

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE

BOARD OF TRUSTEES

December 11, 2019

6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,

Mayor,

PAUL A. PEREIRA,

Deputy Mayor,

PAUL S. CUSATO,

GEORGE R. DURHAM,

DENNIS J. WALSH,

Trustees.

\* \* \*

JOHN P. GIBBONS, JR., ESQ.  
Village Attorney

\* \* \*

JOSEPH R. SCALERO,  
Village Clerk

DANIEL B. WHALEN,  
Supt. of Buildings

\* \* \*

PATRICIA A. TAUBER, RPR  
Official Court Reporter

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VILLAGE OF MINEOLA  
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1 MAYOR STRAUSS: Good evening, folks. We're  
2 going to have a hearing tonight, and I'll turn the mic  
3 over to Mr. Scalero.

4 MR. SCALERO: "Legal Notice, Public Hearing,  
5 Incorporated Village of Mineola.

6 "Please take Notice that the Board of Trustees  
7 of the Incorporated Village of Mineola will hold a Public  
8 Hearing on Wednesday, December 11, 2019 at 6:30 p.m. at  
9 the Village Hall, 155 Washington Avenue, Mineola, New  
10 York 11501, or at some other location to be hereafter  
11 designated by the Board of Trustees, in order to receive  
12 public comment upon the following:

13 "Application of Brittany Hendricks-Ellis for a  
14 Special Use Permit pursuant to Chapter 550 of the Code of  
15 the Incorporated Village of Mineola, entitled 'Zoning',  
16 Section 550-12, entitled 'B-1 Districts', Subsection (B),  
17 entitled 'Special Uses', to establish a women's dance and  
18 fitness studio with health shake station upon the  
19 property known as 263 Horton Highway, Mineola, New York,  
20 known and designated on the Nassau County Land and Tax  
21 Map as Section 9, Block 394, Lot 22.

22 "The Village of Mineola does not discriminate  
23 on the basis of handicapped status in administration or  
24 access to or employment in its projects and activities.  
25 Joseph R. Scalero has been directed to coordinate

1 compliance with non-discrimination requirements of the  
2 Federal Revenue Sharing regulations.

3 "At this scheduled meeting of its Board of  
4 Trustees reserved decisions from previous meetings, if  
5 any, may be acted upon by the Board of Trustees.

6 "At the aforesaid time and place all interested  
7 persons will be given an opportunity to be heard.

8 "By Order of the Board of Trustees of the  
9 Incorporated Village of Mineola. Joseph R. Scalero,  
10 Village Clerk.

11 "Dated November 7, 2019."

12 MAYOR STRAUSS: Thank you.

13 Mr. Whalen, report on mailings?

14 MR. WHALEN: Yes, Mayor. We possess the  
15 Affidavit of Mailing Notice. It has been signed and  
16 notarized, as required.

17 MAYOR STRAUSS: Thank you.

18 Mr. Gibbons?

19 MR. GIBBONS: Nassau County has recommended  
20 local determination, and I would ask for a resolution  
21 declaring this a Type II Action under SEQRA.

22 MAYOR STRAUSS: Motion?

23 MR. CUSATO: Motion.

24 MR. WALSH: Second.

25 MAYOR STRAUSS: Second by Trustee Walsh.

1 All in favor?

2 MR. DURHAM: Aye.

3 MR. PEREIRA: Aye.

4 MR. CUSATO: Aye.

5 MR. WALSH: Aye.

6 MAYOR STRAUSS: Aye.

7 Opposed?

8 Carried.

9 Ladies and gentlemen, this will be the format  
10 for this evening's hearing: The applicant will make  
11 their presentation and call its witnesses. We'll hold  
12 all questions until the presentation is complete. The  
13 Members of the Board will then present any questions  
14 which we may have, and the applicant will certainly  
15 answer them. We'll then open up to public comment.

16 If any questions are raised during the public  
17 comment period, I ask that the applicant keep track of  
18 them and, at the end, come back and respond to them.

19 Anyone speaking tonight please, when you  
20 approach the podium, speak slowly, clearly, state your  
21 name and your address and whatever comments that you have  
22 to make.

23 Ma'am?

24 MS. HENDRICKS-ELLIS: Good evening. My name is  
25 Brittany Hendricks-Ellis. Store address: 263 Horton

1 Highway, Mineola, New York 11501.

2 Thank you for letting me present Killer Body  
3 Fitness to your community.

4 In 2011 KB saved eight lives. To save one life  
5 is an amazing thing, but when my brother Kevin Burton was  
6 killed in 2011, at the young age of 16, his body saved  
7 eight peoples' lives. How could I live up to that? How  
8 could I continue to save lives and spread love and  
9 healing through his name? It almost seemed impossible,  
10 but his light and divine intervention led me to my one  
11 true calling, and that's how Killer Body began.

12 Being a woman in this industry, I understand  
13 that going to the gym or beginning a transformation can  
14 be one of the most vulnerable times in a woman's life.  
15 It can sometimes be intimidating to walk into a gym with  
16 no help or guidance, which is why most members don't stay  
17 and why, as most people say, gyms fail.

18 It's important to have a safe space where women  
19 can come in and grow without judgment. Where we can not  
20 only physically become better, but where women can open  
21 our minds to new things and become mentally stronger as  
22 well. A place where self-love is defined and formed  
23 within.

24 This vision of a safe space for women came  
25 alive in Floral Park when we took over our first

1 location. Not only did a dream come alive and into  
2 fruition, but the souls of many of these women did as  
3 well.

4 It's important when coming to a community that  
5 we not only provide comfort for our clients, but for the  
6 local residents as well. Killer Body doesn't want to  
7 just be another business in Mineola, but another branch  
8 and a positive presence in Mineola that can help make it  
9 better. It's important to support the other local  
10 businesses, give our time to local charities and other  
11 groups that need extra help. We at Killer Body also  
12 stand by lending an extra hand to the community in every  
13 way that we can.

14 I want to assure the members of this community  
15 that we're here to make a difference, while keeping in  
16 mind the low impact on traffic. In addition, keeping the  
17 residents secure in knowing we won't impede on their  
18 current comfort or lifestyle.

19 We only occupy the building for four hours a  
20 day. The morning classes range on average from two to  
21 six women, while our evening classes range on average  
22 from average from six to ten women. With our building  
23 having a parking lot of 30 spaces, and having operating  
24 hours that are opposite of our neighbors, it secures  
25 smooth traffic flow and minimal parking issues. We also

1 do not use street parking, and only one other business is  
2 open in the building at that time, which is the new  
3 aerial dance loft, which has been an amazing addition to  
4 Mineola. This is very important because we want to build  
5 our brand while keeping in mind the comfort of the  
6 Mineola community, especially on Horton Highway and the  
7 surrounding streets.

8 With our small classes, we are able to provide  
9 individual attention physically, as well as provide them  
10 with the health and nutrition that they need afterwards,  
11 which is 80 percent of the work when it comes to health  
12 and fitness. Killer Body can provide a small shake bar,  
13 which this will provide protein shakes and teas that help  
14 the women we service stay consistent with their goals.  
15 It's an amazing thing to have a one-stop haven where our  
16 ladies can get everything that they require to be  
17 successful.

18 Again, since these are small classes, we do not  
19 and will not incur a surplus of garbage and will make  
20 sure to abide by the rules and regulations set forth by  
21 the Village to keep the community nice and clean.

22 I've looked at over 30 properties before this  
23 one, and they were all in New Hyde Park and Floral Park.  
24 But the support and the help that I received from the  
25 Building Department was astounding. We're so grateful.

1 Pete, Donna and the Village made me want to come and grow  
2 our fitness family here in your community. I truly hope  
3 you will allow it.

4 Strong women here, (Indicating), help build  
5 strong communities, strong families and strong minds.

6 It would be an absolute honor to be accepted  
7 into a strong community like Mineola, and I happily  
8 welcome any questions.

9 MAYOR STRAUSS: All right. Thank you very  
10 much.

11 Sorry for the loss of your brother, but I  
12 appreciate him being a donor, apparently.

13 MS. HENDRICKS-ELLIS: Yes.

14 MAYOR STRAUSS: I said this a couple of times.  
15 We had a veteran here several weeks ago who was the  
16 recipient of two arms donated by a family. I don't know  
17 what to say. I have a couple of cadaver parts in myself.  
18 So I'm a donor myself because I want to push that  
19 forward. So thank you and, again, I'm sorry for your  
20 loss. And thank you for your kind words regarding the  
21 Building Department.

22 MS. HENDRICKS-ELLIS: Thank you.

23 MAYOR STRAUSS: We appreciate that.

24 Are you making any changes to the interior of  
25 the building?



1 MS. HENDRICKS-ELLIS: No. It was very walk-in  
2 ready. Just paint. We added floors. We took up the  
3 carpet.

4 MAYOR STRAUSS: Great.

5 You answered most of the questions I had in  
6 your statement.

7 So, Deputy Mayor?

8 MR. PEREIRA: Thank you. And welcome.

9 You know, that was -- I've been up here for ten  
10 years and we have presentations where people bring in  
11 lawyers and architects and whole teams and, you know,  
12 your presentation was succinct, to the point, and very  
13 good. Definitely better than Derrick's senior  
14 presentation a few years ago.

15 (Laughter).

16 MR. PEREIRA: So I know that he didn't coach  
17 you.

18 But, you know, I think you hit the nail on the  
19 head. We want businesses who want to come here and grow  
20 with us and be part of this community and be part of the  
21 fabric of the community while, of course, growing and  
22 being successful. We want that more than anything. We  
23 had some members here from the Chamber of Commerce. So,  
24 as the Mayor always likes to mention, please reach out to  
25 them because they are a great resource, great networking

1 as well for you and to get the word out.

2 But we are glad that you're cognizant of the  
3 fact that you're abutting a neighborhood, and that their  
4 quality of life is important as well. And it's a pretty  
5 low-impact use, You know, you're only open four hours a  
6 day. People aren't coming and going for eight or ten  
7 hours a day. So we're glad -- I'm glad that you chose  
8 Mineola.

9 MS. HENDRICKS-ELLIS: Thank you.

10 MR. PEREIRA: Thank you, Mayor.

11 MAYOR STRAUSS: Trustee Cusato?

12 MR. CUSATO: Mayor, I have no problems with  
13 this request. So . . .

14 MS. HENDRICKS-ELLIS: Thank you.

15 MAYOR STRAUSS: Thank you.

16 Trustee Durham?

17 MR. DURHAM: Thank you.

18 I just have two questions.

19 The shake bar, it's just for the people that  
20 come into the gym?

21 MS. HENDRICKS-ELLIS: Yes, sir.

22 MR. DURHAM: It's not open for any of the  
23 public to go in?

24 MS. HENDRICKS-ELLIS: It's for our members  
25 only.

1 MR. DURHAM: And you said four hours a day.  
2 What were the times?

3 MS. HENDRICKS-ELLIS: 10:15 a.m., 6:15 p.m.,  
4 7:15 p.m., 8:15 p.m.

5 They're 45-minute classes.

6 MR. DURHAM: OK. I have no further questions.

7 MAYOR STRAUSS: Thank you.

8 Trustee Walsh?

9 MR. WALSH: Yes.

10 How are you?

11 MS. HENDRICKS-ELLIS: How are you?

12 MR. WALSH: Thank you for coming out. Thank  
13 you for waiting the whole time. We had the  
14 presentations. You were here. You had to wait through.

15 MS. HENDRICKS-ELLIS: Thank you.

16 MR. WALSH: You know, as I see it, you know, I  
17 looked there the past few days, both in the afternoon and  
18 at night, on Jericho Turnpike between Horton Highway and  
19 Marcellus, the next block, and there's very little  
20 parking in the metered space that's located around the  
21 corner from your place. I don't see any parking issues  
22 at all with the small number of people you're going to  
23 have during the day. But you say you're going to have  
24 between two and six women during the day?

25 MS. HENDRICKS-ELLIS: Yes, sir.

1 MR. WALSH: And then six to ten at night. And  
2 at night everything opens up over there.

3 So I don't see any issue at all. And I also  
4 see a need for a safe space for women in a gym. I  
5 understand your concept, and I wish you luck with the  
6 application.

7 That's all. Thank you, Mayor.

8 MS. HENDRICKS-ELLIS: Thank you so much.

9 MAYOR STRAUSS: Any other comments from the  
10 Board?

11 Anything else you'd like to mention before I  
12 open up to the public?

13 MS. HENDRICKS-ELLIS: No. I just wanted to  
14 thank you for your time and thank you to my ladies and my  
15 boyfriend and his Mom for coming to support me today.

16 MAYOR STRAUSS: OK. Have a seat, but don't go  
17 too far.

18 Anybody in the second row wishing to make  
19 comment? Third row? Fourth row? Fifth row?

20 Yes, sir?

21 MR. SIKORSKY: Good evening.

22 MAYOR STRAUSS: Good evening.

23 MR. SIKORSKY: Mayor, Trustees, guests, I'm Ray  
24 Sikorsky. I happen to be the past president of the  
25 Mineola Chamber of Commerce, and I have also had a long

1 history in Mineola. My business has been in Mineola  
2 since the mid 1980's on Herricks Road - Liberty Avenue.  
3 Two locations. On Herricks Road and Liberty Avenue.  
4 I've had the honor of having been president of the  
5 Mineola/Garden City Rotary and also the Mineola Lion's  
6 Club, and I've enjoyed every single minute of it.

7 I thought this evening I would have an  
8 interesting time in defending what, Brittany, you're  
9 doing, but she did a wonderful job on her own. I had the  
10 good pleasure of being at the last chamber meeting when  
11 we had two representatives, women of substance, Brittany,  
12 and also Nikita from Family and Children's Associates,  
13 both of whom were dynamic people. And at the end of the  
14 meeting I was -- I don't normally come to these, but I  
15 felt a real strong reason to come here this evening in  
16 support of what you want to do.

17 I've been going to gyms most of my adult life,  
18 and I did notice that there have always been single,  
19 sometimes low double-digits of women there. And when I  
20 spoke to you about the reason, and I spoke to some of my  
21 friends about why their wives don't go to these places,  
22 because they kind of feel a little bit self-conscious and  
23 they don't feel comfortable. And I think, in light of  
24 what's going on today with many different movements, I  
25 think this is a wonderful addition.

1                   And I have to say that we, as the chamber,  
2                   notice that what we need more of in this community are  
3                   businesses. There are a lot of empty buildings, and it  
4                   bothers me to see that. But I think it's a malaise that  
5                   exists throughout Long Island. It's not only a Mineola  
6                   issue. And to be welcoming someone as amazing as  
7                   Brittany to the community would be an asset in so many  
8                   directions.

9                   So I am proud. And it's wonderful to be here  
10                  and hopefully get this all moving in the right direction.

11                  Thank you.

12                  MAYOR STRAUSS: Thank you.

13                  Anyone else in the fifth row? Sixth row?  
14                  Seventh row?

15                  Ma'am, come on back up.

16                  Anything else you'd like to say?

17                  MS. HENDRICKS-ELLIS: I hope that you welcome  
18                  me to your community.

19                  MAYOR STRAUSS: Nicely done.

20                  Any other comments from the Board?

21                  At this time I'll entertain a motion to  
22                  approve.

23                  MR. WALSH: Motion.

24                  MAYOR STRAUSS: Motion by Trustee Walsh.

25                  MR. PEREIRA: Second.

1 MAYOR STRAUSS: Seconded by Trustee Pereira.

2 Mr. Scalero, poll the Board.

3 MR. SCALERO: Yes, sir.

4 Trustee Durham?

5 MR. DURHAM: Yes.

6 MR. SCALERO: Trustee Pereira?

7 MR. PEREIRA: Yes.

8 MR. SCALERO: Trustee Cusato?

9 MR. CUSATO: Absolutely.

10 MR. SCALERO: Trustee Walsh?

11 MR. WALSH: Yes.

12 MR. SCALERO: Mayor Strauss?

13 MAYOR STRAUSS: Yes.

14 Congratulations. Thank you for choosing  
15 Mineola.

16 As the Deputy Mayor said, it was a great  
17 presentation. So congratulations again. Best of luck.  
18 We wish you the best of success.

19 Stay close to the Building Department, if you  
20 do make any changes with signage and things. And, as the  
21 Deputy Mayor also mentioned, reach out to the Chamber of  
22 Commerce, as you already have done, and continue to be a  
23 partner there.

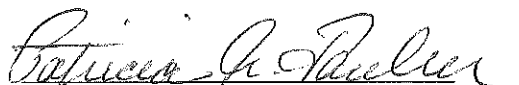
24 And let us know when the ribbon cutting is and  
25 we'd like to have a nice ceremony with the Chamber of

1 Commerce for you. Congratulations.

2 \* \* \*

3 This is to certify that the within and foregoing is a  
4 true and accurate transcript of the stenographic notes as  
5 recorded by the undersigned Official Court Reporter.

6 \* \* \*

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8 PATRICIA A. TAUBER, RPR  
9 OFFICIAL COURT REPORTER  
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