  
15 of the Incorporated Village of  
16 Roslyn, tends to consider a Proposed  
17 Local Law amending the Municipal Code  
18 of the Incorporated Village of  
19 Roslyn, Chapter 470, entitled,  
20 "Zoning," to add thereto  
21 Section 470-21, which would create  
22 the TMU Transit-Oriented Mixed-Use  
23 District, in the area of Warner  
24 Avenue, across the street from the  
25 Long Island Railroad's Roslyn

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2 station, in the southeast corner of  
3 the Village of Roslyn. The area is  
4 currently zoned C-V Village  
5 Commercial District.

6 And whereas the Board of  
7 Trustees proposes to declare itself  
8 lead agency for the purpose of the  
9 environmental review of the proposed  
10 action, pursuant to the State  
11 Environmental Quality Review Act, the  
12 Village's land use planner, Phillips  
13 Preiss Grygiel Leheny Hughes, LLC,  
14 has prepared an environmental  
15 assessment form to assist the Board  
16 of Trustees in its evaluation of this  
17 action.

18 The Village's land use planner  
19 has also prepared a memorandum dated  
20 March 10th of 2020, entitled,  
21 "Potential Transit-Oriented  
22 Development Zoning, Village of  
23 Roslyn, New York," to provide the  
24 Board of Trustees with relevant  
25 information.

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2 Now be it resolved, that the  
3 Board of Trustees hereby issues a  
4 preliminary classification of the  
5 proposed action as an unlisted action  
6 under SEQRA and be it further  
7 resolved that the Board of Trustees  
8 hereby declares itself lead agency to  
9 conduct the environmental review of  
10 the proposed action.

11 Mr. Deputy Mayor, if you find  
12 that resolution in order, I would ask  
13 you make a motion.

14 DEPUTY MAYOR BERNSTEIN: I do  
15 find it in order and I move that  
16 these resolutions be adopted.

17 MR. GIBBONS: Thank you. And I  
18 would just like to note for the  
19 record, the hearing exhibits, all of  
20 the hearing exhibits are on the  
21 Village website.

22 Exhibit 1 will be the Local Law  
23 itself, which is a Proposed Local  
24 Law, amending the Municipal Code of  
25 the Incorporated Village of Roslyn,

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2 Chapter 470, entitled "Zoning," to  
3 add thereto Section 470-21, to create  
4 the TMU Transit-Oriented Mixed-Use  
5 District.

6 The second exhibit will be the  
7 SEQRA resolution, that the Board just  
8 passed.

9 The third exhibit will be  
10 Mr. Grygiel's report, dated March 10,  
11 2020, entitled, "Potential  
12 Transit-Oriented Development Zoning."

13 Exhibit 4 will be the  
14 environmental assessment form that  
15 was prepared by Mr. Grygiel and his  
16 firm.

17 Exhibit 5, which was referenced  
18 by the Deputy Mayor in his opening,  
19 is Village Law Section 470-18  
20 Subdivision B, Subdivision two, which  
21 provides for residential apartments  
22 in the C-V district.

23 Hearing Exhibit Number 6 is a  
24 letter in support, dated June 13,  
25 2020, from the Roslyn Chamber of



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2 Commerce, signed by Steven Blank, its  
3 president.

4 Exhibit Number 7, will be a  
5 letter from Verizon, dated June 15,  
6 2020. Verizon has the continuous  
7 parcel to Mr. Carlick's parcel and  
8 they indicate in the letter that they  
9 have no objection.

10 As I said, all of these  
11 exhibits are on the Village website,  
12 if anyone would like to review them.  
13 And at this point, I would like to  
14 turn it over to Mr. Grygiel.

15 DEPUTY MAYOR BERNSTEIN: Let me  
16 interject for a moment. I proposed  
17 that resolution, but we need a second  
18 and vote. Who will second the  
19 motion?

20 TRUSTEE GENOVESE: I'll second  
21 the motion.

22 DEPUTY MAYOR BERNSTEIN: I'll  
23 take a vote.

24 Trustee Westergard?

25 TRUSTEE WESTERGARD: Aye.

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2 DEPUTY MAYOR BERNSTEIN:

3 Trustee Genovese?

4 TRUSTEE GENOVESE: Aye.

5 DEPUTY MAYOR BERNSTEIN:

6 Trustee Oral?

7 TRUSTEE ORAL: Aye.

8 DEPUTY MAYOR BERNSTEIN: The  
9 motion is therefore approved.

10 MR. GIBBONS: Thank you. I  
11 appreciate you bringing that to my  
12 attention.

13 DEPUTY MAYOR BERNSTEIN: So  
14 now, I think we move over to Paul  
15 Grygiel.

16 MR. GRYGIEL: Thank you Deputy  
17 Mayor, it's a pleasure to be with all  
18 of you this evening.

19 Just briefly, with regard to  
20 our scope of work, as Trustee  
21 Genovese mentioned, our firm was  
22 retained by the Village to provide an  
23 overview of Transit-Oriented  
24 Development and its benefits and  
25 impacts to evaluate the proposal that

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2 was put forth for the development of  
3 281 through 301 Wagner Avenue and  
4 provide presentations for potential  
5 rezoning of this area, including the  
6 adjacent Verizon building, which  
7 includes drafting zoning amendments  
8 that are before the Board this  
9 evening.

10 Our particular scope of work  
11 included a number of tasks including  
12 inspecting the area around the Roslyn  
13 Long Island Railroad station,  
14 reviewing relevant sections of the  
15 Roslyn Zoning Code and master plan,  
16 research and Transit-Oriented  
17 Development in general, as well as  
18 potential impacts and reviewing the  
19 application materials that had been  
20 submitted previously.

21 Before I start with an overview  
22 of our scope of the memo that I  
23 prepared dated March 10, 2020, as was  
24 mentioned, our firm has been involved  
25 for a number of years in Roslyn.

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2 We've been in existence for over  
3 50 years, with various different  
4 names, and we've been involved in  
5 Roslyn for 25 years. Personally, I  
6 first became involved in Roslyn  
7 20 years ago this summer. One of the  
8 first projects I worked on was GIS,  
9 for the master plan and the  
10 waterfront. Since then, I have been  
11 called back periodically to advise on  
12 various issues throughout the  
13 Village.

14 In my firm, I also have  
15 experience providing these type of  
16 services with regard to zoning,  
17 planning, environmental review, for  
18 other Villages in Nassau County, as  
19 well as elsewhere in New York State  
20 and throughout New Jersey as well.

21 With that, I'll turn to the  
22 memorandum dated March 10, 2020,  
23 which discusses the subject of this  
24 rezoning. First things first, the  
25 area being studied is the only

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2 section of the Village of Roslyn that  
3 would be basically available for  
4 Transit-Oriented Development, due to  
5 its proximity to the railroad  
6 station, as well as the setting of  
7 this nonresidential uses and then  
8 multifamily residential. So it's a  
9 rather unique section of the Village.

10 In terms of what

11 Transient-Oriented Development is and  
12 it's benefits and impacts, TOD or  
13 Transit-Oriented Development is  
14 generally defined as a walkable  
15 community that is close to frequent,  
16 reliable transit service, with a mix  
17 of resources and land uses.

18 It generally involves land uses  
19 of a quarter to half mile of a train  
20 station or other public transit. Our  
21 report does point out a number of  
22 examples of areas that transform  
23 around train stations and other  
24 transit modes throughout the New York  
25 Metropolitan region and beyond.

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2 Certainly you're not alone in  
3 considering making changes to zoning  
4 in transit-oriented development  
5 potentially that would take advantage  
6 of transit service and enhance  
7 walkability to provide other benefits  
8 to the community.

9 The added -- a couple of added  
10 benefits of TOD included adding  
11 vitality in this station area, where  
12 you have some land uses that have  
13 seen better days, so adding some  
14 pedestrian activity, adding support  
15 to local businesses nearby and also  
16 having new investment in the Village,  
17 while repurposing develop plan, that  
18 is generally intent of this type of  
19 action to try to take what was  
20 already there before and to replace  
21 it with something that is more  
22 attractive, more valuable as other  
23 benefits to the community.

24 There is certainly or  
25 potentially impacts to the

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2 Transit-Oriented Development, for  
3 that matter, any development will  
4 have impacts. Typically the most  
5 concerning is traffic and population.

6 Our report points out some  
7 facts with regard to traffic and trip  
8 generation. Typically, TOD generates  
9 less traffic per unit, compared to  
10 typical developments.

11 This relates to a couple of  
12 factors. One, is that you have  
13 transit right nearby, usually within  
14 walking distance, so that lessens  
15 potential impacts for people  
16 commuting to work. Also, you're  
17 replacing existing uses typically  
18 that already have been generating  
19 traffic.

20 In terms of demographics, I  
21 know that's certainly a big concern  
22 everywhere where I do planning work.  
23 Any new residential development will  
24 increase the number of residents and  
25 will increase the demand for

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2 services. In this instance, I think  
3 there are some mitigating factors.

4 First of all, you have an area  
5 with existing infrastructure in  
6 place, in terms of roads, utilities  
7 and the like. Any development,  
8 whether it's through rezoning of this  
9 type or even on the current zoning,  
10 would need to provide for upgrades,  
11 with regard to utilities, such as  
12 water and sewer, intersections,  
13 sidewalks and provide parking. So  
14 you typically deal with those types  
15 of impacts anyway.

16 However, in this case, we'll  
17 talk about in a moment, the  
18 possibility of these added benefits  
19 provided by a potential  
20 redevelopment.

21 In terms of potential impacts  
22 with regard to residents and  
23 particularly school-age children, our  
24 memo outlines a number of issues with  
25 regard to that and provides



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2 statistics regarding TOD, and why  
3 typically it has less impact than  
4 often is feared or expected,  
5 especially with regard to school-age  
6 children.

7 Notably, there are multipliers  
8 that show that the number of  
9 residents and school-age children on  
10 average, decrease in more dense  
11 developments and even more so when  
12 you're near a transit station.

13 Demographic multipliers for TOD  
14 in fact generally show much lower  
15 numbers than one would expect in  
16 terms of schoolchildren, given the  
17 proximity to the transit and the sole  
18 selection of typical residents in  
19 these types of developments.

20 The number that we cited in the  
21 report is expecting roughly 2 to 3  
22 school-age children for every 100  
23 dwelling units, so it's a very, very  
24 low number. Again, it's not  
25 typically what people expect of new

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2 developments, but again, given the  
3 circumstances of location, type of  
4 development typically in TOD, it's  
5 multifamily housing, again, within  
6 walking distance to transit service  
7 and services, it typically does not  
8 generate the same type of household  
9 sizes and compositions as you would  
10 have in newer housing elsewhere and  
11 other locations.

12 So with overview of the  
13 proposed zoning, it all has been made  
14 available previously and there was  
15 good overview previously of some of  
16 the Trustees, but what we're dealing  
17 with is an area in the C-V Village  
18 Commercial District, the commercial  
19 strip at the Verizon building. These  
20 two properties are the only lots in  
21 the C-V zone outside of Downtown  
22 Roslyn. So we're dealing with a  
23 setting that is much different than  
24 the Downtown and that again, as was  
25 mentioned before, the zoning was

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2 intentionally written for the other  
3 part of the C-V zone to deal with  
4 pedestrian-oriented Downtown shopping  
5 environment.

6 So in this instance, what's  
7 being proposed is modifying the types  
8 of uses and changing some of the  
9 regulations for this particular area  
10 in recognition of its zoning  
11 characteristics. So what's being  
12 proposed is a TMU Transit-Oriented  
13 Mixed-Use Zone. It would permit  
14 residential apartments, with some  
15 limitations, as well as retail and  
16 other commercial uses, as well as  
17 mixed use.

18 Again, all the intended uses  
19 are generally permitted today in  
20 different amounts and different  
21 settings, but the zoning is again  
22 enhancing what's already permitted  
23 and taking advantage of the unique  
24 setting within the Village. There a  
25 number of standard, included boat

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2 regulations, as you would typically  
3 find in the zoning ordinance.

4 Notably, this zoning that's  
5 being proposed includes development  
6 incentive bonuses. This is an  
7 approach permitted by State Law.  
8 It's been used in Roslyn for example,  
9 with the WDO, Waterfront Development  
10 Overlay District, as well as other  
11 Villages to help manage development.

12 What this does in this case is  
13 allows the Board of Trustees to  
14 provide incentive bonuses, which  
15 we'll talk about in a moment, in  
16 exchange for an applicant providing  
17 one facility or amenities to benefit  
18 the residents of the Village.

19 So these incentives could  
20 include regulations of increased  
21 density or coverage or floor ratio,  
22 modified parking requirements,  
23 building heights or setbacks and  
24 permitted uses. But it's very  
25 important to note, these are only in

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2 exchange if the development provides  
3 specified benefits as outlined in the  
4 Proposed Local Law. So whether it's  
5 open space, parks and recreational  
6 facilities, street improvements, road  
7 improvements, on street parking,  
8 there is whole list, I can keep going  
9 on here, sidewalk extensions to make  
10 pedestrian safety enhancements, those  
11 types of things, all are included in  
12 the list of potential amenities that  
13 would be provided by any developer or  
14 applicant, in exchange for the  
15 bonuses that are set forth in the  
16 law.

17 The intent, in closing, is  
18 really to mitigate any impacts from  
19 the development, beyond what you  
20 would normally see in a development  
21 project and get high quality  
22 development, along with facilities  
23 improvements and benefits to the  
24 Village beyond the project itself.

25 That concludes my presentation,

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2 so I would be glad to turn the  
3 hearing over.

4 DEPUTY MAYOR BERNSTEIN: Thank  
5 you, Paul. I want to note, that Paul  
6 prepared, on behalf of the Village, a  
7 document known as a full  
8 environmental assessment form.  
9 That's among the documents that  
10 counsel offered into the record a  
11 short while ago. We've gone through  
12 this carefully and I do have a few  
13 questions to discuss with Paul, not  
14 many, but just to bring up some  
15 things that I noticed to see if  
16 change is necessary.

17 Let me start out by saying that  
18 this form that was filed, the EAF,  
19 the environmental assessment form,  
20 makes clear that that document is  
21 being filed by the Village, not by a  
22 potential applicant. It covers our  
23 Proposed Local Law, which amends the  
24 zoning code as we discussed, to  
25 create the TMU Transit-Oriented

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2 Mixed-Use District. Thus, this EAF  
3 relates to the Proposed Law, as a  
4 theoretical zoning change only and  
5 not as to have a site may eventually  
6 be effected by a future actual  
7 project.

8 For that reason, a lot of the  
9 details of that form are not filled  
10 in and they are properly not filled  
11 in. But I do have a few little  
12 questions for you, Paul, if you can  
13 follow me.

14 MR. GRYGIEL: Sure.

15 DEPUTY MAYOR BERNSTEIN: On  
16 page three, paragraph C, upper case C  
17 four, lower case C, on page three, I  
18 think this is a question that talks  
19 about fire and emergency services  
20 available. We state in there, we  
21 have Roslyn Rescue Fire Company,  
22 sorry, Roslyn Highlands. I think we  
23 have to add Roslyn Rescue Fire, two  
24 fire companies that serve that area.

25 MR. GRYGIEL: Great suggestion,

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2 will do.

3 DEPUTY MAYOR BERNSTEIN:

4 Second, paragraph C, 4 lower case d,  
5 page three, this question asks about  
6 public parks, et cetera, that are  
7 close to the area. Included in there  
8 is a reference to the park at East  
9 Hills.

10 That, I think, must be deleted  
11 because that park is not a public  
12 facility.

13 MR. GRYGIEL: Okay, very well.

14 DEPUTY MAYOR BERNSTEIN: Next  
15 is D2G, page six, the place for the  
16 answer yes or no is filled in no,  
17 that should be left blank, I believe,  
18 since nothing has been named on D2F  
19 above that.

20 MR. GRYGIEL: Yes, and  
21 following along, that's a very good  
22 point. We'll make that change.

23 DEPUTY MAYOR BERNSTEIN: Next,  
24 on page -- paragraph E1A, page nine,  
25 which talks about uses adjourning the



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2 proposed site, I think we should add  
3 the LIRR Roslyn Railroad station  
4 because that is immediately across  
5 the street from the proposed site.

6 MR. GRYGIEL: Sure, I'll be  
7 happy to do so.

8 DEPUTY MAYOR BERNSTEIN: Almost  
9 finished. Next, paragraph E1V, at  
10 the very top of page 11, I believe  
11 the no in the fifth bullet point  
12 should be left blank, since we have  
13 already answered no to the lead-in  
14 sentence.

15 MR. GRYGIEL: Okay, I see that  
16 as well. I will do that also.

17 DEPUTY MAYOR BERNSTEIN:  
18 Paragraph seven, E3H, lower case I,  
19 again, we must remove a reference to  
20 the park in East Hills.

21 MR. GRYGIEL: Okay.

22 DEPUTY MAYOR BERNSTEIN: And  
23 the final question, which to me is a  
24 real question, has to do with part  
25 two to the form, paragraph ten, on

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2 page six. Since our Proposed Local  
3 Law contemplates multiple dwellings,  
4 which impact our historic district,  
5 since this question asks for, I  
6 believe, for impact on such things as  
7 historic districts, the question  
8 here, answered no, should that be  
9 yes, because in theory, the law  
10 itself will contemplate multiple  
11 dwellings, which in turn would impact  
12 in a way the historic district.

13 So my question simply is,  
14 should this be answered yes, rather  
15 than no?

16 MR. GRYGIEL: In my view, the  
17 uses as permitted noted previously,  
18 this rezoning would not in and of  
19 itself create any type of new  
20 development, so that's my reasoning  
21 behind that. Open to thoughts from  
22 the Village attorney or other  
23 Trustees, if they disagree with that  
24 assessment, but that's the reasoning  
25 I have for that answer.

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2 DEPUTY MAYOR BERNSTEIN: So  
3 you're really stating what I said at  
4 the beginning, this form, in our  
5 case, is more theoretical than  
6 actual, the same reason should apply  
7 here?

8 MR. GRYGIEL: I believe that to  
9 be the case. An action to rezone a  
10 property or an area doesn't guarantee  
11 development will happen or dictate  
12 its actual form. One could develop  
13 today, as of right and even if they  
14 were rezoning, development could move  
15 forward or could not move forward, X  
16 times ten units, so I think it's just  
17 premature to evaluate the kind of  
18 impact.

19 DEPUTY MAYOR BERNSTEIN: Fine.  
20 Any Trustees have input on that?

21 TRUSTEE ORAL: I agree with  
22 that determination. This is the  
23 environmental analysis of the law to  
24 change the zone only. It's just of  
25 the change of zone and the change of

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2 zone itself, is not physically  
3 changing anything in the field.

4 DEPUTY MAYOR BERNSTEIN: Thank  
5 you, Sarah. Thank you, Paul. We  
6 will move on now to the more  
7 significant part of our hearing.

8 I would like to just make two  
9 comments. What we will have here is  
10 comments by Trustees, to be followed  
11 by comments of any people, any people  
12 making up the public, who are  
13 attending, comments about the  
14 procedure and process we're talking  
15 about now.

16 At the start here, I want to  
17 emphasize, with respect to this  
18 Proposed Local Law, all comments are  
19 welcome. Please understand that this  
20 evening, no action will be taken by  
21 this Board to adopt that law. The  
22 sole resolutions to be adopted  
23 tonight, are the SEQRA resolutions  
24 that we just recently approved.  
25 Those resolutions are required

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2 prerequisites for the future  
3 proceedings relating to the Proposed  
4 Local Law. So there will be no  
5 further resolutions adopted by this  
6 Board, but we welcome comments from  
7 the Trustees and the public.

8 I would like to make one  
9 further comment, generally having to  
10 do with this entire process. And  
11 that is, that our Village, historic  
12 Village of Roslyn is a visually  
13 beautiful Village, enhanced by a  
14 lovely and unique historic district.  
15 This holds true for our Village as a  
16 whole, except for one striking  
17 exception and that exception is the  
18 strip mall on this site we have been  
19 talking about.

20 I've lived in the Village for  
21 46 years and the site is and always  
22 has been, unfortunately, dirty, ugly  
23 and out of character. The site, in  
24 my view, cries out for improvements.

25 Second point I'd like to make,

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2 so we can learn this by reading Paul  
3 Grygiel's report, is that our  
4 Village, it seems to me, is sorely  
5 lacking in more affordable rental  
6 housing.

7 Our residential developments  
8 has definitely set forth the benefits  
9 of multiple dwellings. I want to  
10 refer to two places, simply two  
11 places in Paul's report, which I know  
12 you don't have in front of you, but I  
13 will read.

14 The first is on page two which  
15 reads as follows: "However, by  
16 nearly all measures, Nassau and  
17 Suffolk Counties are lagging behind  
18 other areas surrounding New York  
19 City, in terms of the amount and  
20 availability of rental housing in  
21 general."

22 The next comment I want to read  
23 is on page five and I'll read this in  
24 its totality: "Two relevant  
25 recommendations of the 2013 report by

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2 the Regional Plan Association,  
3 entitled, "Long 1Islands rental  
4 housing crisis," under the heading,  
5 "Town and Village leaders can apply  
6 lessons learned from a growing number  
7 of places, both on and off the  
8 Island, that has successfully  
9 incorporated new rental homes into  
10 their communities."

11 Two of such matters are as  
12 follows: "Zoning and other  
13 regulations in Downtowns and near  
14 transit, should be reviewed to ensure  
15 that height restrictions, parking  
16 requirements, units per acre and  
17 other regulations don't unnecessarily  
18 restrict the development of  
19 multifamily housing."

20 And next, "Density bonuses also  
21 can provide a means for encouraging  
22 more affordable rental housing as  
23 part of any new development."

24 Basically, multifamily housing  
25 is in short supply, it's possible and

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2 if it can be done carefully,  
3 logically, it should be encouraged.

4 With that, I would invite any  
5 of my fellow Trustees to make any  
6 comments.

7 TRUSTEE ORAL: I'll go first,  
8 if nobody minds. I will be speaking  
9 wearing three different hats. I am a  
10 Trustee. I am a resident and I am  
11 also a traffic and transportation  
12 engineer/urban planner with close to  
13 20 years experience in the field.

14 So as a resident of Roslyn  
15 Gardens, which is the forgotten part  
16 of the Village, our mailing address  
17 is actually Roslyn Heights, that's  
18 how forgotten we are in the Village.  
19 I live down the block from the area  
20 that is proposed to be rezoned. The  
21 entire time that I've lived here, it  
22 has been an eyesore and this is one  
23 entrance to our Village.

24 If you enter our Village from  
25 the north, you get historic Downtown



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2 Roslyn and a beautiful clock tower  
3 and all of the beautiful  
4 infrastructure. And when you enter  
5 Roslyn from where we live, you get a  
6 blighted property that had some  
7 businesses, people loitering and a  
8 giant parking lot for the railroad.

9 So no matter what, this  
10 property needs a facelift. I don't  
11 think anybody could disagree with the  
12 statement that this property needs a  
13 facelift. So the question is, what's  
14 best for this property.

15 So as an engineer and planner,  
16 the best use for this property, in my  
17 opinion, is transit-oriented  
18 development. You have such a great  
19 asset of a train station right there  
20 and there are people who want to live  
21 by the train. There are people who  
22 are tired of living in the City, but  
23 still want a way to commute into the  
24 City and a place to live, where they  
25 don't have to rely on their car.

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2 They have been living for the past  
3 20 years without a vehicle, they  
4 would like to try to live somewhere  
5 without a vehicle further away from  
6 the City. So -- or I won't say  
7 without a vehicle, maybe vehicle  
8 light, maybe one car per household,  
9 instead of two. And one way to do  
10 that is to live within walking  
11 distance, not only of a train  
12 station, but of other amenities.

13 So a mixed use development, not  
14 only provides housing and people on  
15 the street and a vibrant community in  
16 that way, it also provides some extra  
17 retail on the first floor, to be  
18 patronized not only by the residents  
19 above it, but let's say the 1,200  
20 residents that live in my  
21 development, less than a quarter mile  
22 away, within walking distance.

23 So this is, in my opinion, a  
24 guaranteed way to revitalize this one  
25 section of the Village that needs

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2 help, which leads to my opinion as a  
3 Trustee, this part of the Village  
4 needs help. For as long as I've  
5 lived here, people keep saying it  
6 needs to be improved, it needs to be  
7 improved, like Trustee Westergard  
8 mentioned, we had some very promising  
9 applications and for whatever reason,  
10 they didn't come.

11 I actually spoke at the hearing  
12 for the grocery store because I was  
13 really excited about having a grocery  
14 store open in walking distance. And  
15 we need a change. Everybody knows we  
16 need a change. But change is hard.

17 So I just ask everybody to have  
18 an open mind. We're not taking this  
19 lightly. We've reviewed this for  
20 nine months, since the petition was  
21 put before us and we've looked inside  
22 and out and just please have an open  
23 mind. Thank you.

24 DEPUTY MAYOR BERNSTEIN: Thank  
25 you, Sarah. Marta?

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2 TRUSTEE GENOVESE: I would echo  
3 a lot of what Sarah said, having been  
4 a person who actually grew up in the  
5 Roslyn community, I know it would be  
6 very difficult for my own children to  
7 be able to find any place to live  
8 here. And that particular spot, I  
9 can remember there being an ice  
10 skating rink there, a local bar, a  
11 pizza place and it's always been a  
12 challenging area to develop well.

13 From a layman's point of view,  
14 I am not an engineer, I am an  
15 attorney, that the idea behind a  
16 Transit-Oriented Development is  
17 really that it's antiurban sprawl  
18 legislation. So the idea that  
19 someone, if you place mixed use  
20 retail and residential in proximity  
21 to transit, that both will flourish  
22 and people will not need to take  
23 their cars out of the garage or their  
24 driveways to do some of the errands  
25 that they need to do every day or to

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2 commute to the office.

3 And I think this is really a  
4 perfect site for that, it may be the  
5 only site in the Village that is  
6 suitable for Transit-Oriented  
7 Development.

8 And at the end of the day, one  
9 of our biggest problems in the  
10 Village is really traffic. Everybody  
11 is plagued by it. I think we may  
12 forget, having been essentially home  
13 for three months, but every single  
14 application that comes before this  
15 Village, traffic is probably the main  
16 concern. So I think it's perfectly  
17 appropriate use and for that reason,  
18 I would support the change in zoning.

19 DEPUTY MAYOR BERNSTEIN:

20 Thanks, Marta. Craig?

21 TRUSTEE WESTERGARD: Sure, I'll  
22 charm in Marshall, thank you. I had  
23 a script to read before, but I'll  
24 just speak from the heart here.

25 Like Sarah, I formerly lived at

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2 the Roslyn Gardens complex. My wife  
3 and I bought that little house at 121  
4 Everett Street at the end and all in  
5 all, I've lived in this local  
6 community for over 30 years. And I,  
7 too, have gone back and forth in  
8 front of the shopping center. There  
9 has been people that have purchased  
10 it and gave it a noble attempt to fix  
11 it up and try to make it work, but it  
12 seems that it's a financial problem  
13 center for any of the owners that  
14 have had it. They just can't make it  
15 operate with the type of tenants  
16 they're going to get to go into this  
17 type of building. So that's been  
18 unfortunate.

19 We're an historic Village. It  
20 would be a wonderful notion for  
21 someone to come in and restore the  
22 buildings, but this doesn't seem to  
23 be within the cards, not financially  
24 appropriate.

25 I guess time goes by and now we

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2 have these opportunities for these  
3 transit-oriented projects, which seem  
4 to me, would be an awfully good idea.  
5 If you look around Long Island right  
6 now and you drive around and you see  
7 an awful lot of housing being  
8 developed and there certainly is a  
9 need for that. We absolutely have a  
10 shortage of housing for folks in Long  
11 Island and it's certainly most  
12 appropriate to locate them near the  
13 train stations, but it's also very  
14 close to the LIE and the Northern  
15 State Parkway also.

16 So I support the project. I  
17 think it's a good idea and because  
18 for the most part, it just does not  
19 look like the center is ever going to  
20 get off the ground in its current  
21 state. And it would be nice to have  
22 something done there that would  
23 benefit the community. So I'm for  
24 this.

25 And to just remind everyone,

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2 that while this developer has come in  
3 and made this application, I think  
4 there were some concern at one of the  
5 last presentations, that this is what  
6 we're voting on here right now and  
7 it's not. That project triggered  
8 this development in our change of  
9 zone, but that project, in and of  
10 itself, is not what we're endorsing  
11 right now, that will come down the  
12 line.

13 It may not be that developer  
14 and that project that gets built  
15 here. We don't know that yet. So  
16 with that being said, thank you,  
17 Marshall and thank you, Board.

18 TRUSTEE ORAL: Can I add one  
19 more thing?

20 DEPUTY MAYOR BERNSTEIN:  
21 Surely.

22 TRUSTEE ORAL: Along the lines  
23 of what Craig was just saying, the  
24 change of zone that we are  
25 considering, would actually not allow



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2 for the project as presented at the  
3 past couple of times that they  
4 presented it. We, like I said, we  
5 looked very long and hard at the  
6 different requirement and the project  
7 as presented don't meet the densities  
8 that would be allowed under this law.

9 So I ask everybody to really  
10 look at what's at hand right now.  
11 It's changing the zoning to  
12 potentially allow for mixed use  
13 development adjacent to the train  
14 station, but there is no active  
15 application because as of now, an  
16 application would not be allowed.

17 A change of zone allows the  
18 consideration of a mixed use  
19 development to be considered onsite.  
20 So please keep your comments to the  
21 change of zone only. There should  
22 not be any comments on an application  
23 because there is no application,  
24 other than the change of zone itself.

25 DEPUTY MAYOR BERNSTEIN: Thank

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2 you, Sarah.

3 We will now open the floor to  
4 comments by members of the public.  
5 Sarah, earlier on this evening, went  
6 through the process, I hope it's  
7 understandable. And, John Gibbons,  
8 how shall we do this?

9 MR. GIBBONS: I think Peter  
10 will call the first resident.

11 PETER: There are a few  
12 individuals with Hand Raised. I'm  
13 going to call your name and then I  
14 will send you the unmute, if you  
15 could just click the button, you will  
16 be unmuted. I'm going to start with  
17 Bill Costigan.

18 MR. COSTIGAN: My name is Bill  
19 Costigan. I'm a resident of Roslyn  
20 Heights. My address is 216 Forest  
21 Street.

22 I heard a lot tonight about how  
23 this will benefit the Village and how  
24 this will be an improvement for the  
25 Village, but -- and I think that I've

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2 heard that that parcel, as it exists  
3 right now, needs a facelift and I  
4 don't think many people would  
5 disagree with that.

6 However, when I looked at the  
7 New York State zoning and the  
8 comprehensive plan, one of the things  
9 it talks about, that I haven't heard  
10 here tonight at all, is that when  
11 examining a request, that the  
12 municipality should just not look at  
13 what is beneficial to the  
14 municipality. It needs to look  
15 beyond its boundaries and consider  
16 what the effects will be on the  
17 neighboring communities.

18 And as a resident of the  
19 incorporated area of Roslyn Heights,  
20 I know that I just recently became  
21 aware of this whole project and I  
22 think that due to the COVID-19  
23 pandemic, any decision on this change  
24 of zoning, should be continued until  
25 such time as we can all meet and

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2 information can be disseminated to  
3 the surrounding neighboring  
4 communities because I think without  
5 that, we're just asking for, you  
6 know, people to feel like this was a  
7 fait accompli before we even came  
8 here.

9 And something that Sarah Oral  
10 said, was that the -- I understand  
11 from my limited knowledge of this --

12 PETER: Thirty seconds.

13 MR. COSTIGAN: -- was that the  
14 developer's proposal is for 60 units  
15 of residencies above retail. And I  
16 see that in your Local Law that you  
17 are looking to enact, it talks about  
18 a maximum gross density of 30 units  
19 per acre and this is just about one  
20 acre. But what it does is under  
21 Section D, it talks about incentive  
22 bonuses and it gives you -- the  
23 Village, the right to make  
24 adjustments to forget about the  
25 permissible density coverage floor

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2 area, parking ratios. All of these  
3 items that will affect, not just the  
4 Village, but will affect all of the  
5 surrounding communities and how close  
6 is this to the other communities. I  
7 think you know, if you step off  
8 Warner Avenue across the street, you  
9 are now out of the Village.

10 So again, I think everyone  
11 understands that as the property  
12 exists, it needs a facelift, but do  
13 we need to go to the extent where we  
14 are --

15 PETER: Thank you, Mr.  
16 Costigan.

17 DEPUTY MAYOR BERNSTEIN: Thank  
18 you. Your comments have been noted.  
19 They also will be recorded in the  
20 minutes of the meeting.

21 PETER: Our next speaker just  
22 has a name, Debbie.

23 DEBBIE: My question is how  
24 does this affect further zoning in  
25 the Village, if we change this

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2 zoning? Does this open up the  
3 potential for others? Does it make  
4 it easier for other zones to be  
5 changed nearby in the future or is it  
6 just this one property?

7 MR. GIBBONS: It's just the one  
8 property.

9 TRUSTEE ORAL: Two properties.

10 MR. GIBBONS: Two properties,  
11 one zone.

12 TRUSTEE GENOVESE: I think to  
13 clarify that, there are no other  
14 suitable sites for Transit-Oriented  
15 Development because it's really the  
16 proximity to the Long Island Rail  
17 Road that makes it workable. It  
18 wouldn't apply anywhere else in the  
19 Village. Does that answer your  
20 question? She's muted.

21 PETER: Next speaker we have is  
22 Meryl Ben-Levy.

23 MS. BEN-LEVY: I do have a few  
24 comments. Good evening, everyone. I  
25 hope everyone is well. Last time we

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2 saw one another was pre-pandemic, so  
3 I'm happy to see you all well and  
4 present. I'm going to reserve the  
5 opportunity to comment in writing, to  
6 further submit additional materials.  
7 I understand from the initial  
8 remarks, that that will be permitted  
9 and possible. So please bear with  
10 me. I took notes and we have  
11 compiled some remarks prior to  
12 understanding how the conduct of you  
13 your meeting would be. So I'll just  
14 try to give you my high points.

15 So I'm going to ask you really  
16 to consider, is now the time?  
17 Implementing and creating a new zone  
18 that may have far reaching and long  
19 lasting impacts, but doing this  
20 during this global pandemic, when  
21 none of us could possibly know what  
22 tomorrow, next month, next week is  
23 going to look like or how the new  
24 norm will take shape and how this  
25 change in zone will impact our school

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2 system and our community in the short  
3 and long-term, isn't the most  
4 sensible sound or prudent way to go  
5 forward, when we have the opportunity  
6 to really take pause and examine  
7 further the data, the reports and  
8 supplement them.

9 We respectfully request that a  
10 measured, thoughtful, engaging  
11 process and analysis be undertaken  
12 and be permitted and be continued  
13 from tonight. We're asking that the  
14 Village Board of Trustees engage the  
15 community, the whole community and  
16 the surrounding communities and other  
17 municipalities to survey all the  
18 concerns and the potential impacts  
19 that are known at this time and that  
20 can be contemplated at this time, to  
21 evaluate the concerns for the sake of  
22 our community's future. Community  
23 involvement is critical and key for  
24 the collective benefit of the  
25 Village, the School District and all



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2 of our shared communities. So we  
3 urge the Village to pause, we're all  
4 on pause, to carefully undertake to  
5 review, to evaluate reports and plans  
6 to gain a full global understanding  
7 to the extent possible of the impacts  
8 to all parties.

9 PETER: Thirty seconds.

10 MS. BEN-LEVY: Taking into  
11 account that the variables that have  
12 been thrust upon us by COVID-19  
13 pandemic are real. As it pertains to  
14 the School District and shared with  
15 you before, it is not just the  
16 Proposed Local Law and creation of a  
17 new zone, it's all of the potential  
18 projects in the aggregate, that have  
19 the potential for adverse impact to  
20 our schools and all of our other  
21 shared infrastructure and material  
22 resources.

23 We respectfully request that  
24 the Village pause to meet with  
25 stakeholders and impacted interested

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2 parties to understand their  
3 operations and community needs before  
4 taking an action that cannot be  
5 reversed.

6 To do so will help produce an  
7 overall framework that can aid in  
8 maintaining, sustaining our  
9 community, our infrastructure, our  
10 essential and community services, all  
11 for the benefit of our collective  
12 taxpayers, residents, school system  
13 and our students. This process will  
14 be respected ever more if conducted  
15 with the community --

16 PETER: Time.

17 MS. BEN-LEVY: May I please  
18 have an extension of time to conclude  
19 my remarks?

20 DEPUTY MAYOR BERNSTEIN: That  
21 would be fine, Meryl, but not more  
22 than another full three minutes,  
23 please.

24 MS. BEN-LEVY: Okay, I'll try  
25 to talk quickly, Marshall. I don't

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2 want to miss anything that I can give  
3 you right now, but thank you, I  
4 appreciate it.

5 Unfortunately, I know that you  
6 appreciate the constraints of a  
7 virtual public hearing, especially on  
8 a matter of such significance and  
9 interest to the community during a  
10 global pandemic and especially on a  
11 night where even I had to hop off to  
12 suspend the canvassing of ballots,  
13 which of course, is not in any of our  
14 control, but it's by executive order  
15 of the Governor.

16 But it's important enough to  
17 us, that we're here and I'm back and  
18 forth between the two because I'm  
19 engaged and the Board is engaged and  
20 our schools are engaged. So we ask  
21 you please listen to us and consider  
22 carefully our concerns and to work  
23 together with us.

24 I'm going to ask you again to  
25 please search. The time is now. We

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2 believe that there is a great deal of  
3 work to be done, evaluating the  
4 impact of the proposed change in the  
5 Local Law and by this, we do mean we  
6 have challenging times because we  
7 believe, as it is our fiduciary duty  
8 to do, that to ensure that our  
9 schools, our communities and most  
10 importantly, our students are  
11 protected and not adversely impacted  
12 by additional stressors to the  
13 system, that are not borne equally  
14 financially by the entirety of the  
15 community and that is a very key  
16 concern, especially in light of the  
17 fact that, as you know, all of the  
18 real estate taxes are no longer  
19 deducted.

20 We are very sure that this  
21 Board would like to do the same. We  
22 firmly believe that reports need to  
23 be updated, evaluations completed and  
24 new data and trends analyzed and we  
25 ask you allow this to occur before

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2 any change of zone is made, that  
3 cannot be reversed.

4 We ask you to consider the  
5 planning procedures implemented in  
6 other transit-oriented use districts,  
7 that has been undertaken upon State  
8 and local and many of which have  
9 taken years to analyze and evaluate  
10 and that was during pre-pandemic  
11 times. We ask you to look at them  
12 through a new lens or multiple  
13 lenses, so that you can appreciate  
14 the concerns that we raise, which  
15 have escalated since the last time we  
16 stood before you and made comments.

17 Our school system has certainly  
18 been challenged during this  
19 unprecedented time every day. Our  
20 administration, our teachers, our  
21 staff are faced with additional  
22 requirements, more than we ever could  
23 have imagined, more than anyone could  
24 ever have imagined.

25 Certainly, we could never have

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2 imagined that we are experiencing  
3 what we are. We will move ever  
4 upward and through our challenges,  
5 but we have quite a bit to do and our  
6 system and our infrastructure and our  
7 facility to finances are all being  
8 examined.

9 So we ask you, is it right to  
10 do this, we think maybe not now. As  
11 we sit here this evening, there is no  
12 certainty. We're all in a state of  
13 flux. We don't know what school will  
14 look like come September and as a  
15 matter of fact, we don't know what  
16 our budget situation will be.

17 We've been promised cuts by the  
18 Governor in the event certain things  
19 don't happen or do happen and we  
20 don't know what that will be.

21 So we will persevere. We will  
22 rise to the challenge, but we would  
23 like to plan appropriately and know  
24 what they are on any additional  
25 modifications to our land at this

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2 time, that increase our challenges,  
3 we don't welcome now. We're  
4 developing protocols for the  
5 reopening of schools and procedures  
6 for that, which include how our  
7 buildings will be utilized in the  
8 future, how our services need to be  
9 altered. These processes require a  
10 thorough review of health and safety  
11 measures, as I'm sure you can  
12 appreciate and will have result in  
13 costs. We know it will take time to  
14 evaluate, to adapt and in order to do  
15 it right and we will get it right.  
16 It must be done methodically and it  
17 will take time.

18 PETER: I ask that you bring it  
19 to a conclusion.

20 MS. BEN-LEVY: I do have a  
21 considerable amount more, but I'm not  
22 going to belabor it. I think you  
23 understand, we're asking you to  
24 pause, ladies and gentlemen, we  
25 understand that you want to have a

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2 thoughtful process and we ask that  
3 you pause because there is a great  
4 deal of material that still needs to  
5 be gathered, data that does need to  
6 be analyzed and there has been  
7 material and information that does  
8 need to be analyzed, that has just  
9 been shared and that needs to be gone  
10 through. And clearly, we don't have  
11 the time and resources to do all of  
12 that.

13 So I thank you very much for  
14 your time and for your thoughtful  
15 consideration of our remarks and of  
16 our thoughts and our concerns. And  
17 we ask you please pause. Please hold  
18 this hearing open. Please continue  
19 it and please allow us to continue to  
20 comment on the topic. Thank you  
21 very, very, very much.

22 TRUSTEE ORAL: Marilyn, before  
23 you go, can you list your address for  
24 the court reporter?

25 MS. BEN-LEVY: Yes, I'm Meryl.



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2 TRUSTEE ORAL: I'm sorry.

3 MS. BEN-LEVY: That is okay.

4 I'm president of the Board of  
5 Education and our address is P.O. Box  
6 367, Roslyn, New York 11576.

7 TRUSTEE ORAL: Thank you.

8 PETER: Next we have Ronald  
9 Smith.

10 MR. SMITH: Thank you very  
11 much. My name is Ron Smith, 172  
12 Willow Street, Roslyn Heights, New  
13 York. We live in the lovely section  
14 of Roslyn Heights. When a couple of  
15 us made that start a number of years  
16 ago, nothing like traditional Roslyn  
17 historic district.

18 And I agree, Roslyn is  
19 beautiful and our neighborhood is  
20 beautiful, but it's less beautiful  
21 the last number of years. When I try  
22 to go to Roslyn Village at certain  
23 times, the traffic is horrific. As I  
24 spoke to some of the owners of the  
25 land and the buildings we were

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2 talking about, traffic was a major  
3 concern to them and parking. One of  
4 the reasons it's hard to be  
5 successful was because there is  
6 nowhere to park cars.

7 The parking lots, as you know,  
8 the railroad station was enlarged and  
9 yet they're overly crowded. And as  
10 you talk about this project, which  
11 sounds in some ways it's for  
12 restructuring, if they had more  
13 parking, they had probably been  
14 successful. But to have another 30  
15 to 60 units in that space, adding  
16 space of parking, traffic to the  
17 whole area, this is the structure of  
18 this Lincoln Avenue and the rail road  
19 and where the rail road comes  
20 together, there are three bus stops  
21 there, the parking is horrendous.  
22 And walking, when the kids start  
23 walking, we've all been there, you go  
24 to 7-11, all the cars come out, you  
25 have to be realistic and the main

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2 roads right now are even worse. We  
3 can't restructure those roads.  
4 They're all one way each way.

5 The other units that I know  
6 have become changed through the type  
7 of change you want here, the Mineola,  
8 a little bit about the Ronkonkoma  
9 area, they have much wider streets  
10 and much better control over traffic.  
11 We don't have any of that. I think  
12 we have to study it more, but it  
13 would be very difficult to have that  
14 section of Roslyn -- everyone now,  
15 we're effected in Roslyn Heights  
16 because all the cars turn up the  
17 street and go through the quiet  
18 neighborhood that we used to have,  
19 where everyone used to stop at the  
20 stop sign, now people race through to  
21 go to the expressway and other avenue  
22 and they can't go down Willis or  
23 Mineola Avenue because that's just as  
24 crowded.

25 So I am realistic. I love this

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2 town. We have seen changes and we  
3 don't see Port Washington really  
4 injured Roslyn and the traffic and I  
5 think this project will add to the  
6 traffic flow when people have to go  
7 through town. No one is going to  
8 have one car --

9 PETER: Thirty seconds.

10 MR. SMITH: -- it's going to be  
11 double units. I think traffic is a  
12 major issue and I think it has to be  
13 studied and that's a very dangerous  
14 area there. I think would just add  
15 to it.

16 One thing I would like to ask,  
17 I haven't heard a comment on the  
18 study, maybe you did do it, the  
19 gentleman that presented, on water,  
20 gas, electric, is this area able to  
21 house that? I know there are  
22 problems, the water in our community.  
23 I would like to know if that has been  
24 done. If the water has been reported  
25 and you have sufficient water and

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2 electric and gas in this area. Thank  
3 you very much.

4 DEPUTY MAYOR BERNSTEIN: Let me  
5 respond to the last comment. Those  
6 are the kind of important details  
7 that will be set forth in the full  
8 environmental statement to be filed  
9 by a developer, when the time comes.

10 We have not had those issues  
11 yet because they are not  
12 appropriately before us at this  
13 point. Who is next?

14 PETER: We have an individual,  
15 I'm going to send a request. It's  
16 listed as Steven's iPad.

17 MR. GOLDENBERG: Steve  
18 Goldenberg, 3125 North in the Roslyn  
19 Parks.

20 Just thinking about the project  
21 for a second, in contrast to the  
22 Mineola hub, where they have many  
23 more trains, very, very, very robust  
24 building there, that I think has been  
25 very successful. First I think we

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2 need to keep in mind that the Long  
3 Island Rail Road schedules in Roslyn  
4 are not that wonderful and just keep  
5 that in the back of your minds.

6 I do think one of the key  
7 things that any potential project is  
8 both the number of residential units,  
9 what the size of those units will be,  
10 because that in part is going to help  
11 determine who might want to live in  
12 whatever proposed community there is.

13 But that being said, and  
14 Marshall said it quite nicely at the  
15 beginning of this meeting, given all  
16 that's happened in the country, with  
17 the pandemic, the protests, I would  
18 love to see more heterogenous  
19 community than what we currently have  
20 and this could be an opportunity for  
21 that.

22 And Paul presented, there is an  
23 attachment to read, about how that  
24 impact would be minimal to the local  
25 school system where both of my kids

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2 attended and had a great education.  
3 I think one of the points is that we  
4 just don't want to see any special  
5 tax abatement that accrues to the  
6 residents there, that's going to  
7 somehow make everyone else's  
8 contribution be that much more to the  
9 school systems. They really need to  
10 pay their fair share, whoever moves  
11 into the zone.

12 And I completely agree with  
13 Mr. Smith, in that parking, in my  
14 mind, may be the single most  
15 problematic issue dealing with the  
16 proposed project because as you know,  
17 the parking at the station is really  
18 a problem, at least before the  
19 pandemic, that about by 8:00 in the  
20 morning, there needs to be adequate  
21 off street parking for all of the  
22 residents who might be in the new  
23 community.

24 Also, if there are other more  
25 quality establishments there, there

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2 also needs, not behind the building,  
3 but some place else in that area, a  
4 place for people who might want to be  
5 with those businesses, to get those  
6 businesses to thrive. So that I  
7 think is among of the most critical  
8 pieces of the proposal for the  
9 property.

10 But as was said earlier, until  
11 we have more specifics about what  
12 community is going to go in there,  
13 perhaps, I think we should just go in  
14 with an open mind and I completely  
15 think this is appropriate and that's  
16 all.

17 DEPUTY MAYOR BERNSTEIN: Thank  
18 you, Steve.

19 PETER: Maureen O'Connor.

20 MS. O'CONNOR: Maureen  
21 O'Connor, 96 Jefferson Avenue, Roslyn  
22 Heights. I have a question about the  
23 zoning change with regard to adjacent  
24 lots. I understand that the Verizon  
25 lot is included in this possible



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2 redistricting.

3 What about the lot that Vienna,  
4 the former Chalet and 7-11 and the  
5 other building on Railroad Avenue,  
6 why are they not being considered at  
7 this time and will they be considered  
8 in the future, since they are really  
9 within walking distance of the train  
10 station as well? And they're  
11 commercial right now. I assume  
12 they're part of the C-V district, but  
13 I'm not positive.

14 MR. GIBBONS: That's a  
15 different zone.

16 MS. O'CONNOR: How do we know  
17 this is not going to be a domino  
18 effect, where several other adjacent  
19 properties are going to be included  
20 down the road?

21 DEPUTY MAYOR BERNSTEIN: I  
22 think, Maureen, we don't know what is  
23 going to happen in the future. They  
24 are not part of this Proposed Local  
25 Law. And all I can say to you, we

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2 have to look at this from the  
3 practical point of view of what might  
4 be proposed on this Local Law. It  
5 gets to be a little speculative if we  
6 try to project too far out in the  
7 future.

8 We do not know what will happen  
9 in the future. If somebody, a new  
10 developer acquires those properties  
11 and seeks to make the same kind of  
12 changes we're making here, does not  
13 necessarily follow in my mind, but if  
14 we make a change as requested here,  
15 that it follows that we'll make the  
16 same change in the future on  
17 adjoining property.

18 MS. O'CONNOR: It would seem to  
19 me it would be very easy to add onto  
20 the zone, once it is created and that  
21 may be three times the size of the  
22 current plan.

23 DEPUTY MAYOR BERNSTEIN: Except  
24 that if this Local Law is approved,  
25 we would have the benefit in the

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2 future of seeing how it works out and  
3 the impact it has had on the  
4 surrounding community.

5 And that can be a very  
6 important factor, if anybody else  
7 wants to come in and say to us, well,  
8 you did it once, you must do it  
9 again.

10 MS. O'CONNOR: We're also  
11 concerned, the Roslyn Heights  
12 residents, that the properties on the  
13 other side of the train station, that  
14 are not jurisdiction, are also slated  
15 for this type of development and it's  
16 just going to be a staggering density  
17 change and traffic and parking and  
18 School District are all going to  
19 suffer.

20 TRUSTEE ORAL: Just so you  
21 know, as part of the process, if an  
22 application does come forward to be  
23 developed on one of the sites within  
24 the Village of Roslyn, they must  
25 contact all of the adjacent

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2 municipalities because they're on the  
3 border with Roslyn Heights. They  
4 must contact the Town of North  
5 Hempstead and find out if there are  
6 any official applications for  
7 development, within a reasonable  
8 distance of their application that  
9 they must take into account.

10 So any environmental analysis  
11 that happens in the future for any  
12 potential future development, would  
13 have to look holistically at the  
14 whole area. They don't exist in a  
15 bubble.

16 So please be assured that any  
17 other developments that are official,  
18 would be taken into account by any  
19 future applicant, if they exist.

20 PETER: Next I have, Michael  
21 Sahn. Mr. Sahn?

22 DEPUTY MAYOR BERNSTEIN: If  
23 not, might as well move on.

24 PETER: I have Nancy Shores.  
25 Ms. Shores? She dropped off.

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2 Mr. Sahn has his hand raised one more  
3 time. He's having trouble.

4 MR. GIBBONS: Is that the last  
5 person?

6 PETER: That was the last hand.

7 MR. GIBBONS: Marshall, if you  
8 would like to make a motion to  
9 continue the meeting, we can check  
10 written comments in the next 30 days,  
11 if Mr. Sahn wants to make written  
12 comments, he can do so.

13 PETER: I have Ms. Shores is  
14 back.

15 MS. SHORES: Nancy Shores, 28  
16 Jefferson Avenue, Roslyn Heights, New  
17 York 11577.

18 I wanted to speak about -- I  
19 live very close -- first of all, one  
20 correction, I believe that the Roslyn  
21 Heights district should be noted in  
22 the impact form, in the beginning of  
23 the meeting, just a technical thing.

24 I also wanted to discuss that  
25 these hubs have traditionally built

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2 in the developer's expert, I know the  
3 applicant's expert, pointed out, this  
4 is a very small area for such a  
5 development. It's not consistent  
6 with the ones in Ronkonkoma, in  
7 Mineola or Wyandanch. It's in close  
8 proximity to a school. It doesn't  
9 have adequate parking. The parking  
10 there is tight. The apartments on  
11 Warner Avenue don't have enough  
12 parking and park on the street and  
13 through the neighborhood. So it  
14 doesn't have wide enough roads.  
15 There have been multiple accidents  
16 there, that I'm sure you're aware of.

17 And I also ask that  
18 post-pandemic, that you think about  
19 the fact that many of us are not  
20 going to go back to work full-time  
21 and the workplace is different, so  
22 the traffic that you think won't be  
23 there during the day or the number of  
24 cars people need, is going to be  
25 drastically different going forward.

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2 I also ask that we weren't able  
3 to get together as a neighborhood  
4 because of the pandemic. When we  
5 found out about this was in January,  
6 we started to gather and we were  
7 going to meet at the library with our  
8 neighbors, we can't even go into each  
9 others houses now.

10 And this Zoom meeting, although  
11 very good and nice and I know you're  
12 stuck with it, doesn't allow older  
13 people or people who can't afford  
14 their own computers to attend the  
15 meeting.

16 Thank you very much.

17 DEPUTY MAYOR BERNSTEIN: Thank  
18 you.

19 PETER: I have Steven Blank.

20 MR. BLANK: Thank you for  
21 recognizing me and for having this  
22 meeting. My name is Steven Blank.  
23 I'm representing the Roslyn Chamber  
24 of Commence. I live at 22 Planting  
25 Field Road in East Hills.

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2 So I would like to address  
3 several of the comments and discuss  
4 things from a business perspective.  
5 Regarding the pandemic, the need for  
6 mixed use, transit-oriented mixed use  
7 development, was considered one of  
8 the primary ways that retail could be  
9 successful in this current era.

10 The pandemic, the occurrence of  
11 the pandemic, makes that even more  
12 urgent. We've already have business  
13 districts throughout the North Shore  
14 that have empty stores, stores that  
15 are failing. The pandemic is going  
16 to exacerbate that greatly. Waiting  
17 for the pandemic to end, we may not  
18 see the effect according to Jake  
19 Powell, the chairman of the Federal  
20 Reserve, this may go onto the end of  
21 the 2021.

22 I think the subject has been  
23 studied and I think further delays  
24 would adversely impact, not only the  
25 business by the train station, but



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2 having those additional people not  
3 having those additional people with  
4 some type of development there, would  
5 also hurt the Village of Roslyn's  
6 development, Warner Avenue, the  
7 entire rest of the district.

8 I think it's worth noting that  
9 when we talk about the schools, that  
10 the school population in the past ten  
11 years, has gone down by 142 school  
12 children. From 2009-10 to 2019-20,  
13 there are 140 less school-age  
14 children. So a development like this  
15 is not going to be where the  
16 estimates are, even if the  
17 development that we're talking about  
18 were approved, you're talking about a  
19 minimal number of people putting a  
20 strain.

21 I would like to point out that  
22 the School District has a proposition  
23 that's being -- the votes are being  
24 counted tonight, on a proposition to  
25 establish a capital reserve fund of

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2 \$20 million to \$5 million to go over  
3 in this year and there is an  
4 additional one for \$530,000 to pay  
5 for new buses, which is fine.

6 PETER: Thirty seconds.

7 MR. BLANK: I think there are  
8 sufficient means to accommodate the  
9 additional school children and I  
10 think in terms of the issues of  
11 parking and some of the other  
12 neighbors that pointed out, that  
13 would be your job once the district  
14 was approved.

15 This is not approving the  
16 project that has been proposed, just  
17 the district and although the time to  
18 consider those issues of parking and  
19 other issues like that, is when there  
20 is actually an application  
21 specifically for the project.

22 DEPUTY MAYOR BERNSTEIN: Thank  
23 you, Steven. Any further comments?

24 PETER: Once again, I have  
25 Michael Sahn. Mr. Sahn? It looks

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2 like he's having some technical  
3 difficulties on his side.

4 I have someone by the name of  
5 Frann.

6 MR. WOLF: My name is Glen  
7 Wolf. I reside at 3 South Drive in  
8 Roslyn Pines. Those of us that know  
9 me, know that this is way past the  
10 hour that I stay up, but I thought it  
11 was important enough to listen to  
12 this telecast.

13 A couple years back, I joined  
14 our Mayor, Mayor John Durkin, at a  
15 convention chaired by Judy Fozworth  
16 about our water equipment. And  
17 although there was a gentleman before  
18 Steven Vulderberg that raised that  
19 issue, I just want to bring it to the  
20 Board's attention that you were  
21 always told on what days we could  
22 water our lawns. There always seems  
23 to be a water shortage for the past  
24 five years. I'm living in Roslyn  
25 Pines for 25 years and there is

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2 always an odd/even day.

3 And I'm just saying because of  
4 the environment situation, that  
5 should be taken into account, our  
6 quality of our water, how many people  
7 can we actually fulfill the  
8 requirement of good drinking water  
9 and it's just something I thought was  
10 important enough to mention.

11 And that being said, I thank  
12 you for everybody participating in  
13 this and good night to everybody.

14 DEPUTY MAYOR BERNSTEIN: Thank  
15 you.

16 PETER: One last individual,  
17 Nera Roopsingh.

18 MR. SAHN: Actually, this is  
19 Michael Sahn and I apologize, Nera  
20 Roopsingh is our associate. So if I  
21 could be recognized through Nera, for  
22 whatever reason when I was called on,  
23 I didn't come through on the  
24 computer. But I appreciate your  
25 bearing with me in this technological

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2 place that I'm at.

3 I want to say -- first of all,  
4 I should introduce myself as the  
5 attorney for Mr. /KARL lick, the  
6 owner of the property, that would be  
7 subject to rezoning. My address is  
8 333 Earle Ovington Boulevard,  
9 Uniondale, New York.

10 Mr. Carlick is on the call, as  
11 are various members of the  
12 professional team, who have worked on  
13 this property for a number of years  
14 to develop a concept that we feel is  
15 very appropriate and very timely for  
16 the property.

17 We very much appreciate that  
18 the Board took into consideration the  
19 previous concepts that we presented  
20 and undertook a study of the zoning  
21 in the area and the subject property,  
22 as well as the Verizon property. And  
23 we very much want to support the  
24 adoption of this law.

25 As the Board has indicated, the

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2 law gives the owners of these  
3 properties, the opportunity to make  
4 an application to the Village. It  
5 does not necessarily guarantee the  
6 form of the application or what the  
7 actual concept will look like,  
8 although we do believe that it will  
9 be fairly close to what the Board has  
10 seen before.

11 So we appreciate very much that  
12 the opportunity is going to be  
13 presented, if the Board adopts this  
14 Local Law, to make a presentation.

15 And the last point I want to  
16 observe, is that this is an overlay,  
17 in essence, an overlay zoning  
18 district. The property is already  
19 the subject of an overlay zoning  
20 district as one of the Trustees  
21 pointed out, that does allow for a  
22 residential use, even at this point  
23 under the current zoning.

24 So in that sense, it is not  
25 breaking new ground, but it is

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2 consistent with the Village's prior  
3 planning for this area of the  
4 Village. And on that point, I would  
5 simply urge the Board to proceed,  
6 consider and then adopt this Local  
7 Law as drafted.

8 DEPUTY MAYOR BERNSTEIN: Thank  
9 you. Any further comments?

10 PETER: We have no one else in  
11 the group who hasn't spoken yet, but  
12 we have a few people who have dialed  
13 in by phone. Bear with me, I'm going  
14 to call out the last four digits and  
15 I'll unmute you. Phone number ending  
16 in 1777?

17 Phone number ending 4232, any  
18 comment?

19 Thank you. Phone number 0552?

20 0552: I already spoke. I  
21 would love to take advantage, but  
22 that wouldn't be fair.

23 PETER: 8442?

24 Number 3758?

25 3758: No comment.

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2 PETER: Thank you very much.

3 Phone number 5746, any comment?

4 Thank you. Last one, phone  
5 number 1551?

6 1551: No comment, thanks.

7 PETER: Deputy Mayor, that is  
8 all the individuals on the phone  
9 line.

10 DEPUTY MAYOR BERNSTEIN: Thank  
11 you, Peter. I will now move that we  
12 will leave the record open for 30  
13 days and close this public hearing.

14 MR. GIBBONS: Marshall, could I  
15 ask you to continue the public  
16 hearing to the July 21st date and  
17 leave the record open?

18 DEPUTY MAYOR BERNSTEIN: Yes,  
19 we will continue, continue is the  
20 right word, for the July 21 Board of  
21 Trustees meeting.

22 TRUSTEE GENOVESE: So moved.

23 TRUSTEE ORAL: Second.

24 DEPUTY MAYOR BERNSTEIN: Thank  
25 you.



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2 TRUSTEE WESTERGARD: Aye.

3 TRUSTEE GENOVESE: Aye.

4 TRUSTEE ORAL: Aye.

5 MR. GIBBONS: Deputy Mayor, if  
6 you allow me to call the second  
7 application?

8 DEPUTY MAYOR BERNSTEIN: Please  
9 do.

10 MR. GIBBONS: It is 45 Lumber  
11 Road, LLC. The subject property is  
12 45 Lumber Road, Roslyn, New York.  
13 Applicant is seeking to construct a  
14 72,876 square foot, four story, 58.7  
15 foot high building, consisting of 33  
16 two-bedroom apartments. Board of  
17 Trustees is charged with preliminary  
18 site plan review and approval.  
19 Applicant is seeking development  
20 incentive bonuses for the project,  
21 pursuant to Village Code  
22 Section 470-20C sub two.

23 Since I have the mic, if you  
24 allow me to go on and present the  
25 SEQRA resolution for the Board?

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2 DEPUTY MAYOR BERNSTEIN: That's  
3 fine.

4 MR. GIBBONS: I offer the  
5 following resolution: Preliminary  
6 classification of action and  
7 commencement of environmental review  
8 for the proposed project at 45 Lumber  
9 Road, Roslyn, New York.

10 Whereas, the Board of Trustees  
11 of the Incorporated Village of Roslyn  
12 intends to consider an application of  
13 45 Lumber Road, LLC for special  
14 permit pursuant to Chapter 470 of the  
15 Code of the Incorporated Village of  
16 Roslyn, entitled, "Zoning,"  
17 Section 470-20 sub C, entitled, "WDO,  
18 Waterfront Development Overlay  
19 District," Subsection C entitled,  
20 "Development incentive bonuses," to  
21 construct a four-story residential  
22 building, consisting of 33  
23 two-bedroom apartments on the  
24 property known as 45 Lumber Road,  
25 Roslyn, New York, known and

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2 designated on the Nassau County Land  
3 and Tax Map, Section 6, Block 53, Lot  
4 1031. And whereas, the Board of  
5 Trustees proposes to declare itself  
6 lead agency for the purpose of the  
7 environmental review of the proposed  
8 action pursuant to the State  
9 Environmental Quality Review Act.

10 Now, be it hereby resolved, that the  
11 Board of Trustees hereby issues a  
12 preliminary classification of the  
13 proposed action as an unlisted action  
14 under SEQRA and be it further  
15 resolved, that the Board of Trustees  
16 hereby declares itself lead agency to  
17 conduct the environmental review of  
18 the proposed action.

19 If you find that resolution in  
20 order, I offer it to the Board.

21 DEPUTY MAYOR BERNSTEIN: Thank  
22 you, I move to approve those  
23 resolutions.

24 TRUSTEE GENOVESE: Second.

25 DEPUTY MAYOR BERNSTEIN: All in

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2 favor?

3 TRUSTEE WESTERGARD: Aye.

4 TRUSTEE GENOVESE: Aye.

5 TRUSTEE ORAL: Aye.

6 DEPUTY MAYOR BERNSTEIN: I  
7 think, John, we would invite the  
8 applicant to make a presentation.

9 MR. PANTELIS: Good evening,  
10 Thomas Pantelis, P-A-N-T-E-L-I-S, 170  
11 Old Country Road, Mineola, New York.  
12 I'm appearing on behalf of the  
13 applicant.

14 So that the record is clear,  
15 the applicant is 45 Lumber Road, LLC,  
16 all of our applications and documents  
17 indicate that, for some reason, the  
18 advertising had Ian Zwerdling, as the  
19 applicant. Mr. Zwerdling is a  
20 principal of the applicant.

21 I have been sitting here for  
22 the last two hours, listening to the  
23 proceedings and really have thought  
24 back to the fact that I've always  
25 enjoyed appearing before this Board

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2 and other Roslyn Boards, in very  
3 beautiful, very intimate Village hall  
4 and standing a couple of feet from  
5 the Board. And now having this  
6 diverse group of people in all  
7 different locations, it's a little  
8 strange, but I compliment you for  
9 conducting these activities and  
10 keeping the business of Government  
11 going and hopefully everyone is well  
12 and safe.

13 Tonight we'll be discussing the  
14 property, 45 Lumber Road. I will be  
15 calling on several witnesses, John  
16 Patrick Winberry, the project  
17 architect; Sean Mulryan, traffic  
18 engineer. We also have present in  
19 the audience, Michael Rant, who is  
20 the project engineer from North Coast  
21 Civil. I believe Adam Wanaselja, who  
22 is also an architect working with  
23 Mr. Winberry, he's present. And  
24 Mr. Zwerdling and Kevin Dersand,  
25 principals of the applicant are also

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2 present.

3 PETER: Before you commence, if  
4 you can have all your experts use the  
5 raise hand and we will coordinate and  
6 they will be unmuted.

7 MR. PANTELIS: Okay. The  
8 applicant has submitted  
9 correspondence, applications, maps,  
10 plans, environmental assessment form  
11 and other documents in connection  
12 with the application. I would  
13 request that all of these be marked  
14 in evidence and incorporated in the  
15 record.

16 MR. GIBBONS: They are so  
17 marked.

18 MR. PANTELIS: Most of these  
19 have been, if not all, have been  
20 posted on the Village website.

21 MR. GIBBONS: They have been.

22 MR. PANTELIS: There have been  
23 prior proceedings in connection with  
24 the property, again, 45 Lumber Road.  
25 The Board has informally looked at

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2 and formally considered applications  
3 over the past few years for the  
4 proposed development of the subject  
5 property.

6 A hearing was held in September  
7 2019, to consider a proposal for a  
8 27-unit two-bedroom apartment  
9 building. One of the features of  
10 that building, was that it was  
11 proposed to be 9 to 12 stories and up  
12 to 150 feet in height. There was  
13 significant concern expressed by  
14 members of the Board and by the  
15 community, about the potential impact  
16 of such a development.

17 As a result, the applicant  
18 requested permission to revise its  
19 application and we're happy to say  
20 that we have a different application  
21 before the Board. That application  
22 was submitted in February of this  
23 year and is being called for a public  
24 hearing this evening.

25 The applicant has significantly

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2 revised the proposed building, which  
3 is now four stories in height,  
4 including one level of parking, three  
5 stories of apartments, a total of 33  
6 two-bedroom units are proposed in  
7 that building, with an overall height  
8 of 55 and a half feet.

9 John Winberry, the architect,  
10 will give a presentation shortly on  
11 the specifics of that building.

12 The subject property, which is  
13 located on the west side of Lumber  
14 Road, north of Old Northern Boulevard  
15 is adjacent to Hempstead Harbor  
16 Creek. The South of the Waterfront  
17 at Roslyn, mixed use development. To  
18 the south of us and our property,  
19 there is a warehouse, shipping use,  
20 auto parts use. And further south  
21 near Old Northern Boulevard, is 17 to  
22 21 Lumber Road, which is 25  
23 apartments and retail, which was  
24 approved the past few years by this  
25 Board and has been constructed and is



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2 occupied.

3 To the west of our property is  
4 the Roslyn Hotel and parking garage.  
5 There were several other uses in the  
6 area, but these are the major ones.

7 The subject property is

8 1.39 acres or 60,617 square feet and  
9 is zoned WMU, Waterfront Mixed Use  
10 and is also in the HDO zone and in  
11 the WDO, Waterfront Overlay  
12 Development District Zone, which is  
13 going to be really the focus of our  
14 application and the hearing tonight.

15 The code allows an applicant to  
16 apply to the Board of Trustees for  
17 consideration under this section of  
18 the code. The WDO District  
19 encourages development which  
20 contributes to the waterfront area  
21 and encourages the use of and linkage  
22 of such properties to the Downtown  
23 area of the Village.

24 As the Board is aware, this  
25 property, Lumber Road, was rezoned, I

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2 believe in 2013. What that rezoning  
3 did, was to effectively make  
4 nonindustrial uses, which were  
5 primarily in this area, nonconforming  
6 and for the future development of  
7 this road, apartments and a mix of  
8 light retail was proposed.

9 So we have a site, which was  
10 previously used by Verizon, as a  
11 warehouse and parking facility for  
12 its vehicles, which has been in  
13 effect vacant and under the new  
14 ordinance, the present ordinance, we  
15 are really not allowed to use that  
16 for any other similar use than what  
17 it previously had been used for.

18 So, of course, apartment  
19 development is the most practical  
20 use, which is allowed in the  
21 ordinance and we look at 17-21 Lumber  
22 Road as an example of how successful  
23 that development can be.

24 Under Section 470-20C in the  
25 WDO District, entitled "Development

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2 incentive bonuses," it permits the  
3 Village Board to grant incentive  
4 bonuses for projects, which  
5 contribute by their development,  
6 amenities and other benefits, that  
7 would enure to the community. The  
8 WMU District is one of those to which  
9 the WDO Overlay can be applied as  
10 I've indicated. The Board has, of  
11 course, previously applied this zone  
12 to 17 Lumber Road.

13 The applicant has submitted a  
14 revised amenities letter, dated  
15 June 2nd, 2020, outlining the  
16 proposed items which the applicant is  
17 proposing in connection with the  
18 project. A zoning chart has been  
19 provided on the site plan and the WDO  
20 provisions allow the Board to vary  
21 provisions of the code, in connection  
22 with a project, including height,  
23 density, setbacks and the like.

24 We are requesting several of  
25 these bonus densities, including an

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2 increase from the 16 units to the 33  
3 units, which would be permitted under  
4 density bonuses. We also are  
5 requesting a higher building and a  
6 greater FAR than what is permitted.

7 However, we believe that the  
8 presentation and design of the  
9 building as proposed, is very  
10 compatible with Lumber Road. It's  
11 more in character with the character  
12 of the Village.

13 Getting back to the  
14 correspondence, dated June 2nd, 2020,  
15 I will not read the entire letter of  
16 several pages, but I would like to  
17 highlight the most important  
18 amenities which are proposed.

19 The applicant in item number  
20 one is proposing a contribution of  
21 \$10,000 per unit, for each unit above  
22 the six feet permitted or in this  
23 case, \$170,000 for the extra units,  
24 which would be constructed. These  
25 would be for Village purposes, to be

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2 determined by the Board of Trustees  
3 and, of course, hopefully in  
4 connection with betterment and  
5 improvements, which the present  
6 Village funds might not permit.

7 We are proposing to replace or  
8 repair, in this case, it would be a  
9 replacement of bulkheading on the  
10 project waterfront and that is  
11 approximately 250 feet of  
12 bulkheading, with construction at the  
13 same time of a 250-foot waterfront  
14 walkway, which would include pavers,  
15 benches, lighting, for use as a  
16 public walkway. And it's similar to  
17 the walkway, and probably a little  
18 more upgraded than the walkway  
19 adjacent to the development to the  
20 north and very similar to what has  
21 been constructed at 17 Lumber Road.  
22 Hopefully, this will encourage the  
23 completion of a full waterfront  
24 promenade access, which would connect  
25 Lumber Road to the Downtown Village

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2 area.

3 We are also seeking as Mr.  
4 Mulryan will indicate in his  
5 discussion about traffic approvals  
6 from Nassau County and the Village,  
7 to make intersection improvements for  
8 the intersection of Lumber Road and  
9 Old Northern Boulevard. He will  
10 describe that shortly.

11 We will also grant easements to  
12 the Village, to the waterfront  
13 walkway and the promenade and the  
14 maintenance of that improvement in  
15 perpetuity.

16 Of course, the Board can review  
17 these particular proposals and we  
18 would certainly be amenable to other  
19 suggestions within the same context.

20 In addition to consideration of  
21 the application under the WDO  
22 criteria, the Board has to consider  
23 and grant site plan approval pursuant  
24 to Section 470-57, if it approves the  
25 project. And since the property is

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2 in an HDO District, the Historic  
3 District Board would also have to  
4 give its approval. We are in the  
5 process of obtaining letters of water  
6 and sewer availability, as well as  
7 fire protection availability and  
8 we'll submit those shortly.

9 If the Board has no immediate  
10 questions, I would like to call our  
11 first witness, Mr. Winberry. Can we  
12 unmute Mr. Winberry?

13 DEPUTY MAYOR BERNSTEIN: Tom,  
14 can I interject for a moment?

15 MR. PANTELIS: Yes.

16 DEPUTY MAYOR BERNSTEIN: Can  
17 you tell us the aggregate square  
18 footage -- that's not the right word,  
19 the total buildable square footage of  
20 this project, versus the 2013  
21 12-story project?

22 MR. PANTELIS: I can, but I  
23 probably would give you the wrong  
24 information. I am going to ask, if  
25 you would hold up for a minute and

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2 let Mr. Winberry address that  
3 specifically.

4 MR. WINBERRY: Thank you,  
5 Board. Deputy Mayor, if you don't  
6 mind, while I'm just doing a quick  
7 run through, someone from our team  
8 can look that number up for you if  
9 that's okay?

10 DEPUTY MAYOR BERNSTEIN:  
11 Absolutely.

12 MR. WINBERRY: Great, thank you  
13 very much. So good evening, Board,  
14 Deputy Mayor and Trustees. Please  
15 send our thoughts to the Mayor on his  
16 surgery. And also, Deputy Mayor, a  
17 really strong opening and was very  
18 heartfelt from our side, so we  
19 appreciate that acknowledgment of  
20 everything that was happening.

21 If there are certain items, I  
22 would like to call up on the screen,  
23 is that available or --

24 PETER: Yes, you can refer to  
25 it we have Exhibits 1 through 7.



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2 MR. WINBERRY: Great, perfect.

3 Thank you very much, John.

4 So if we could start with  
5 Exhibit 1, that's perfect. So this  
6 is just a context of the surrounding  
7 areas and 45 Lumber is the area  
8 highlighted in yellow, just for  
9 context of the actual site.

10 If you could put the next  
11 exhibit up, please? So this is -- if  
12 you don't mind just zooming out  
13 slightly, that would be great.

14 This was the site plan that was  
15 provided by North Coast Civil and the  
16 footprint of the building has changed  
17 from our last application and  
18 reducing the height of the building  
19 down to a four-story L-shaped  
20 building with two legs, one on the  
21 water side, on the east side and one  
22 leg along the viaduct side on the  
23 north.

24 I want to just review a couple  
25 key zoning elements, if possible. If

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2 you can pan down on that PDF, please?

3 I'm going to focus on that  
4 zoning chart on the bottom left-hand  
5 corner. I want to read a couple of  
6 key zoning elements into the record,  
7 so we have it.

8 As Tom Pantelis had mentioned  
9 our zoning, so the max allowed  
10 stories in on our zoning is two and a  
11 half stories, with the incentive  
12 bonus that remain at two and a half  
13 stories and we are proposing a  
14 four-story building. The floor area  
15 that is allowed in our zoning is .4,  
16 with incentive bonusing, it is .6 and  
17 we are proposing a 1.48 FAR. The lot  
18 coverage that is allowed on our site  
19 is 70 percent, with the incentive  
20 bonusing that is 80 percent and we  
21 are proposing a 44 percent use of lot  
22 coverage.

23 The building coverage is  
24 allowed at 40 percent, the incentive  
25 bonus brings that up to 50 percent

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2 and were are proposing a 44 percent  
3 building coverage. The allowable  
4 units on the property are 17, with  
5 incentive bonusing, that's 33 density  
6 and we are proposing 33 units.

7 The building height that's  
8 allowed is 35 feet, with incentive  
9 bonusing, it remains at 35 feet and  
10 we are proposing a 55.5-foot  
11 building. The parking spaces that  
12 are required are 66 spaces, with  
13 incentive bonusing that remains at 66  
14 spaces and we are currently providing  
15 67 spaces on the property.

16 If we can move to Exhibit 3,  
17 please? So this exhibit is part of a  
18 series of PDFs, that are outlining  
19 the floor plan and two-dimensional  
20 elevations of the project. If you  
21 don't mind panning up to the first  
22 page, which is A2.

23 So A2 is our first floor  
24 construction plan. This is at street  
25 level. And this plan is showing the

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2 parking that is under the building,  
3 that is included in our count of 67.  
4 We have 27 parking spaces that are  
5 included underneath for incorporated  
6 into the building. Additionally, we  
7 have a lobby, that will be entering  
8 the building, which is happening at  
9 the intersection of the L, so at the  
10 45 degrees of where the two legs come  
11 together.

12 Additionally, on this level, we  
13 have amenity space, which could be a  
14 gym, an indoor pool, just amenities  
15 for the residents of the building.

16 If we can move to A3, please?  
17 So pages A3, A4 and A5, are  
18 indicating the three levels of  
19 apartments on the project. All three  
20 of these pages repeat on top of each  
21 other. And what it's showing is that  
22 each level holds 11 units, 11  
23 apartments and they're all  
24 two-bedroom apartments on each floor,  
25 as Tom indicated before. That's

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2 giving us a total of 33 units and  
3 again, 11 on each floor.

4 What we did on this layout was  
5 come up with a solution that allowed  
6 us to maximize the amount of water  
7 views inside the units. These are  
8 going to be rental units and we  
9 wanted to be able to maximize the  
10 amount that we can get of the water  
11 view, just to enhance the overall  
12 viability, financial viability of the  
13 project.

14 We were able to do that by  
15 creating three cores inside of the  
16 building. We have core A, servicing  
17 apartments 1, 2, 3, and 4. We have  
18 core B, servicing apartments 5, 6 and  
19 7. And then we have core C, which is  
20 providing access to apartments 8, 9,  
21 10 and 11.

22 These cores give us the ability  
23 to allow for straight access and  
24 again, gives us the ability to have 9  
25 of the 11 apartments have water views

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2 on each floor.

3 You can scroll down and again,  
4 each page is indicating the four  
5 levels of apartments. And if we  
6 scroll down to page A6, we'll get  
7 into elevations of the building.

8 The second parameter in our  
9 design is -- Tom had mentioned this,  
10 picking up the Historic District and  
11 picking up the warehouse nature of  
12 some of the buildings, we  
13 incorporated that through the  
14 architecture in our building. I do  
15 think that these are best represented  
16 in the renderings of the project,  
17 rather than looking at a  
18 two-dimensional, so if you please  
19 open the next exhibit.

20 These are renderings of our  
21 proposed project. Again, this is a  
22 four-story building. The first story  
23 being the parking and amenity level  
24 and the three levels about, floors  
25 two, three and four, are all

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2 apartments. The building height to  
3 the top of the parapet is ranging  
4 from 52.6 feet to 55.6 feet and it's  
5 again, this idea that we want to  
6 allow the brick and historic nature  
7 of some of the surrounding buildings  
8 to come and form the architecture  
9 which is happening here.

10 If you don't mine, you can  
11 scroll through a couple of these  
12 images. This is a vantage looking  
13 from the opposite side of the harbor,  
14 looking back at the building. Each  
15 one of these water apartments would  
16 have an exterior space as part of the  
17 amenity of the actual unit itself.  
18 There will be no roof access for the  
19 building. All the access for the  
20 water views will be happening at the  
21 apartment levels.

22 Next slide. This is looking  
23 closer back into the Village, past  
24 the building and the viaduct. This  
25 is showing the promenade that Tom had

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2 mentioned, which we are proposing as  
3 a ten-foot wide public promenade on  
4 the water's edge.

5 The next slide. A more zoomed  
6 in feature of that element and how it  
7 will connect back to 55 Lumber, which  
8 approximately has a 7 to 8-foot wide  
9 promenade, so we'll be able to  
10 connect back to the promenade that's  
11 existing right now.

12 Next slide. This is looking  
13 back again, across on the water's  
14 edge. We wanted to just to show the  
15 context of the building inside of the  
16 really beautiful landscape that's  
17 happening inside of the Village,  
18 which we are always extremely  
19 interested in incorporating that into  
20 our architecture and allowing the  
21 building to react to the waterfront.

22 As Tom had mentioned, we're  
23 very interested in the eventual  
24 connection of the promenade, back up  
25 to Main Street. We were lucky to be



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2 the architects that worked on 17-21  
3 Lumber Road and that promenade and  
4 that building and we're excited for  
5 those to be able to connect back into  
6 the back area.

7 Again, just in context of this  
8 rendering that we're looking at right  
9 now, this is approximately from where  
10 the dog park is, that was created,  
11 that view back, looking back at the  
12 building and back at the landscape.

13 We're still trying to find  
14 those additional square footage,  
15 Deputy Mayor, so just give us a  
16 second while we do it.

17 But if there are any questions  
18 on the architecture, we can go to  
19 that or if I can pass this off to  
20 Sean, to talk about the traffic and  
21 we can come back to the architecture,  
22 whatever the Board sees fit.

23 DEPUTY MAYOR BERNSTEIN: This  
24 is a larger building square footage  
25 wise, than the prior proposal when yo

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2 had the 13 stories.

3 MR. WINBERRY: Again, I want to  
4 get you the exact numbers before I  
5 answer that. I have the file next to  
6 me, so I can pull that while we're  
7 talking.

8 TRUSTEE ORAL: Can I ask one  
9 question about the promenade?

10 So looking at an aerial, the  
11 property to the south of you, I guess  
12 that would have the connection of the  
13 promenade from your property to the  
14 current residential development on  
15 Lumber Road, it doesn't extend as far  
16 east, so there is no way of doing any  
17 connection now, unless that property  
18 is redeveloped in the future;  
19 correct?

20 MR. WINBERRY: Yes, if I am  
21 understanding your question  
22 correctly, that promenade is going to  
23 be accessed essentially off of 55  
24 Lumber, which is the property south  
25 of ours.

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2 TRUSTEE ORAL: Thank you.

3 MR. WANASELJA: This is Adam  
4 Wanaselja, from DH Murray  
5 Architecture. So plans that were  
6 filed on April 12th of 2019, that was  
7 for the 150-foot tall building. The  
8 total square footage for that  
9 building was 72,876 square feet.  
10 That was provided an FAR of 1.16.  
11 And our current plans are proposed  
12 89,714 square feet, that is our  
13 current building and that's a  
14 difference of 16,838 square feet.

15 DEPUTY MAYOR BERNSTEIN: Thank  
16 you.

17 TRUSTEE WESTERGARD: I thought  
18 that Tom Pantelis, in the beginning,  
19 indicated that the building was a  
20 total of 72,000 square feet, that's  
21 the number I jotted down.

22 Which number is right or am I  
23 mistaken?

24 MR. PANTELIS: I think, I may  
25 have said, was that the prior

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2 building was 72,876 square feet.

3 MR. WANASELJA: That's the  
4 number I have here on my end as well.

5 TRUSTEE WESTERGARD: Okay.

6 MR. PANTELIS: If the Board has  
7 any questions for either Mr. Winberry  
8 or Mr. Wanaselja, if not, I will ask  
9 Sean Mulryan, our traffic engineer to  
10 testify.

11 MR. MULRYAN: Good evening,  
12 Sean Mulryan, Mulryan Engineering,  
13 1225 Franklin Avenue, Garden City,  
14 New York.

15 We were before the Board  
16 previously and we obviously revised  
17 the plans, so the traffic and parking  
18 study was also updated to reflect the  
19 new number of units and new number of  
20 parking spaces.

21 As we had discussed, the number  
22 of parking spaces provided is  
23 actually over what is required by the  
24 zoning. We are required to have 66  
25 parking spaces. We have 67 parking

## 1 Meeting Minutes

2 spaces. This property is located at  
3 the end of Lumber Road and as we have  
4 indicated, we are looking to make  
5 improvements to the waterfront  
6 frontage of this property.

7 But in addition to that, the  
8 applicant has also looked at  
9 improvements at the intersection of  
10 Lumber Road and Old Northern  
11 Boulevard. This is the key  
12 intersection that would service this  
13 location, as well as other locations  
14 along the road. As this is a dead  
15 end, Lumber Road has no other access  
16 in or out, so the intersection of  
17 Lumber Road and Old Northern  
18 Boulevard is the funnel in which any  
19 traffic on this road goes through.

20 One of the things that we  
21 looked at was not only the capacity  
22 of intersection, the volumes on Old  
23 Northern Boulevard, the volumes on  
24 Lumber Road, the existing condition  
25 and also future conditions, but also

## 1 Meeting Minutes

2 how could that intersection be  
3 improved, not only for vehicular  
4 flow, but also for pedestrian safety  
5 and pedestrian activity.

6 So on the slide number seven,  
7 this is obviously an aerial  
8 photograph that was discussed before.  
9 The reason that there is two  
10 different concept plans, is that any  
11 improvements made to this  
12 intersection, will require the review  
13 and approval of the Nassau County  
14 Department of Public Works.

15 So what we put forth was two  
16 different ideas. These are ideas  
17 that if this project moves forward,  
18 we can report to Nassau County DPW,  
19 similar in nature and due to the  
20 hour, I will try to be brief, but the  
21 main idea and main concepts here is  
22 the realignment of Lumber Road to Old  
23 Northern Boulevard, to increase  
24 safety, as far as enter and exit this  
25 intersection.

## 1 Meeting Minutes

2 There are currently four angled  
3 parking spaces that are very close to  
4 the intersection. We believe those  
5 could be closed and that would  
6 increase traffic flow in and out of  
7 this location.

8 We are also proposing to extend  
9 the sidewalk areas or create bump  
10 outs to shorten the pedestrian  
11 crossing distance as someone is  
12 leaving Lumber Road and heading  
13 towards the municipal parking area on  
14 the other side of the street.  
15 Whether going to the municipal  
16 parking lot or somewhere else on the  
17 south side of Old Northern Boulevard,  
18 we are looking to provide a more  
19 pedestrian friendly area, which is  
20 de-located and provides for traffic  
21 common measures, in advance of the  
22 intersection.

23 This is denoted on the right  
24 side of the exhibit here, with a  
25 colored crosswalk and an extension of

## 1 Meeting Minutes

2 the sidewalk areas on both the north  
3 and south side, thus limiting the  
4 amount of conflict you would have  
5 between pedestrians and vehicular  
6 traffic.

7 DEPUTY MAYOR BERNSTEIN: Does  
8 that colored crosswalk have a sign  
9 that says, "Pedestrians have the  
10 right of way, traffic must stop? The  
11 way we have it 200, 300 yards close  
12 to the post office? Would that be  
13 similar?

14 MR. MULRYAN: I would assume  
15 that would have to be approved and  
16 reviewed by the Nassau County  
17 Department of Works and we would stay  
18 in line with any recommendations that  
19 they would have.

20 I am familiar with the signs  
21 that you're talking about and that is  
22 closer to one of the other  
23 residential developments that has  
24 recently gone up. So I would believe  
25 that similar signs would be



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2 appropriate here.

3 MR. PANTELIS: If I may add,  
4 although we need Nassau County  
5 approval, certainly the Village would  
6 be involved in this process and the  
7 input of the Village and what their  
8 desires are would be extremely  
9 important.

10 Sean, one of the things we  
11 know, we're very excited about this  
12 aspect of it, but when you get back  
13 to just Lumber Road itself and  
14 existing conditions, will the  
15 addition of our proposed 33 units,  
16 have a negative impact on levels of  
17 service and conditions on Lumber  
18 Road, as they presently and would  
19 exist with the construction of the  
20 project?

21 MR. MULRYAN: Understood, yes.  
22 That is one of the key factors that  
23 was looked at in the report. And  
24 this is being transformed from an  
25 industrial use to a residential use,

1 Meeting Minutes

2 which is a lower trip generation,  
3 meaning, it would generate less  
4 traffic and very importantly,  
5 essentially zero truck traffic.

6 So the uses that have existed  
7 on Lumber Road, the lumber yard and  
8 this Verizon substation, where truck  
9 activity was coming in and out  
10 throughout the day, this would be a  
11 significant decrease in the traffic  
12 specifically to this site, also in  
13 keeping with other developments that  
14 have happened on Lumber Road.

15 So we believe this will have no  
16 negative impact at the intersection,  
17 in terms of traffic flow or level of  
18 service. And in addition to that, we  
19 are proposing these improvements to  
20 help mitigate some of the alignment  
21 issues and improve some of the  
22 traffic flow for vehicles and  
23 pedestrians.

24 DEPUTY MAYOR BERNSTEIN: Can I  
25 just ask you a question? During the

## 1 Meeting Minutes

2 afternoon rush hour, probably the  
3 normal times start around 4 to 4:30  
4 and going straight through to about  
5 6 p.m., a vehicle heading south,  
6 coming out of Lumber Road heading  
7 south, intending to turn left on Old  
8 Northern Boulevard going east, is  
9 there any chance in the world they  
10 would be able to do that?

11 MR. MULRYAN: The conditions in  
12 the future would essentially be the  
13 same. What we're suggesting is that  
14 traffic coming from Lumber Road would  
15 be less, based on the development of  
16 this project, versus what has  
17 occurred before.

18 The improvements being proposed  
19 at the intersection, would bring  
20 southbound vehicles closer to Old  
21 Northern Boulevard, improving the  
22 line of sight, making it easier to  
23 make that left turn.

24 The traffic that you're talking  
25 about, congest that intersection, so

1 Meeting Minutes

2 potentially other mitigation measures  
3 may be required by the County to  
4 account for that.

5 DEPUTY MAYOR BERNSTEIN: When  
6 you say these adjustments make it  
7 easier to turn left because the  
8 driver can get closer to Old Northern  
9 Boulevard, what you're really saying,  
10 seems to me, is that gives that  
11 driver more of an opportunity to  
12 cross his or her fingers and take a  
13 chance. They can zoom out and cutoff  
14 traffic that's heading in their  
15 direction, coming from the west,  
16 seeking to go east.

17 Everybody knows that turning  
18 left out of there is a crap shoot.

19 TRUSTEE ORAL: If I may say two  
20 things. One, Marshall, by making the  
21 intersection 90 degrees, you actually  
22 get better views of oncoming cars  
23 from the west, so I think that might  
24 be what Sean was getting at.

25 But, Sean, would you consider

## 1 Meeting Minutes

2 adding to the potential design for  
3 the County the do not block the box  
4 square road markings at that  
5 intersection, as well as signage?

6 Obviously, having someone  
7 enforce that, would be part of the  
8 benefits, but even having the  
9 markings on the road, may help create  
10 those gaps for people who are looking  
11 to make the left turn in and out of  
12 Lumber Road during peak hours.

13 MR. MULRYAN: I said there may  
14 be additional mitigation measures,  
15 that was exactly what I was  
16 considering, so we would be very  
17 onboard with a mitigation measure of  
18 that type and then something that  
19 would need to be discussed in further  
20 discussions with the County and with  
21 the Village.

22 DEPUTY MAYOR BERNSTEIN: Do not  
23 block the box, to my experience,  
24 applies when cars have to stop for a  
25 light.

1 Meeting Minutes

2 TRUSTEE ORAL: No, it's when  
3 there is actually -- you see it on  
4 Roslyn Road right now. When there is  
5 an uncontrolled intersection, meaning  
6 no signal in place and cars queue up  
7 from a signal, it tells them to leave  
8 space there so people can get in and  
9 out of the side street.

10 DEPUTY MAYOR BERNSTEIN: You're  
11 referring to the Railroad Avenue  
12 intersection with Roslyn Road?

13 TRUSTEE ORAL: No, it's further  
14 south. I don't really know the name  
15 of the street. It's just one of the  
16 random side streets. There is a  
17 church on the corner.

18 DEPUTY MAYOR BERNSTEIN: I know  
19 we have the scientific analysis here.  
20 It just seems to me and always has  
21 seemed to me, just based on human  
22 experience, that making a left turn  
23 out of Lumber Road is very, very  
24 difficult. And with the new  
25 development over there and Roslyn

## 1 Meeting Minutes

2 Landing, I guess they're selling out,  
3 I think, the new stage of  
4 development, additional traffic.

5 And if we ever get back to the  
6 kind of conditions we had  
7 pre-COVID-19, there are huge amounts  
8 of traffic coming out of the  
9 industrial park, people are trying to  
10 get to the LIE, turning left and  
11 coming out of the industrial park and  
12 heading straight, east on Northern  
13 Boulevard, it's terrible to try to  
14 get out to Lumber Road now.

15 And I recognize you keep saying  
16 that it's better than it used to be  
17 with the trucks, but I don't ever  
18 remember problems with trucks,  
19 frankly. I do know we had problems  
20 at rush hour, normal rush hour, with  
21 a huge amount of traffic on Old  
22 Northern Boulevard.

23 MR. MULRYAN: And those were  
24 studied within our report and this  
25 roadway is under the jurisdiction of

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2 the Nassau County Department of  
3 Public Works. So if there are  
4 further mitigation measures the  
5 County believes would benefit this  
6 intersection, we would be happy to  
7 try to include those in this project.

8 The applicant is here tonight  
9 looking to do a residential  
10 development in a waterfront district,  
11 that was a similar process that was  
12 done at 17-21 Lumber.

13 I believe that you may  
14 recognize it if you have been to that  
15 site, that is somewhat quiet, in  
16 terms of trip generation. Again,  
17 large trucks coming and going from  
18 that location, no longer come down  
19 this roadway at all. So I believe  
20 these are steps in the right  
21 direction.

22 Whether or not they directly  
23 relate to the volume on Old Northern  
24 Boulevard, I would say that the  
25 traffic on Old Northern Boulevard



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2 exists with or without this  
3 development. We're proposing a  
4 development that reduces the trips  
5 coming from this particular site and  
6 trip traffic would help that  
7 situation.

8 DEPUTY MAYOR BERNSTEIN: Okay,  
9 thank you.

10 MR. PANTELIS: I would just  
11 like to add, you think about the fact  
12 that you had the lumber yard there,  
13 and the kind of traffic truck, vans  
14 and other things, that a lumber yard  
15 generated and the Verizon site, which  
16 is our site, had between 100 and 150  
17 vans, that is a significant amount of  
18 commercial traffic that is no longer  
19 there.

20 And if the purposes of the  
21 rezoning are to be carried out, then  
22 you've got to consider that  
23 residential traffic is less much mess  
24 significant and intensive than  
25 commercial traffic.

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2 I agree with Trustee Bernstein  
3 though, that there is traffic that  
4 comes from that industrial park and  
5 that's not something that the  
6 Village, anyone has control over.  
7 Thank you.

8 TRUSTEE GENOVESE: I have a  
9 question. Would the applicant  
10 consider in the traffic mitigation, a  
11 no left turn or no left turn during  
12 certain hours, coming out of Lumber  
13 Road?

14 MR. PANTELIS: That wouldn't be  
15 under our control and I'm not sure if  
16 the Village, as a whole, would like  
17 that because it would not only impact  
18 us, it would impact all of the uses  
19 on Lumber Road. So I don't think  
20 it's for us to make that proposal.

21 TRUSTEE GENOVESE: I think what  
22 Deputy Mayor Bernstein is trying to  
23 say, is that the real concern was  
24 making a left-hand turn and I do  
25 think, Sean, that eliminating the

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2 four parking spaces improves the  
3 visibility, it makes it a bit easier  
4 to make a left-hand turn there. But  
5 at certain hours, I don't know how  
6 anybody would make a left turn there,  
7 given the traffic volumes.

8 The lumber yard has probably  
9 been closed for four, five years  
10 already. There has been no real  
11 commercial traffic, other than the  
12 Verizon and the people that are going  
13 to the gym and the parcel just north  
14 of that. I mean --

15 MR. MULRYAN: I believe Sarah  
16 was indicating or asking, was the do  
17 not block the box, the purpose or  
18 intent of that, the traffic that I've  
19 seen when I have been out at this  
20 location, is congestion within Old  
21 Northern Boulevard.

22 So the issue of making a left,  
23 is generated not only from vehicles  
24 that are queueing from the signal,  
25 coming back to this intersection, but

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2 also in the other direction, vehicles  
3 that are traveling eastbound, that  
4 are going through the Downtown, that  
5 are being slowed down and queue and  
6 have some gridlock here.

7 The idea of the do not block  
8 the box, is intended to allow  
9 vehicles on the side street, in this  
10 case, Lumber Road, to make that left  
11 into that traffic flow, in an area  
12 that's designated, so that when there  
13 is a backup, they're stopped on  
14 either side of the intersection.

15 TRUSTEE ORAL: I want to say  
16 something because it's kind of like  
17 semantics.

18 So we're talking about the  
19 industrial traffic that used to be  
20 there, which is no longer there. And  
21 then there will be cars associated  
22 with the development, that are not  
23 currently there. So there will be  
24 more cars at the intersection. Is it  
25 a significant number based on the

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2 report, no, but there will be more  
3 cars and the situation that exists is  
4 there. So it won't necessarily be  
5 worse, it just will be keeping bad.

6 But one thing to take into  
7 account is during evening rush hour,  
8 most people are coming home, they're  
9 not leaving home. So the trips  
10 generated during the p.m. peak hour,  
11 will be turning onto Lumber Road, not  
12 off of Lumber Road, in general.

13 Again, I don't have the  
14 distributions in my head right now.  
15 You come home between 4 and 7. You  
16 might go out again for a meeting,  
17 after you've changed or had dinner,  
18 but in general, the trips generated  
19 to the site during the p.m. peak  
20 hour, are coming in, not out.

21 So while the left turns there  
22 are very problematic, it's more  
23 problematic in the morning, not  
24 necessarily in the evening.

25 TRUSTEE GENOVESE: I agree with

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2 that. Just one other question.

3 Would you just highlight for me  
4 the differences between the A and B?

5 MR. MULRYAN: The main  
6 difference is, if you look in the  
7 northwest corner on concept A, the  
8 northwest corner is, I'll say, bumped  
9 out or the sidewalk is extended, in a  
10 similar fashion to the way it is on  
11 the west side.

12 In concept B, we're providing  
13 more of a vehicular improvement, if  
14 you will, where there is a  
15 channelized road to be able to make a  
16 right turn and merge onto Old  
17 Northern Boulevard.

18 TRUSTEE ORAL: For the record,  
19 I don't like concept B at all. Not  
20 that it's my place to say anything  
21 now.

22 TRUSTEE GENOVESE: Well,  
23 because it doesn't have any of the  
24 pedestrian enhancements?

25 TRUSTEE ORAL: Yes. And the

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2 straightening the road, making it a  
3 90-degree connection, instead of an  
4 acute angle.

5 MR. MULRYAN: On concept B,  
6 there are some modifications to the  
7 northeast corner. The pedestrian  
8 improvements further east are still  
9 there. Since these are concepts,  
10 somethings can move between the two,  
11 again they're just concepts.

12 The key focus that we kept in  
13 both, is shortening the pedestrian  
14 distance across Old Northern  
15 Boulevard, leading from the  
16 waterfront, to the municipal parking  
17 lot. We felt that that was a primary  
18 objective, that should be carried out  
19 in either case.

20 We also kept the closure of the  
21 four annual parking spaces, to  
22 enhance parking flow onto Old  
23 Northern Boulevard and to eliminate  
24 the conflict that's in close  
25 proximity to the intersection.

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2 Again, these are concepts that  
3 need to be further refined, but they  
4 are thoughts or concepts that we  
5 believe will work in some form or  
6 fashion and will be a benefit to this  
7 intersection.

8 MR. PANTELIS: Any other  
9 questions of Mr. Mulryan? Just one  
10 point, Sean, if you could, as far as  
11 the parking layout is concerned on  
12 site, have you looked at that, with  
13 respect to access to Lumber Road and  
14 also the utility of the parking that  
15 is being provided?

16 MR. MULRYAN: There are parking  
17 spaces being provided, aisles that  
18 circulate the parking lot. They're  
19 oversized. They're 25 feet, instead  
20 of what a typical arrangement would  
21 be, 24 feet. So the aisles are  
22 slightly larger.

23 This is a small development,  
24 where you won't anticipate a lot of  
25 conflict in the parking lot. So we



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2 feel that the concept works well.  
3 The handicapped spaces are located in  
4 proximity to the doorways to the  
5 building. And we have the  
6 flexibility of one extra space, in  
7 case there needs to be some  
8 adjustment, for whatever reason, down  
9 the road.

10 MR. PANTELIS: Any other  
11 questions for Mr. Mulryan?

12 Just one or two further points.  
13 In the first hearing back in 2019,  
14 September of 2019, there were some  
15 concerns expressed by the, I believe  
16 it was by the Roslyn School District  
17 or their representatives, about our  
18 project and the other project, Warner  
19 Avenue, which was under  
20 consideration, about the potential  
21 impact of additional School District  
22 schoolchildren on the district from  
23 the construction of the project.

24 We did a little informal  
25 checking with respect to that issue

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2 and in fact, I believe Wendy Sanders,  
3 who was the source of this  
4 information, is on the Zoom hearing,  
5 I don't know we can see if she's  
6 here, but she's the leasing agent for  
7 17-21 Lumber Road, that has 25  
8 apartments, 23 two-bedroom and two  
9 one-bedroom and the rents actually  
10 range from 5,000 to 7,500 per month.

11 And in that particular  
12 building, there are only two children  
13 of school-age. Actually, they're  
14 Wendy's children and if she's here,  
15 she may want to comment on that. But  
16 we don't believe the rental ranges of  
17 these apartments, which are going to  
18 be high end, that people are going to  
19 move into these apartments and use  
20 them as access to the Roslyn School  
21 District. They're either going to  
22 rent a house, buy a house or if  
23 they're in a lower income bracket,  
24 with respect to affordability of  
25 rent, they'll be renting elsewhere.

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2 DEPUTY MAYOR BERNSTEIN: Are  
3 your rental ranges higher than these  
4 that you just quoted?

5 MR. PANTELIS: No, they're  
6 probably going to be probably in the  
7 same range. It is a little too early  
8 now, you'd be looking at probably two  
9 years before we could actually get  
10 this under way, assuming it received  
11 a speedy approval or an approval.

12 DEPUTY MAYOR BERNSTEIN: Thank  
13 you.

14 MR. PANTELIS: That would  
15 conclude my initial comments. I  
16 would like to reserve the ability to  
17 summarize later or to respond to any  
18 questions.

19 DEPUTY MAYOR BERNSTEIN: Any  
20 questions from the Board?

21 TRUSTEE ORAL: No.

22 TRUSTEE GENOVESE: No.

23 DEPUTY MAYOR BERNSTEIN: We  
24 reserve the right also, Tom, to raise  
25 questions in the future.

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2 MR. PANTELIS: Yes, of course.

3 DEPUTY MAYOR BERNSTEIN: If we  
4 still have any members of the public  
5 out there, are there any questions?

6 PETER: Use the Raise Hand icon  
7 and we will unmute you.

8 Deputy Mayor, I see no one with  
9 the hand raised. I'll go through the  
10 phone numbers. I just have two phone  
11 numbers. If your phone number ends  
12 in 4232, if you have any comments,  
13 I'll unmute you, if not, we'll move  
14 on. 4232, any comment?

15 Thank you. Last one, phone  
16 number 3758, any comment.

17 3758: No comment, thank you.

18 PETER: Thank you.

19 DEPUTY MAYOR BERNSTEIN: That  
20 being the case, I think, John  
21 Gibbons, we would continue this  
22 matter to the July meeting.

23 MR. GIBBONS: Yes. If you can  
24 make that motion to continue.

25 TRUSTEE GENOVESE: So moved.

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DEPUTY MAYOR BERNSTEIN:

Second?

TRUSTEE ORAL: I'll second.

DEPUTY MAYOR BERNSTEIN: All in favor?

TRUSTEE ORAL: Aye.

TRUSTEE GENOVESE: Aye.

TRUSTEE WESTERGARD: Aye.

MR. GIBBONS: That concludes the public hearing.

(Time noted: 9:45 p.m.)

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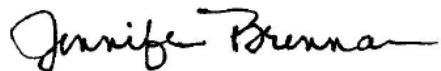
CERTIFICATION

I, JENNIFER BRENNAN, a Notary Public for and within the State of New York, do hereby certify:

That the within transcript is a true and accurate record of the proceedings.

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 29th day of June, 2020.



JENNIFER BRENNAN

\* \* \*

<b>0</b>	<b>170</b> 100:10	<b>281</b> 16:23 27:3	<b>470-18b2</b> 13:5
<b>0552</b> 95:19,20	<b>170,000</b> 108:23	<b>29th</b> 150:15	<b>470-20</b> 98:17
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