

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE
BOARD OF TRUSTEES

December 13, 2017
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.

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

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JOSEPH R. SCALERO
Village Clerk

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PATRICIA A. TAUBER, RPR
Official Court Reporter

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1 MR. SCALERO: Ladies and gentlemen, please
2 silence all pagers and cell phones. In the event of an
3 emergency there are exits located in the rear of the
4 room.

5 MAYOR STRAUSS: Good evening, ladies and
6 gentlemen. Thanks for coming out on a very cold night.
7 We have two hearings tonight.

8 Mr. Scalero, you can start them off.

9 MR. SCALERO: Yes.

10 "Legal Notice, Public Hearing, Incorporated
11 Village of Mineola.

12 "Please take Notice that the Board of Trustees
13 of the Incorporated Village of Mineola will hold a Public
14 Hearing on Wednesday, December 13, 2017 at 6:30 p.m. at
15 the Village Hall, 155 Washington Avenue, Mineola, New
16 York 11501, or at some other location to be hereafter
17 designated by the Board of Trustees, in order to receive
18 public comment upon the following:

19 "Application of Meixia Huang for a Special Use
20 Permit pursuant to Chapter 550 of the Code of the
21 Incorporated Village of Mineola, entitled 'Zoning',
22 Section 550.12, entitled 'B-1 Districts', Subsection (B),
23 entitled 'Special Uses', to install new cooking
24 equipment, cooling and warming buffet tables, restaurant
25 grills and fryers, and seating for 72 people with 17

dining tables at existing supermarket upon the property known as 52 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 662, lots 13, 15 and 16.

"The Village of Mineola does not discriminate on the basis of handicapped status in administration or access to or employment in its projects and activities. Joseph R. Scalero has been directed to coordinate compliance with non-discrimination requirements of the Federal Revenue Sharing regulations.

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

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

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

"Dated November 3, 2017."

MAYOR STRAUSS: Thank you.

Mr. Whalen, report on mailings?

MR. WHALEN: Yes. Everything is in order, notarized. We have copies.

MAYOR STRAUSS: Thank you.

Mr. Gibbons, anything?

1 MR. GIBBONS: Yes.

2 We have not heard back from Nassau County
3 Planning Commission yet. So I would ask the Board to
4 reserve decision on the application, and I would also ask
5 for a declaration this is a Type II Action under SEQRA.

6 MR. PEREIRA: Motion.

7 MR. WALSH: Second.

8 MAYOR STRAUSS: All in favor?

9 MR. DURHAM: Aye.

10 MR. PEREIRA: Aye.

11 MR. CUSATO: Aye.

12 MR. WALSH: Aye.

13 MAYOR STRAUSS: Aye.

14 Anyone opposed?

15 Carried.

16 Folks, this will be the format for this
17 evening's hearing: The applicant will make their
18 presentation and call any witnesses. We'll hold
19 questions until the presentation is complete. The
20 members of the Board will then present any questions
21 which we may have and the applicant will answer them, and
22 then we'll open it up to public comment. I ask that
23 anybody approaching the podium speak slowly, speak
24 clearly, state their name and address so everything can
25 be accurately recorded for the hearing minutes.

1 Gentlemen?

2 MR. QIU: Hi. Good evening, everybody. My
3 name is Jersey Qiu. I'm here with my brother-in-law, Jai
4 Pan. We're submitting application for a restaurant
5 inside of the supermarket. And the person who is
6 supposed to submit the application, Meixia Huang, she's
7 not here. She's my consultant, also architect. So. . .

8 MAYOR STRAUSS: How about you explain to us
9 what you're looking to do inside the store.

10 MR. QIU: Basically we do a variety type of
11 Asian food inside the supermarket, such as sushi and like
12 buffet-style type of hot food, and also a cold salad bar,
13 and we do something like roasted duck, Peking duck, and
14 Hong Kong style dim sum.

15 MAYOR STRAUSS: You're looking to create a food
16 court within the supermarket?

17 MR. QIU: Yes.

18 MAYOR STRAUSS: So when you walk in the front
19 doors of the supermarket on the right-hand side, what's
20 there now? Is there anything now that you're looking to
21 convert, or is it just open space?

22 MR. QIU: It's empty open space.

23 MAYOR STRAUSS: That you're going to convert
24 into this food court within the supermarket?

25 MR. QIU: Yes. We are renting a portion of

1 that, the supermarket.

2 MAYOR STRAUSS: You're going to rent a portion
3 of the supermarket from the owners for this food
4 operation?

5 MR. QIU: Yes.

6 MAYOR STRAUSS: OK. What hours are you going
7 to be working?

8 MR. QIU: We will be open for same hours that
9 the supermarket. I believe it's from 7:30 in the morning
10 till 8:30 or 9:00 p.m.

11 MAYOR STRAUSS: Do you have another business
12 like this, an agreement where you have a food court
13 inside a supermarket?

14 MR. QIU: Food court will be my first time.
15 Restaurant experience I have. Past one year I've been
16 managing and own several restaurants in New York City,
17 and I still own one in Brooklyn right now.

18 MAYOR STRAUSS: How many seats? You're going
19 to have 72 seats?

20 MR. QIU: This states 72 seats. Most likely
21 we're limited under 56 seating. We don't have many
22 tables that 72 -- we don't have that many. We might have
23 14 tables.

24 MAYOR STRAUSS: So you're cutting down by 30
25 percent?

1 MR. QIU: Yes.

2 MAYOR STRAUSS: Deputy Mayor?

3 MR. PEREIRA: Thank you, Mayor.

4 Thank you, and welcome.

5 The entrance to the proposed restaurant will be
6 the existing entrance to the supermarket?

7 MR. QIU: Yes, same entrance as the
8 supermarket.

9 MR. PEREIRA: Same hours?

10 MR. QIU: Same hours.

11 MR. PEREIRA: Now that is the section that used
12 to be the bakery and the deli of the old King Kullen.
13 Are you going to have to put in a kitchen? You're going
14 to have to build out the kitchen?

15 There's nothing there to accommodate cooking,
16 or. . .

17 MR. QIU: There's nothing there now. We're
18 going to build a new kitchen.

19 MR. PEREIRA: Build a new kitchen.

20 Are you going to add any signage to the outside
21 of the building, to the existing FL Market sign? Is
22 there going to be a separate sign indicating there's a
23 restaurant?

24 MR. QIU: I believe when the supermarket put in
25 the application we do have something says food court

1 underneath the giant supermarket sign. We're not putting
2 a new sign there.

3 MR. PEREIRA: And your business plan is to
4 cater to the people who are already there shopping, not
5 necessarily going to be a destination where people are
6 going to purposely go there just for the restaurant, and
7 not necessarily -- so these are people who essentially
8 are there shopping and they --

9 MR. QIU: Yes. Majority of the customers will
10 be shoppers for that supermarket, which is. . .

11 MR. PEREIRA: So in terms of the economics of
12 it, you're going to be completely separate from the
13 supermarket. You're your own business.

14 MR. QIU: We're our own business.

15 MR. PEREIRA: Your own business subletting the
16 space from the supermarket.

17 MR. QIU: Yes.

18 MR. PEREIRA: There's no connection. You're
19 going to be separately running, operating, owning, this
20 portion of that enterprise.

21 MR. QIU: Yes. Besides, you know, the
22 supermarket, you know, we're getting fresh food, fresh
23 veggies and meat from them.

24 MR. PEREIRA: Right. So they're going to be
25 your purveyors or your suppliers of some of the things or

1 all of the things that you're going to be using to cook.

2 MR. QIU: Yes.

3 MR. PEREIRA: OK. Liquor license? Are you --

4 MR. QIU: No.

5 MR. PEREIRA: No liquor license.

6 MR. QIU: No.

7 MR. PEREIRA: What about disposal of the
8 putrescible waste?

9 Obviously, with any restaurant, you're going to
10 have waste --

11 MR. QIU: Yes, Of course.

12 MR. PEREIRA: -- as do supermarkets.

13 Are you going to have your own contractor or
14 are you going to piggyback on the existing waste disposal
15 of the supermarket?

16 MR. QIU: We're going to work something out
17 with National Waste. I believe they have containers,
18 dumpsters, in the back as of now. That's what the
19 supermarket is using now. So we're going to create a new
20 account with them to have waste cleanup every day.

21 MR. PEREIRA: OK. So your waste is going to be
22 disposed of just as the waste from the supermarket is
23 going to be disposed of.

24 MR. QIU: Yes.

25 MR. PEREIRA: OK. That's all for now, Mayor.

1 MAYOR STRAUSS: Thank you.

2 Mr. Cusato?

3 MR. CUSATO: Good evening.

4 MR. QIU: Good evening.

5 MR. CUSATO: I don't have a problem with your
6 concept. I have a problem with your drawing. Your
7 drawing is totally incorrect. The dimensions are wrong.
8 Your quantity is wrong.

9 Is your architect here today?

10 MR. QIU: She's not here.

11 MR. CUSATO: So how can you present a drawing
12 that is totally incorrect?

13 MR. QIU: I'm sorry. I didn't --

14 MR. CUSATO: You know. Little things. You
15 know. The quantity. You show dishwashers and sinks.
16 All the quantities you show are wrong.

17 How can you present this drawing to us?

18 MR. QIU: I'm sorry. Can I just ask my --

19 MR. CUSATO: You know what -- Mayor, you know
20 what, I think they need to come back with a correct
21 drawing.

22 Your dimensions are wrong. Your quantities are
23 wrong. You don't show exhaust fans. Again, this drawing
24 is totally incorrect. I think you need to come back with
25 correct information.

1 MR. QIU: OK. I will definitely talk to her.

2 MAYOR STRAUSS: I don't know if these drawings
3 need to have the exhaust fans, Trustee Cusato.

4 MR. CUSATO: But you know what, you indicate
5 dishwashers and floor drains and tables, you know, little
6 things but, you know what, if you want acceptance, this
7 drawing needs to be correct.

8 MR. QIU: OK.

9 MR. CUSATO: So I think your architect needs to
10 come back at some point to give us the correct
11 information --

12 MR. QIU: OK. No problem.

13 MR. CUSATO: -- if you want me to approve your
14 plan.

15 MR. QIU: Sure.

16 MAYOR STRAUSS: Anything else?

17 MR. CUSATO: No. Sorry, Mayor.

18 MAYOR STRAUSS: No. No need to be sorry.

19 MR. CUSATO: You know what, you know what, I --
20 you need to be correct.

21 MR. QIU: OK.

22 MAYOR STRAUSS: Trustee Durham?

23 MR. DURHAM: Looking at your restaurant plan, I
24 see no restrooms. So you're setting up a restaurant
25 without any restrooms. How are you doing that?

1 MR. QIU: Well because it's a section in the
2 supermarket, we will be using the bathrooms that the
3 supermarket has right now.

4 MR. DURHAM: So you'll use the bathrooms from
5 the supermarket for that.

6 On the plans it says that you're putting a drop
7 curtain down to cut off from the restaurant. It says
8 you're going to take and put -- from the ceiling you'll
9 put a drop curtain to take and close off the restaurant
10 from the supermarket. That's what's in the plans right
11 here.

12 MR. QIU: I'm sorry. I not quite understand.

13 MR. DURHAM: It says here you're putting up a
14 curtain -- it's not a wall, but a curtain -- to separate
15 the restaurant. . .

16 MR. QIU: From the dining area.

17 MR. DURHAM: . . .from the supermarket.

18 So this is to take and block off? How are you
19 doing that?

20 MR. QIU: The curtain? No.

21 MR. DURHAM: That's what the plans say. The
22 plans say that the curtain is going to be on this line
23 blocking off the supermarket from the restaurant.

24 MR. QIU: Let me ask my partner for that.

25 MR. CUSATO: Mr. Durham, that's my concern.

1 I don't know why your architect is not here to
2 address those concerns.

3 MR. QIU: I'm sorry. It shouldn't have a
4 curtain to separate from the supermarket.

5 MR. PEREIRA: Unless it's some kind of
6 architectural language. But it does say: Existing
7 ceiling drop curtain. Unless there's some other meaning
8 to that.

9 So how are you planning to separate? Are you
10 going to have a knee wall?

11 MR. QIU: It shouldn't be a physical
12 separation. I mean, it was more like a small drop down,
13 two feet, from the ceiling. It's a small wall drop down
14 from the ceiling. Like a -- it's not a curtain.

15 MR. PEREIRA: There's no physical division.

16 MR. QIU: No physical division. You see
17 through the whole thing. I believe my architect kind of
18 misrepresent it in that way.

19 MR. CUSATO: Again, why is your architect or
20 the designer of this drawing not here?

21 You know, don't try to push something past this
22 Board. OK? We're here to protect our Village residents.
23 Just don't try to push something past us.

24 MR. QIU: OK. Of course.

25 MAYOR STRAUSS: Anything else, sir?

1 MR. DURHAM: No. I just was going to say: I
2 understand your concept. I've seen it in other
3 supermarkets. I've seen it in other areas. Not to this
4 grand scale. It's a lot smaller. Usually five, maybe
5 ten tables, or whatever. You're going for much more
6 seating capacity, but maybe that's because the area is
7 bigger and you're trying to fill the section of the
8 store. I'm not sure.

9 But I think we need, like Trustee Cusato said,
10 we need accurate plans for us to take and approve or
11 understand exactly what you're doing. But what you've
12 provided us is not something that we can accept. The
13 design concept is not --

14 MR. QIU: I will definitely talk to my
15 architect once again.

16 MR. DURHAM: Nothing further.

17 MAYOR STRAUSS: Thank you.

18 Trustee Walsh?

19 MR. WALSH: Yes.

20 Good evening. How are you?

21 MR. QIU: Good evening.

22 MR. WALSH: So just so I understand this, speak
23 to me about this curtain that's described on here.
24 Describe the curtain to me, please.

25 MR. QIU: The curtain. There's no physical

1 curtain.

2 MR. WALSH: OK.

3 MR. QIU: I mean, most likely my architect made
4 that mistake. It's not physical --

5 MR. WALSH: No. No. Listen, stay with me.

6 Describe to me what it looks like when you go
7 into the store. When I go into the store and I look at
8 the area that used to be the deli, is it going to be wide
9 open between your food service and where the customers
10 shop? Right there is vegetables. Is it going to be wide
11 open, or is there going to be a division?

12 MR. QIU: Well when customers walk into the
13 supermarket all they see is some tables with like, you
14 know, the buffet-style. People get to see the hot food
15 and cold salad. Again, we get to serve them.

16 MR. WALSH: OK.

17 MR. QIU: That's all.

18 MR. WALSH: So in other words, if I stand by
19 the vegetable area and I look towards your restaurant,
20 I'll be able to see everything. It's going to be wide
21 open. There's no curtain dividing.

22 MR. QIU: There's no curtain.

23 MR. WALSH: OK. So that may be an
24 architectural term that I'm not familiar with. This
25 curtain, it may be something coming from the ceiling.

1 MR. QIU: I think she mention curtain is more
2 like, you know, she define drop down. It's more like a
3 wall, you know.

4 MR. WALSH: From the ceiling down.

5 MR. QIU: Yes.

6 MR. WALSH: And you're going to have also --
7 it's decorative so you can describe what your restaurant
8 is. It's going to be kind of a little separation up high
9 so you just see where the restaurant begins.

10 MR. QIU: Yes.

11 MR. WALSH: How about venting? What kind of
12 equipment are you going to be putting in there to cook?

13 MR. QIU: Just some standard cooking equipment.

14 MR. WALSH: No. Are you going to be putting in
15 equipment that doesn't exist now to cook, like ovens or
16 things like that?

17 MR. QIU: Oh, yes. We're going to put in
18 ovens, some cooking woks.

19 MR. WALSH: A cooking wok. OK. So that has a
20 lot of smoke that comes off a wok. I guess you're going
21 to have a separate venting system that will have to be
22 approved by the Village, and maybe the Fire Marshal will
23 take a look at it.

24 MR. QIU: Of course.

25 MR. WALSH: And, you know, tell me about the

1 type of food you're going to serve again.

2 MR. QIU: Mostly Asian, like Szechuan style,
3 noodle soup, some Hong Kong style dim sum. We steam
4 them. Some Peking duck and Japanese sushi people make.

5 MR. WALSH: Well all this food is going to be
6 coming from steam tables; is that correct?

7 MR. QIU: No. Some of the food come from steam
8 tables. Some of the food, like sushi, we make it right
9 away.

10 MR. WALSH: OK. So you'll have a sushi station
11 and you'll have steam tables.

12 Is this all self-service, or are you going to
13 have a waiter?

14 MR. QIU: We're going to have people behind the
15 steam table get to pick what customers want, and then we
16 go to the weigh station to weigh that.

17 MR. WALSH: OK. So a customer will walk up to
18 the steam table, take whatever they want, they'll be
19 served it, and then they weigh it and they pay by the
20 pound.

21 MR. QIU: That's right.

22 MR. WALSH: OK. And then they'll sit down and
23 eat.

24 MR. QIU: I'm sorry?

25 MR. WALSH: And then they will sit down and

1 eat.

2 MR. QIU: Yes, they will sit down at the food
3 court table.

4 MR. WALSH: And I guess you have -- what part
5 of your business will be people sitting and eating and
6 what part will be people taking cooked food to go?

7 MR. QIU: They can take it to go. You know,
8 when they pay for it --

9 MR. WALSH: No. No. I understand they can
10 take it to go, but do you have a business plan that would
11 let you believe whether a percentage, like 40 percent, is
12 going to be to go or, you know, 60 percent?

13 MR. QIU: At this point we're not sure in terms
14 of percentage.

15 MR. WALSH: I'm sorry. Can you say that again?

16 MR. QIU: We're not sure how many people, like
17 what the percentage of people who will be sitting there
18 or percentage of people taking home. But most likely, my
19 expectation, like 70 percent people will just sit on the
20 table and eat it right away.

21 MR. WALSH: OK.

22 MR. QIU: And the other 30 percent will say: I
23 want to take that home.

24 MR. WALSH: Your plan is to have the majority
25 of the people sit there and eat.

1 Now you said you own another restaurant. Do
2 you own a restaurant like this in a grocery store, or
3 just a restaurant?

4 MR. QIU: Not in a grocery store. Just a
5 regular fast food on the street.

6 MR. WALSH: OK. Will you be getting your
7 supplies strictly from FL Market to serve there, or will
8 you be bringing it in from other places?

9 MR. QIU: Well most of the food, you know, will
10 be from the supermarket itself.

11 MR. WALSH: OK. And just entrance and exit
12 into your place. You're going to have like a line that
13 comes in and an exit on the other end, is that it, to the
14 other side of the eating area?

15 MR. QIU: Well, yes. People just making like a
16 whole line circle, circle around the buffet bar. So when
17 people come from this direction and then they go out from
18 the other side.

19 MR. WALSH: So they come in from the front
20 direction, go to the steam tables, go sit at the tables,
21 and when they're done -- and when they're done does
22 self-service have to put garbage in the garbage container
23 or they leave it on the table?

24 MR. QIU: We would have a person who collect
25 the things, but we do have a garbage can outside just,

1 you know --

2 MR. WALSH: So you'll have a combination of
3 people will throw their garbage in, or you have like
4 waiters or somebody working that will --

5 MR. QIU: We will have a combination of both.

6 MR. WALSH: So you don't have a bunch of tables
7 with garbage all over them.

8 MR. QIU: Well we're going to have both. You
9 know, most people will just put their garbage in the
10 garbage can themselves. But if we do see garbage on the
11 table, we're going to have workers grab that garbage and
12 bring it to the garbage disposal.

13 MR. WALSH: How about drinking? What are you
14 going to serve? What are you going to have, like soda
15 machines or sell bottled water and soda?

16 MR. QIU: Well we have the lease with the
17 landlord/supermarket owner. They have whole bunch drinks
18 in the shelf already. So we allow only to make something
19 called bubble tea, bubble milk tea. That's the only
20 drink we have.

21 MR. WALSH: The only thing you're going to have
22 is a type of tea; is that what you said?

23 MR. QIU: Yes.

24 MR. WALSH: And then if they want to pick up
25 soda or something in the grocery store --

1 MR. QIU: They have to go to the --

2 MR. WALSH: -- they can eat, and will they pay
3 for those items at your restaurant, or --

4 MR. QIU: From the supermarket.

5 MR. WALSH: So they have to purchase them first
6 and then go into your restaurant to eat.

7 MR. QIU: Yes, if they want to grab a Coca-Cola
8 or whatever.

9 MR. WALSH: And someone might have asked -- I
10 might have missed it -- but how many employees do you
11 think you'll have working at one time?

12 MR. QIU: Working, about 15 total.

13 MR. WALSH: Fifteen total employees. And so
14 how many will be cooks and how many of them will be
15 waiters and such?

16 MR. QIU: We have two main chefs in the back as
17 of now, but all other people will be helping out. We're
18 going to have local people. We're going to find out to
19 hire.

20 MR. WALSH: Now let me ask you this: A
21 restaurant like that needs a good size prep kitchen.
22 Will the prep kitchen be exposed to the people that are
23 eating, or is the prep kitchen somewhere else?

24 MR. QIU: No. Prep kitchen is behind a wall.
25 It is not exposed to anybody.

1 MR. WALSH: So in that area you have the wall,
2 which I saw. I know that wall. And the prep kitchen is
3 behind there and anything you have to do.

4 How far away is the grocery store's restrooms
5 from your area that you intend to put the restaurant up?

6 MR. QIU: The restroom is on the other side of
7 the cashiers. So I'm assuming it's about 80 feet or --

8 MR. WALSH: So the bathrooms aren't in the
9 immediate area of where you propose to put this
10 restaurant.

11 MR. QIU: Yes.

12 MR. WALSH: Restaurant. The food court.

13 OK. Thank you. That's all.

14 MAYOR STRAUSS: Any other comments from the
15 Board?

16 MR. CUSATO: I do.

17 Sir, so we all attended the opening ceremony
18 for the FL Market maybe three or four weeks ago. And I
19 was there this morning and I noticed you had four exhaust
20 fans. Were they recently installed for this?

21 MR. QIU: They no installed yet.

22 MR. CUSATO: What's that?

23 MR. QIU: Just the equipment.

24 MR. CUSATO: I don't understand.

25 MR. QIU: You're talking about the vent system?

1 MR. CUSATO: Yes.

2 MR. QIU: It's not installed yet.

3 MR. CUSATO: So what did I see in your ceiling
4 this morning?

5 I saw four exhaust fans in the area where all
6 your ovens and grills are going to be.

7 MR. QIU: Well maybe miscommunication.

8 MR. CUSATO: That's why I want your architect
9 to be here at the next meeting.

10 You know what, you know what, this is a
11 disgrace.

12 MR. QIU: OK. I definitely get her here.

13 MAYOR STRAUSS: Any other comments from the
14 Board?

15 MR. DURHAM: I just have one question.

16 On this picture it talks about the existing
17 refrigeration that's there with four-feet-eleven-inches
18 from the tables. Now I've been in there. I've been in
19 the supermarket. And that's the fish counter. So you're
20 going to have the fish counter, with all the fish that
21 are there in the refrigeration portion of that, four feet
22 away from the tables that you're going to have tables for
23 people sitting down to eat?

24 MR. QIU: That's why we limit it. Putting 17
25 tables there, that's too many. We don't want to have any

1 table closer to whatever the refrigeration that
2 supermarket have right now.

3 MR. DURHAM: So you're going to take and remove
4 the tables in that section.

5 MR. QIU: In that section, yes.

6 MR. DURHAM: OK.

7 MAYOR STRAUSS: Any other comments from the
8 Board?

9 MR. PEREIRA: Yes, just one. One more
10 question.

11 Will you have delivery available?

12 MR. QIU: No. Mainly just people --

13 MR. PEREIRA: People eating in or --

14 MR. QIU: Eating in or go.

15 MR. PEREIRA: Or taking out.

16 MR. QIU: Yes.

17 MR. PEREIRA: OK.

18 MAYOR STRAUSS: Anything else you would like to
19 say?

20 MR. QIU: No.

21 MAYOR STRAUSS: OK. If you could, sir, have a
22 seat. We're going to open it up to public comment, and
23 at the end of the public comment we'll call you back up.

24 Anybody in the first row, second row, third
25 row, fourth row, fifth row, sixth row, seventh row?

1 Sir, come on back up.

2 Since there are some discrepancies, admittedly,
3 on your end with even the seating -- it was originally 72
4 seats, now you're looking to change it down to 56, I
5 believe you said, and there were some questions about a
6 curtain or a wall and some exhaust systems -- we suggest
7 that you -- we're going -- I will entertain a motion to
8 adjourn the hearing and we'll continue at another date
9 when you can get your architect back, probably best
10 suited with revised plans so we can come to a better
11 understanding as to what you're looking to do within your
12 establishment. So --

13 Yes, sir?

14 MR. CUSATO: I have no disregard for your
15 concept. I just have regard to what you presented to us.
16 That's my concern.

17 MR. QIU: Understandable.

18 MAYOR STRAUSS: So we'd like to know exactly,
19 to the best of your ability to provide us, an
20 understanding of what you're looking to do. And
21 obviously there were some questions raised here. So we
22 would like to get those questions answered.

23 MR. QIU: Yes.

24 MAYOR STRAUSS: So I'll entertain a motion to
25 adjourn the hearing to a later date.

1 Mr. Gibbons, we don't need to pick a date now,
2 do we?

3 MR. GIBBONS: No. Once the Building Department
4 is in receipt of the plans, the Building Department will
5 notify the Clerk. The Clerk will notify the applicant.

6 MAYOR STRAUSS: All right. So I'll entertain a
7 motion to adjourn.

8 MR. WALSH: Motion.

9 MAYOR STRAUSS: And keep the record open.
10 Motion made by Trustee Walsh.

11 MR. CUSATO: I second that.

12 MAYOR STRAUSS: Seconded by Trustee Cusato.
13 All in favor?

14 MR. DURHAM: Aye.

15 MR. PEREIRA: Aye.

16 MR. CUSATO: Aye.

17 MR. WALSH: Aye.

18 MAYOR STRAUSS: Aye.

19 Any opposed?

20 Carried.

21 Please work closely with our Building
22 Department and they'll give you the understanding as to
23 what we're looking for, and hopefully we can come to an
24 agreement as to what is needed.

25 MR. QIU: All right.

1 MAYOR STRAUSS: Thank you.

2 MR. GIBBONS: Mayor, just for notice issues,
3 we'll adjourn the meeting to the January hearing date.
4 If we don't have the plans at that time, on that night we
5 will advise the public that the meeting would then be
6 adjourned to the February date.

7 In the interim there, if the public has any
8 questions as to what the date is, they can direct it to
9 the Village Clerk.

10 MAYOR STRAUSS: Second Wednesday of January is
11 the hearing night. So that's the target date.

12 MR. QIU: Second Wednesday.

13 MAYOR STRAUSS: Second Wednesday in January.

14 MR. QIU: Of the New Year. OK.

15 MR. PEREIRA: January 10th.

16 MAYOR STRAUSS: All right.

17 Thank you, sir.

18 MR. QIU: Thank you.

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1 MAYOR STRAUSS: OK. Mr. Scalero, next one.

2 MR. SCALERO: "Legal Notice, Public Hearing,
3 Incorporated Village of Mineola.

4 "Please take Notice that the Board of Trustees
5 of the Incorporated Village of Mineola will hold a Public
6 Hearing on Wednesday, December 13, 2017 at 6:30 p.m. at
7 the Village Hall, 155 Washington Avenue, Mineola, New
8 York 11501, or at some other location to be hereafter
9 designated by the Board of Trustees, in order to receive
10 public comment upon the following:

11 "Application of Vincent Minutella for a
12 Special Use Permit pursuant to Chapter 550 of the Code of
13 the Incorporated Village of Mineola, entitled 'Zoning',
14 Section 550.16, entitled 'M Districts', Subsection (A),
15 entitled 'Permitted Uses', and Section 550.12, entitled
16 'B-1 Districts', Subsection (B), entitled 'Special Uses',
17 for the conversion of a bar patron space to kitchen and
18 dining restaurant with outdoor beer garden upon the
19 property known as 78-80 2nd Street, Mineola, New York,
20 known and designated on the Nassau County Land and Tax
21 Map as Section 9, Block 424, Lots 35-36.

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 3, 2017."

12 MAYOR STRAUSS: Thank you.

13 Mr. Whalen, report on mailings?

14 MR. WHALEN: Yes, Mayor. I have the mailing.
15 It's here, signed and notarized.

16 MAYOR STRAUSS: Thank you.

17 Mr. Gibbons, anything?

18 MR. GIBBONS: Yes. The Nassau County Planning
19 Commission has issued resolution 10215 of 2015, and they
20 resolved to deem the application incomplete and requested
21 the following information, and I'll quote from the
22 resolution: "An outside beer garden is proposed for the
23 subject property. Such a use is a potential nuisance to
24 nearby residences from the standpoint of noise pollution,
25 lighting/glare, spillover onto residential properties,

1 litter and traffic. Security is also an issue. The
2 Village should require that the applicant address these
3 issues to the satisfaction of the Village and nearby
4 residents, including hours of operation. The applicant
5 should satisfactorily meet the standards required of the
6 Special Use Permit."

7 We would want the applicant to advise the Board
8 whether or not they have resubmitted any other
9 documentation to the Nassau County Planning Commission
10 and, if so, if there is a superseding resolution to the
11 one I just read. And I would also ask for a declaration
12 that this is a Type II Action under SEQRA.

13 MAYOR STRAUSS: Motion on the declaration?

14 MR. PEREIRA: Motion..

15 MAYOR STRAUSS: Motion by Trustee Pereira.

16 Second?

17 MR. DURHAM: Second.

18 MAYOR STRAUSS: By Trustee Durham.

19 All in favor?

20 MR. DURHAM: Aye.

21 MR. PEREIRA: Aye.

22 MR. CUSATO: Aye.

23 MR. WALSH: Aye.

24 MAYOR STRAUSS: Aye.

25 Opposed?

1 Carried. Thank you.

2 Thank you, Mr. Gibbons.

3 OK. This will be the format again for this
4 evening's hearing: The applicant will make its
5 presentation and call its witnesses. The members of the
6 Board will then present any questions which we may have
7 and then, after that part of it, we'll open up to public
8 comment. I ask anybody that's approaching the podium to
9 please speak clearly, state your name, your address and
10 your affiliation for the court reporter.

11 MR. MINUTELLA: Thank you. Good evening,
12 gentlemen, Mayor Strauss, Members.

13 MAYOR STRAUSS: Good evening.

14 MR. MINUTELLA: My name is Vincent Minutella
15 and I'm here from the Black Sheep Ale House, which is at
16 78 Second Street in Mineola.

17 Do you want my home address?

18 MAYOR STRAUSS: No. That's good.

19 MR. MINUTELLA: OK. I guess a little history
20 for those who don't know. I purchased O'Donnell's Pub in
21 January of 2010. At that time it was my intention to put
22 a kitchen back in that bar where there had been one
23 previously. It was my ignorance that I didn't realize
24 that -- since they had pulled the kitchen out, I thought
25 I could just throw a kitchen back in. And then, in

1 working toward that, I was informed that would have been
2 grandfathered but a new one would have to be up to new
3 codes, different codes, and in order to have that it
4 would eat up so much of the dining area there would be
5 nowhere to serve customers. So we had to put the whole
6 food idea on the back burner until such a time as we
7 could figure out a way to do it properly and accommodate
8 it.

9 Since that time we have purchased the building.
10 The property is now ours. The commercial space next to
11 the bar is vacant. We have turned the bar into the Black
12 Sheep Ale House, which is a craft beer focused tavern.
13 We're very well known for the craft beer and how we do
14 our thing with craft beer.

15 Our idea for food is to produce food that will
16 elevate the beer and beer that will elevate the food.
17 They're meant to go hand in hand and become a greater
18 thing to be enjoyed together.

19 And being that we're focused in beer, a beer
20 garden is a natural, you know, extension of that,
21 something which we think will be enjoyable, something we
22 think would also be good for the community. I think it's
23 something kind of cool for us to have here in Mineola.
24 We don't have anything like that, to my knowledge.

25 Questions? I don't know.

1 MAYOR STRAUSS: We have a couple.

2 MR. MINUTELLA: Yes, sure.

3 MAYOR STRAUSS: It was a little bit difficult,
4 looking at the plans, to understand what you're actually
5 trying to do with the properties that you have. So can
6 you explain?

7 Currently you're on -- if you're looking at
8 your building, you're currently operating out of the
9 eastern part of the building.

10 MR. MINUTELLA: Correct.

11 MAYOR STRAUSS: So you bought the entire
12 building. So both sections, plus the apartments above.

13 MR. MINUTELLA: Correct.

14 MAYOR STRAUSS: So what are you looking to do
15 on the first floor of the entire building? Let's start
16 with that.

17 MR. MINUTELLA: OK. Let me -- first, let me
18 apologize. My architect is not here tonight. He had an
19 emergency, a medical emergency, with his wife. So if
20 need be, we're happy to come back when he's available.

21 In lieu, I do have our contractor, Jesse
22 Narula, who hopefully can answer some questions because
23 he's been working with the architect and myself to put
24 these plans together. This is Bob Miller, he's my bar
25 manager, and he can answer questions more regarding

1 operational matters.

2 The way that we've got it set up now -- we
3 purchased the entire property. On the property is the
4 building proper, that's the 78-80, the brick building,
5 that has the Black Sheep Ale House in one storefront and
6 now the other storefront is vacant, and there's four
7 apartments above. With that purchase we also have the
8 building next door.

9 MAYOR STRAUSS: The small house?

10 MR. MINUTELLA: That small house. That is a
11 two-family residence. It has an apartment rented on the
12 first floor and the top floor is vacant. It is our
13 intention to tear down that house and put the beer garden
14 there.

15 So what we would be doing is going through
16 where the Black Sheep is now. We break through. There
17 would be a pass-through from the Black Sheep into the
18 other side where the dining area would be. The dining
19 area would be in the front on the Second Street side, and
20 the kitchen would be in the rear. And then, beyond that,
21 there would be another pass-through doorway into the beer
22 garden.

23 The beer garden would be enclosed by a six-foot
24 wall. It would have emergency egress through one -- my
25 directions are off, but I think that's the westerly wall.

1 And then, also, the front of the beer garden would have
2 an emergency egress as well. We've got it designed so
3 that there would be like an archway shape there with
4 wrought iron gates. The wrought iron gates would be
5 emergency egress. But another reason why I have that
6 designed in was factoring in part of the sound pollution
7 issue, because sound does need somewhere to go, and we
8 figured, you know, the best place for it to be directed
9 out of that area would be toward the parking lot across
10 the street, the train trestle, Old Country Road, and not
11 to our neighbors to the back of us, which is why there is
12 no egress there. That's where our trash, our dumpsters,
13 are meant to be kept, and they'll be enclosed behind
14 fencing so it won't be unsightly.

15 And in other ways to address the noise issues,
16 it's my intention to have a very parklike atmosphere in
17 the beer garden. I want to plant flowering trees and
18 have lots of shrubbery lining the brick wall, and then
19 the brick wall itself. So I think that should quell a
20 lot of, you know, what you'd expect to have an average
21 din.

22 We're not looking for a big party type of
23 atmosphere. We're looking for more of an alfresco dining
24 kind of thing, but definitely kind of a sit, nature, sit
25 amongst the trees, sit amongst the picnic benches and

1 have your beer and your food. I mean, there will be
2 noise. People laugh and talk, and there will be
3 conversation.

4 It's not our intention to have live music out
5 there. I'm going to say that with the caveat that maybe
6 we would rent that space out for a private party. If
7 someone wanted to have a birthday or a small wedding or
8 something like that, we would permit them to have -- to
9 bring in their own music, but we would cut that off at a
10 reasonable time so that it wouldn't be a nuisance to the
11 neighbors.

12 As far as lighting, light pollution, I don't
13 anticipate any more light than we already have in the
14 back area of the bar/restaurant for security purposes,
15 our security lights that illuminate the parking lot
16 there. Any lighting that would be added to the beer
17 garden would be more for ambience, string lights. If
18 there were goosenecks, they would be pointing down into
19 the beer garden area. Candles, you know, that kind of
20 thing.

21 MAYOR STRAUSS: What are you looking to do to
22 the interior of the building on both sides? You're
23 looking to create a bar/restaurant atmosphere?

24 MR. MINUTELLA: Actually, I would like to keep
25 them separate. Honestly, I'm a little -- I started the

1 Black Sheep Ale House and I'm personally a little nervous
2 about changing that into like, OK, we're a restaurant
3 now. Confusing people. I would really like to keep the
4 bar side as little changed as possible. As much what it
5 is now, I want it to remain.

6 When we do the other side -- I tore down the
7 dry wall that's over there myself, and I revealed pressed
8 tin walls and there's a high ceiling with the old tin
9 ceiling. The building was made in the '20s. And I
10 said -- you know, with Jesse and my architect -- I said:
11 Is there any way that we could bring back that kind of
12 look? Like this place has always been here. It's always
13 been part of it. So that's our intention for the look,
14 at least, of that other side is to try to have -- and it
15 will be different than the bar. It's kind of a yin and
16 yang. The bar is dark, and the other side we plan for it
17 to be much lighter. It's kind of the feminine to the
18 masculine of the bar, so that's balanced.

19 MAYOR STRAUSS: So you're going to have like a
20 pub/restaurant in the new part of the building you just
21 purchased and maintain the Black Sheep Ale House the way
22 it is.

23 MR. MINUTELLA: We would be serving food on the
24 bar side.

25 MAYOR STRAUSS: Of course. If it makes it

1 easier for you than running across the street to Game
2 Stop, but certainly it would benefit you.

3 So now past that you create an opening in the
4 wall, on the western wall, into this beer garden.

5 MR. MINUTELLA: Correct.

6 MAYOR STRAUSS: And I know you mentioned about
7 the beer garden being relatively quiet. You'll have
8 butterflies flying around. However --

9 MR. MINUTELLA: By Disney.

10 MAYOR STRAUSS: However, reality will slap us
11 in the face and will probably give us something that is
12 much different than that, and combatting that is going to
13 be our challenge. And how you combat that, how you deal
14 with that, will be a challenge.

15 MR. MINUTELLA: Right.

16 MAYOR STRAUSS: We've had places in the past,
17 currently, but not recently -- I'm going to jinx
18 myself -- where we've had outside eating and it's caused
19 problems in the neighborhood. And the business owners
20 say: I can't control my patrons.

21 That's not my issue. My issue is to prevent it
22 before it starts. And that's really my concern, to make
23 sure that we look out for our residents who are living in
24 that area so that they're not trampled on --

25 MR. MINUTELLA: That's --

1 MAYOR STRAUSS: -- by rowdy parties.

2 Listen, you can only use that beer garden on
3 nice nights. It's not going to be open tonight, when
4 it's 20 degrees out.

5 MR. MINUTELLA: No.

6 MAYOR STRAUSS: But when it's nice out, those
7 nice spring nights and fall nights and summer nights, our
8 residents, we have our windows open and we're going to
9 have to listen to the screaming, yelling, the laughing,
10 the jocular, which is good to a point. But then when
11 you have little kids, or you work shift hours, and you're
12 looking to sleep and you have this beer garden in the
13 back that was presented as all flowery nice, now it's a
14 mess. And I need to understand how you would look to
15 address that, prevent that from happening, if you could.
16 I'm not sure you can.

17 MR. MINUTELLA: The way you handle that, in my
18 opinion, is the way you conduct business all the time.
19 And if you cultivate an environment where it's a big
20 crazy place, you're going to have big crazy things. If
21 you cultivate an environment where you're here to quietly
22 enjoy each other and the meal and a beverage which we
23 have, I think it's easier.

24 I mean, yeah, we could tell people, quiet down,
25 if it's too late, or if it becomes unruly. That's a

1 whole other story. Then we have to take measures to make
2 sure that it doesn't happen.

3 MAYOR STRAUSS: My concern is it becomes unruly
4 and -- not to say your patrons are unruly patrons. I
5 live relatively close by, not as close as some of the
6 residents here in the room, but I drive past that area a
7 lot and I am not aware of any adverse conditions that are
8 going on there now. So I would like to think that your
9 patrons are acting appropriately. And as you hopefully
10 get bigger and more successful, whether there's a beer
11 garden there or not, it's a concern for us. The traffic
12 is a concern. The noise is a concern. You close a beer
13 garden down at 11:00 o'clock, you might have a riot on
14 your hands.

15 MR. MINUTELLA: I don't think so. I think they
16 listen to. . .

17 Bob, you want to stand up?

18 There's not too many people --

19 MR. MILLER: If somebody wants to --

20 MAYOR STRAUSS: If you can approach the podium.

21 MR. MILLER: Bob Miller. I live at 90 Main
22 Street now.

23 As it is now, our customers are pretty good
24 about doing what we ask. We try to be wary of our
25 neighbors, as well as the residents upstairs. And we

1 tend to -- we'll step outside and make sure that nobody
2 is carrying on. If we feel they're loud, we politely ask
3 them to stop and, as I said, generally they acquiesce.

4 The crew we have at the bar runs 25 to 35. We
5 have our older, and we do have our 21 year-olds that come
6 in, but those that come aren't looking for beer pong and
7 Jello shots, which have their place in the world, we just
8 don't do it in Black Sheep. As Vince is saying, we're
9 not looking for a raucous, crazy thing. We like to
10 maintain what we've been doing, and what we've been doing
11 for six or seven years, and just add food to it and
12 expand that. We feel, as Vince has said, it's a natural
13 next step. So, you know, we try to be as on top of
14 things as possible.

15 MR. MINUTELLA: If I could say something. We
16 had -- when I bought O'Donnell's we tried different
17 things. One of the things we tried to improve business
18 and to get our name out there and get more people in was
19 we did an open mic night on Thursday nights. It went
20 well. We brought people down. The neighbors didn't like
21 it. It was too noisy. The bands wouldn't, you know,
22 turn it down. I asked them repeatedly, the guys who ran
23 the thing: You got to turn it down. You got to turn it
24 down. We killed the night. I canceled open mic night,
25 and we lost a lot of money because of it, because I

1 wanted to be a good neighbor. I said: This is crazy.
2 I'm not going to have people, you know, calling me -- and
3 we've always had an open door policy. Our web site info
4 at Black Sheep Ale House dot com goes right to my phone.
5 You e-mail, it goes directly to me. No one else. So if
6 there's an issue or concern, it's always been an open
7 door policy.

8 MAYOR STRAUSS: That's a good policy to have.
9 Certainly the community --

10 MR. MINUTELLA: Another example is the trash on
11 the street. When I bought O'Donnell's it was common
12 practice to put our trash out by the curb for Mineola to
13 come pick it up. I didn't like the way it looked. So I,
14 you know, rent dumpsters, and they're back behind where
15 people can't see. So the street looks nice. We keep the
16 outside nice.

17 We very much want our neighbors to be happy
18 with how we run the business. We very much want to be
19 compliant with Mineola's rules and regulations, and we
20 want to be accommodating and, you know, work with our
21 neighbors. We don't want to do anything that's going to
22 upset anybody. We want to be a good thing for the town,
23 and I think we are.

24 I'm personally very pleased when I -- I Google
25 the Black Sheep Ale House all the time because I want to

1 see reviews and what people are saying, and a lot of
2 times I'll find that real estate agencies are putting the
3 Black Sheep Ale House and where to find us because they
4 think that that is attractive to young home buyers, that
5 they would be interested in moving to this area if there
6 are things like that, you know, available to them. So I
7 mean, I take a personal point of pride in things like
8 that. So we want to be --

9 MAYOR STRAUSS: And like you, I want to make
10 sure that you're working well with the neighbors. We
11 want to make sure that we're doing the right thing by the
12 neighbors. There's an awful lot of weight to that.

13 With that being said, I'm going to turn it over
14 to Deputy Mayor Pereira and see if he has any questions.

15 MR. PEREIRA: Good evening, gentlemen. Thank
16 you.

17 In looking at your plans, the distance from the
18 northern six-foot wall to the northern portion of this
19 outdoor beer garden to the property line of the first
20 neighbor to your north, is that about 50 feet?

21 I see it's 26 feet from there to the beginning
22 of the parking.

23 MR. MINUTELLA: I'm sorry?

24 MR. PEREIRA: So from here to here? Was that
25 from here to here?

1 MR. MINUTELLA: From the dumpsters, Jesse --

2 MR. MILLER: The grey house --

3 MR. PEREIRA: Where it says compressors.

4 MR. MINUTELLA: From back here to -- oh.

5 That's just the fenced off area. You're talking about
6 where the cars -- where the parking is.

7 MR. NARULA: That would be. . .

8 MR. MINUTELLA: Here. He's talking about from
9 here, where the gate ends, to where the parking lot is.

10 MR. NARULA: You have approximately, from there
11 to there, about 32 feet.

12 MR. PEREIRA: 32 feet.

13 MR. NARULA: From the building.

14 MR. PEREIRA: From the wall.

15 MR. MINUTELLA: From where the fence is.

16 MR. NARULA: Because that's in line with the
17 building. The chain-link is about 32 feet.

18 MR. MINUTELLA: So from where the beer garden
19 actually ends, it's how many feet?

20 MR. NARULA: You need minimum, like, 20 feet
21 for a parking spot, and then you have a 12-foot driveway.

22 MR. PEREIRA: Right. You actually have more
23 than 12 feet.

24 MR. NARULA: No. Right here -- I'm going -- it
25 doesn't have an exact measurement, but you see the length

1 of the parking spot is approximately 20 feet.

2 MR. PEREIRA: Right. I see the 12. That's 32.
3 But if you go past the compressors --

4 MR. NARULA: Past the wall it would give you
5 about 14 feet. You have about 46 feet.

6 MR. PEREIRA: So about 50 feet. So the nearest
7 patrons in the beer garden are going to be, at a minimum,
8 about 50 feet away from the property line.

9 MR. MINUTELLA: From the property line of our
10 nearest resident.

11 MR. PEREIRA: Nearest resident to the north.

12 MR. MINUTELLA: With the exception of the
13 people that live upstairs.

14 MR. PEREIRA: Right. Right.

15 Will there be an outdoor bar?

16 MR. MINUTELLA: No. It's not my intention to
17 have alcohol served out there -- to be served out there,
18 yes, but not sold out there by a bartender. They will
19 all come to the inside bar and be served by waiters and
20 waitresses.

21 MR. PEREIRA: OK.

22 Now there are curb cuts currently in front of
23 that house, that two-family house. Will those be
24 eliminated?

25 MR. MINUTELLA: I think that's where we're --

1 those are the driveways that exist now, and we're
2 continuing to use them in this plan.

3 MR. NARULA: There's two on each side, on each
4 side of the house.

5 MR. PEREIRA: Right.

6 MR. NARULA: According to the architect, we're
7 going to eliminate one. We're still going to have that
8 driveway come around. And I think it's going to be, from
9 their intention, parking really for the employees, just
10 that back for employees, owners and tenants.

11 MR. PEREIRA: So you have seven parking spots.

12 MR. NARULA: Yes.

13 MR. PEREIRA: Six, plus one handicapped.

14 MR. MINUTELLA: Right. We would direct our
15 customers to the municipal lot across the street.

16 And thank you very much for that, by the way.
17 The last time I was before the Board was with regard to
18 that. So thank you.

19 MR. PEREIRA: I know we're far away from that
20 but, if you were to be approved, do you have any idea in
21 terms of hours of operation, days of operation? Is it
22 seasonal? Are you going to have any kind of covering
23 that you're going to be able to roll down? Sometimes you
24 see like tent-like structures where it could be year
25 long.

1 MR. MINUTELLA: At this point it's not my
2 intention to have that space be utilized year-round. I
3 much prefer to plant the trees in there and let them grow
4 taller than the six-foot wall than to have some kind of a
5 covering that would go over the top.

6 I mean, yeah, I guess I could build it a
7 certain way. We could do that and use it as a catering
8 room in the wintertime. I would really like to enjoy it
9 as my vision of what a beer garden ought to be in that
10 parklike setting.

11 MR. PEREIRA: Then it would be seasonal.

12 MR. MINUTELLA: It will be seasonal yes.

13 MR. PEREIRA: What about days -- obviously
14 you're open seven days a week.

15 MR. MINUTELLA: Yes. Currently we're open
16 seven days a week, and we are open till 4:00 in the
17 morning. I wouldn't imagine that would be the hours of
18 the beer garden. What I think -- all these decisions
19 haven't been made yet, but I would like to keep the
20 kitchen open late, because we do have a good amount of
21 industry that come in and I really would like -- I think
22 of Blue Ribbon in the city. I used to live in Manhattan
23 and work in restaurants. And after work a lot of us
24 would go out to Blue Ribbon downtown because they served
25 a full menu until 4:00 in the morning. And the place was

1 packed full of industry people. And I kind of would like
2 to be available for that crowd to come in and eat at late
3 hours.

4 As far as the beer garden is concerned, what I
5 kind of figured was if we could try during the week
6 having it open until 11:00 p.m., on Friday and Saturday
7 nights having it open until 2:00 a.m. If that turns out
8 to be a nuisance, I'm more than willing to cut those
9 hours back.

10 MR. PEREIRA: Well considering that we have
11 hearings about gas stations and closing them at 11:00 or
12 12:00 -- I certainly speak only for myself -- I would not
13 feel comfortable having an outdoor beer garden open until
14 2:00 a.m. on Saturday or Friday. That seems excessive.
15 You know. Move those people inside where they're
16 contained.

17 And certainly we're not going to vote tonight,
18 as we heard from Nassau County, but I would like to have
19 a clearer idea of exactly what your business plan is,
20 exactly what your hours of operation are, and exactly
21 what you are looking to do.

22 Because to some degree I do agree with you in
23 terms of you're trying to revitalize the downtown, trying
24 to make this a very walkable downtown and, as you said,
25 cool place for people to come, but certainly not at the

1 expense of the people who have been here, the residents
2 and the neighbors. You know, I've seen this kind of
3 model work in other areas down Jericho Turnpike, where it
4 has an outdoor space -- the old Henry Street Tavern --
5 with a very nice manicured kind of parking lot.

6 MR. MINUTELLA: It's a very nice --

7 MR. PEREIRA: I'm not so sure it works here.
8 That's why I'm trying to gauge the distance between the
9 residences, because obviously to your south you're fine.
10 To your east you're OK. To the west you're OK. It's the
11 north and the northeast where you get into those
12 concerns.

13 Would you have bouncers or security, other than
14 Mr. Miller here?

15 MR. MINUTELLA: Truly, I don't really feel
16 there's a need for security. What I would probably do --
17 I would hire security, is the bottom line, Friday and
18 Saturday nights, most probably, just to check IDs to
19 alleviate that from the bar and the wait staff because,
20 as we have it now, my bartenders are maniacs for ID'ing.
21 And I'm comfortable with that. I know everybody has been
22 proofed. I know there's no underage drinking.

23 My concern would be once we expand and I've got
24 a wait staff -- and some of them are a little bit of a
25 revolving door -- I don't trust 100 percent that they

1 would be as responsible as my bar staff is. So I would
2 hire an independent security company to have a guy at the
3 door who would proof every customer on their way in and
4 deal with any issues.

5 MR. PEREIRA: And I would go one step
6 further -- and obviously we're not here to tell you how
7 to run your business. But my concern is people
8 gravitating north, either on Roosevelt or up Roslyn Road,
9 when they leave. And that's where security comes in,
10 where you kind of push them south. They park across the
11 street.

12 I know it's a free country. People can walk
13 wherever they want to. But if you want to minimize
14 problems, then as they exit your entrance, and the exit
15 is south facing, people should go across the street to
16 the municipal lot and they should not really be going
17 into the neighborhoods behind them.

18 MR. MINUTELLA: That's how it is now.

19 MR. PEREIRA: I understand you're tripling the
20 square footage. So you triple the problems and you
21 triple the need for parking. And frankly, you're going
22 to have some people sometimes who may, you know,
23 overindulge and they're going to walk. And we have these
24 issues in our commercial corridors along Old Country Road
25 and Mineola Boulevard where -- yes. You know.

1 Commercial enterprises have rights too. You know.
2 You're making a big investment. But not at the expense
3 of the residents who are there.

4 So we have concerns about public urination,
5 public intoxication, garbage, beer bottles, cans. That's
6 where the security comes in where, you know, if you have
7 a big guy come and say: Hey, you can't go up Roosevelt.
8 You got to leave back here. You know. Stop people from
9 doing the general type of thing that -- we know you have
10 the best intentions, but not every one of your patrons is
11 going to, and especially if they don't live here. If
12 you're going to be a destination type of place, if people
13 are going to know the Black Sheep and they're going to
14 come here, just like they do to the Plattdeutsche, or
15 just like they do to the Old Post Inn, that's going to be
16 a concern because they don't have any -- they come and --
17 and we have to deal with the issues after that.

18 MR. MINUTELLA: I was --

19 MR. PEREIRA: Again, I think you're going to
20 have to come back with a more concrete business plan,
21 with hours of operation, expectations, security, that
22 type of thing, where I'm comfortable doing that.

23 I think the idea and the theory sounds good,
24 and it sounds appealing. It sounds attractive and it
25 sounds like something nice we would like to have on the

1 periphery of our downtown, for me personally. But I
2 still have a lot of unanswered questions. And I would
3 like to hear from the residents as well.

4 MR. MINUTELLA: Yes.

5 MAYOR STRAUSS: Trustee Cusato?

6 MR. CUSATO: Thank you.

7 Good evening, gentlemen. You know, I agree
8 with Mr. Pereira. I don't have a problem with the
9 concept. You know. In fact, my younger daughter loves
10 to attend your trivia night, and I understand that some
11 nights it's a very tough trivia night. But I do have
12 some questions.

13 So do you presently serve food right now?

14 MR. MINUTELLA: Right now we give away free hot
15 dogs all the time because I think you have a
16 responsibility. If you're giving people drink, you give
17 them food.

18 MR. CUSATO: Now is your beer garden to be
19 enclosed with a roof, or like open into the sky?

20 MR. MINUTELLA: It would be open air. The
21 ceiling would be open.

22 MR. CUSATO: I had a question concerning a
23 band. So you're not going to have, like, a band inside?

24 MR. MINUTELLA: No. No.

25 MR. CUSATO: OK. I notice on your drawing you

1 have a pickup open counter. Does that mean takeout food
2 pickup?

3 MR. MINUTELLA: No. No. I think --

4 MR. CUSATO: Just what does that mean?

5 MR. MINUTELLA: I think that's a drink pickup
6 for service, for the waitresses in the dining room to be
7 able to pick up beer for those people in the dining room
8 and not have to walk around into the bar area to get
9 them, vice versa, and food to come through.

10 MR. CUSATO: No takeout foods.

11 Now I notice you have a kitchen area where you
12 have all your ovens and stoves in one area and you have a
13 hood encompassing. So where does all that exhaust go?
14 Obviously through the ceiling into the sky. So where
15 does that go?

16 MR. NARULA: Right now me and the architect
17 haven't discussed it. We first wanted to deal with this
18 matter, and the Department of Health obviously would
19 figure that in terms of Fire Marshal and how we would
20 exhaust that.

21 MR. CUSATO: Mr. Whalen, so I guess the Fire
22 Marshal has to determine a fire suppression system where
23 everything is going to go?

24 MR. WHALEN: Yes.

25 MR. CUSATO: OK. Now, as Mr. Pereira stated

1 before, you have two compressors in the back, north side;
2 is that going to be a noise problem for the residents or
3 exhaust problem for the residents in that area?

4 MR. NARULA: No. They're fairly quiet.

5 MR. MINUTELLA: They're small compressors for
6 walk-in boxes that contain the beer.

7 The reason we moved them outside, if you're
8 curious, is right now we have them inside in the
9 basement, and we store a lot of bottled beer there, and
10 it makes it very hot. So we wanted to put them outside
11 so we wouldn't be exposing our very expensive bottled
12 beers to heat.

13 MR. CUSATO: So there's not going to be an
14 issue with noise for the residents?

15 MR. MINUTELLA: I don't believe so.

16 MR. CUSATO: As Mr. Pereira stated about
17 security, what's to stop someone from flipping a beer can
18 over the wall into . . . are you going to secure --

19 MR. MINUTELLA: Human decency. But --

20 MR. CUSATO: Obviously. Are you going to
21 control and clean up? Because you have a lawyer's
22 office, like, next door.

23 MR. MINUTELLA: We spoke to Victor just outside
24 here tonight, and he told us he has no problem with the
25 plans, you know, what we're trying to do there, and

1 welcomes it.

2 I don't expect that will happen. If it does,
3 we have a reputation of, you know, asking our customers
4 to never return if they --

5 MR. MILLER: There's a zero tolerance policy.

6 MR. MINUTELLA: There's a zero tolerance policy
7 on many different fronts, and that would be one of them.

8 MR. CUSATO: OK. Thank you.

9 MAYOR STRAUSS: Trustee Durham?

10 MR. DURHAM: Looking at the plans, you have one
11 gate that comes out the driveway. You have the one gate
12 that comes out onto Second Street.

13 MR. MINUTELLA: Correct.

14 MR. DURHAM: People smoking.

15 MR. MINUTELLA: That was one thing I was going
16 to mention before. I was hoping that would actually
17 alleviate some of the issues we were talking about
18 earlier.

19 I was going to see if I could section off a
20 portion of the beer garden for smoking. That way we
21 would have fewer people outside, which is a thing now.
22 There are some nights ten, 15 people are outside on the
23 sidewalk smoking. And I'm sure their conversation is
24 annoying to neighbors and other residents. So I was
25 hoping, if we kind of corralled them in the beer garden,

1 there would be less of that outside. Might actually be a
2 help. But the whole beer garden wouldn't be smoking. It
3 would just be a small portion.

4 MR. DURHAM: Approximately how many people do
5 you plan on sitting out there? I was trying to figure
6 that out.

7 MR. MINUTELLA: Honestly, that's up to the
8 Building Department. Whatever the formula is for the
9 square footage, whatever they permit, that's what, you
10 know, we'll abide by. I just -- you know, in putting
11 this together, I can put a bench there. I could put a
12 bench there. But I don't know, honestly, whatever number
13 they'll come up with. Whatever they come up with, I'm
14 fine.

15 MR. DURHAM: OK. So with the expansion into
16 the other side of the building, you're using the basement
17 as a prep kitchen?

18 MR. MINUTELLA: Correct.

19 MR. DURHAM: So that will just be storage and
20 the prep kitchen, and then the regular kitchen will be in
21 the back of that building?

22 MR. MINUTELLA: Correct.

23 MR. DURHAM: With the front of the building --

24 MR. MINUTELLA: Being the dining area.

25 MR. DURHAM: Have you figured out the seating

1 in the dining area?

2 MR. MINUTELLA: Roughly. We may change it
3 around. I'm thinking about -- again, the seating
4 capacity will be dictated by the Building Department and
5 the Fire Marshal and, you know, how I do the seating will
6 be, you know, dictated by that. I'll have to figure out.
7 You know, banquettes are easier to seat because they're
8 more flexible. You can have twos, fours, sixes together.
9 But I do kind of like large tables. But it's a waste if
10 only three people sit there. So we'll be playing around
11 with that. But there are things we have to abide by. I
12 need a three-foot pathway, you know, between where the
13 tables are. So we have limitations of where we can put
14 them.

15 MR. DURHAM: Now I assume that it will be
16 weather-resistant furniture that's going to be on the
17 outside. Is it going to be wrought iron metal dragging
18 on cement?

19 MR. MINUTELLA: I'm thinking picnic tables. A
20 traditional beer garden. Wooden mostly.

21 MR. DURHAM: OK. Would you be agreeable to --
22 if it's going to be approved, would you be agreeable to,
23 in the decision, stating that there would be no outside
24 bar?

25 MR. MINUTELLA: Yes. Sure. Yes.

1 MR. DURHAM: So you would take and put in the
2 decision that there would not be an outside bar in the
3 beer garden?

4 MR. MINUTELLA: Yes.

5 MR. DURHAM: I have no further questions.

6 MAYOR STRAUSS: Thank you.

7 Trustee Walsh?

8 MR. WALSH: Yes.

9 Good evening. How are you?

10 MR. MINUTELLA: Good.

11 MR. WALSH: First of all, as Mr. Gibbons had
12 read -- and this is not just the Village of Mineola, but
13 Nassau County has concerns.

14 MR. MINUTELLA: That's correct.

15 MR. WALSH: And their concern is potential
16 nuisance to nearby residents from the standpoint of noise
17 pollution, lighting glare, and they mentioned security is
18 also an issue. So I imagine that you're going to need
19 some type of security there towards the outside.

20 Now, while you have people in the beer garden,
21 are you going to have an employee out there at all times?

22 MR. MINUTELLA: Oh, yes. Absolutely. At all
23 times. There will be a managerial presence at all times,
24 but there will never be any portion of the restaurant
25 that's open and unmonitored without somebody there,

1 never.

2 MR. WALSH: And how will someone get a drink?
3 Will they have to go inside to the bar, Black Sheep, to
4 get a drink --

5 MR. MINUTELLA: Waitress or waiter.

6 MR. WALSH: You're going to have a waiter or
7 waitress serving people out there?

8 MR. MINUTELLA: Yes.

9 MR. WALSH: I know you said it's up to the
10 Building Department, and that's definite, but what was
11 your concept? How many people do you think would be
12 sitting in this beer garden? You must have an idea.

13 MR. MINUTELLA: Based on the square footage of
14 what we had drawn out --

15 MR. NARULA: It's written as 136 seats.

16 MR. WALSH: 136.

17 MR. NARULA: But I don't think that's going to
18 get approved for that many, 136.

19 MR. WALSH: How many square feet is the beer
20 garden?

21 MR. NARULA: This is right now approximately
22 about 1,500 square feet.

23 MR. WALSH: 1,500 square feet.

24 MR. NARULA: Once again, I don't think it's
25 going to get approved for 136 with 1,500 square feet.

1 MR. WALSH: You know, speak to me a little bit
2 about these parties. You spoke about a party or a
3 wedding, and specifically what Trustee Durham asked, are
4 you going to have a bar outside.

5 Now, if you have a small wedding there, will
6 there be a little station for -- you know, usually
7 there's like a rolling bar at a wedding. How will people
8 get served drinks?

9 MR. MINUTELLA: It hadn't occurred to me until
10 you just asked. And I honestly think the same way we do
11 during regular service, through their waitresses and
12 waiters. I don't think that helps, really, to put --

13 MR. WALSH: Because something that I didn't
14 think of -- it wasn't proposed -- nobody said anything
15 about these small parties or small weddings. And there
16 is a need for small areas. Usually people have weddings,
17 they have a small wedding, it's hard to rent a space.
18 But that's going to put a whole other dimension to this
19 because it could be very successful and you could have
20 weddings there in the summertime, or parties, or office
21 parties and such, and it just seems to me that that would
22 make it successful for you, but quite a bit of action
23 there.

24 MR. MINUTELLA: Honestly, it's a bit of an
25 irritation to your regular customer if they're coming

1 there for your beer garden on Friday or Saturday night
2 and it's booked and they can't get out there at all. I
3 think the catering side of the beer garden, mostly you
4 would see afternoon baby showers, bridal showers, funeral
5 luncheons, that type of thing. If there were to be a
6 wedding, it might be in our off hours or earlier, and it
7 would have to be, you know, some kind of thing to -- I
8 don't like to make it an inconvenience to our regular
9 customers who have a certain expectation.

10 MR. WALSH: I think you would have to be
11 specific with that in your application.

12 MR. MINUTELLA: OK.

13 MR. WALSH: In other words, in the writing of
14 your application, or obviously let the attorney put on
15 and specify when you're going to have these parties.
16 Because, you know, it's a good idea that you say, you
17 know, just to fill in the time to have parties. But it
18 can be something that can become very successful, and it
19 can be something that you can be booking all the time.
20 And once we give you permission to do something, it's
21 very difficult to take it back again. So you have to be
22 really specific as to when you're going to have these
23 parties and what you're going to do with them and such.
24 And you know, I mean, you have to answer Nassau County's
25 questions, because I could see that, with 100 people,

1 getting pretty loud. And it's going to be open air.
2 There's no roof. I've been to beer gardens before. I
3 know what they're like. Most of them are much larger
4 than what you're talking about. But 1,500 square feet, I
5 know exactly what 1,500 square feet is. It's not that
6 tremendous, but it's an open space and, if you have a lot
7 of people back there, I don't know how you're going to
8 keep the people quiet.

9 MR. NARULA: We have 18 inches a seat. I don't
10 know how they came up with that.

11 MR. WALSH: I'm not talking about that.

12 MR. MINUTELLA: 18 inches is very skinny
13 people.

14 MR. WALSH: I'm not talking about whether the
15 people will be comfortable. I'm talking about the
16 problem of noise pollution. You have a lot of people out
17 there, and drinking. And people have fun when they're
18 drinking, and they tend to get loud. You see, in every
19 bar sometimes there's two or three real loud people that,
20 you know, you tell them, Please be quiet, and their
21 apology is louder than their infraction. So that's going
22 to be a concern of yours, the noise.

23 MR. MINUTELLA: I can tell you that I can do
24 what's in my power. I can't control --

25 MR. WALSH: No.

1 MR. MINUTELLA: -- you know, the din of a
2 crowd, or --

3 MR. WALSH: I know. And that's the problem.

4 MR. MINUTELLA: You're absolutely right. I can
5 not have a DJ. I can not have a band. Those are all the
6 things I can do to help support that. But you're
7 absolutely right. I understand it's a concern. I would
8 hope --

9 MR. WALSH: It's a concern for the neighbors
10 because I know, believe me. I lived here many, many,
11 years. I know the exact location. You have Cottage
12 behind you. That's fairly close. You have Roosevelt,
13 which is a little further away, and then Roslyn Road.
14 And there's houses right across and right next to you on
15 Roslyn Road. But it doesn't matter to me whether
16 somebody is renting or owns the house. And I guess the
17 apartments upstairs are going to have to deal with it
18 because they're renting from you. And when you rent an
19 apartment above a bar you know what you're getting into.
20 So I don't see that as a problem. But I do say that it
21 could be a bit loud, and I do think you're going to need
22 some kind of security for people when they exit because
23 when they leave they've had a good time and they can be a
24 little loud. You know.

25 Other than that, I would like to hear what the

1 residents have to say. So that's all I have to say.

2 MAYOR STRAUSS: Any other comments from the
3 Board?

4 MR. DURHAM: Actually, a question to Mr. Whalen
5 first.

6 The back wall of the thing -- because they have
7 a six-foot wall coming around right now. The back wall,
8 near the compressors, can they go higher than the six
9 foot on that? Can it be 12-foot, where they can? But
10 the noise suppression on the wall, what's the code?

11 MR. WHALEN: The commercial separation between
12 them and any residential area can go up to seven feet as
13 of right. Anything else can be a variance.

14 MR. DURHAM: So that would be a variance. So
15 if it went up a little bit higher, or whatever, and with
16 some noise suppression, tile and stuff like that, it
17 might reflect some of the noise or absorb some of the
18 noise that goes out to the residents, if there is that
19 noise.

20 I would possibly check on that and take and see
21 what would be acceptable and stuff like that for that
22 section, just a small section between the building and
23 where they're backed up to the compressors. That might
24 take and alleviate any noise that tends towards --

25 MR. MINUTELLA: Can we look into that?

1 MR. NARULA: Yes.

2 MR. MINUTELLA: OK.

3 MR. WALSH: If you do that you would have to
4 get a variance from the neighbors, who may or may not
5 like it. So that wouldn't be the easiest variance to
6 come up with.

7 MAYOR STRAUSS: Anything else you would like to
8 say, sir?

9 MR. MINUTELLA: I think that's it.

10 MAYOR STRAUSS: I'll ask you to have a seat.
11 We'll open up to public comment.

12 MR. MINUTELLA: Thank you.

13 MAYOR STRAUSS: I ask anybody that's coming to
14 the podium to please state your name and your address and
15 speak slowly and clearly for the stenographer.

16 Anybody in the third row? Fourth row?

17 Yes, sir.

18 MR. HALE: Terrence Hale, 104 Roslyn Road. 33
19 year-old resident. I want to thank you for letting me
20 have my say.

21 And first of all I think, Vince, you have a
22 great idea, but not in my neighborhood. OK? There's no
23 place for a beer garden.

24 MAYOR STRAUSS: Mr. Hale, if you could address
25 your comments to us.

1 MR. HALE: I'm sorry.

2 MAYOR STRAUSS: That's OK.

3 MR. HALE: First of all, quick question. I
4 have a bunch of questions, but I'll try to be as quick as
5 possible.

6 MAYOR STRAUSS: Mr. Hale, take your time.

7 MR. HALE: They're open till 4:00 a.m. now.
8 What is the ordinance on that? If you can get back to me
9 on that. They're open from 11:00 to 4:00 every night,
10 right?

11 The other question is: You're saying
12 compressors. I think you're meaning condensing units,
13 right? According in the plan -- condensing units for
14 the --

15 MR. DURHAM: It says compressors, but they
16 control refrigeration.

17 MR. HALE: That's my field. But they must be
18 outdoor condensing units, I'm hoping.

19 So outdoor condensing units, and you're saying
20 they're in the --

21 MR. CUSATO: North side of the building.

22 MR. HALE: -- north side. You have the grey
23 house behind it. There's no fence there. There is a
24 guardrail and a chain link fence, and you have the law
25 building in the corner. Where are those compressors --

1 condensing units going? In the corner over there?

2 MR. DURHAM: It actually appears where the
3 house --

4 MR. CUSATO: In the back of the building on the
5 north side.

6 MR. HALE: So directly against the grey house,
7 behind which is 94, 97, Roslyn.

8 MAYOR STRAUSS: I think the grey house is
9 coming down.

10 MR. HALE: No. The house next door that's on
11 Second Street is coming down, not on Roslyn Road.

12 MAYOR STRAUSS: Right.

13 MR. HALE: I'm four doors down from them.

14 MAYOR STRAUSS: So what Mr. Pereira's point
15 was, the distance between where those compressors are and
16 the property line of that first house north.

17 MR. HALE: So they're going to put a seven-foot
18 fence or a six-foot fence against the grey house directly
19 behind the Black Sheep? That's the plan?

20 MR. PEREIRA: You can see -- you can ask them
21 to see the plans.

22 MR. HALE: Can I see the plan?

23 MR. NARULA: The compressor is set back and the
24 house -- you can't put them alongside the house.

25 MR. HALE: But they're condensing, not --

1 MR. NARULA: The way I'm telling you, they have
2 setbacks. So you can't put it close, next to the house.
3 That's just Nassau County rules.

4 MR. MINUTELLA: Feel free to look through.

5 (Off the record discussion ensued between
6 Mr. Hale and Mr. Minutella.)

7 MAYOR STRAUSS: Gentlemen, I appreciate the
8 interaction, I do, because it's important to have the
9 residents understand totally what's happening here, and I
10 appreciate the explanation, but when you do so and we
11 can't hear what's going on. . .

12 MR. HALE: I'm sorry.

13 MAYOR STRAUSS: You don't have to apologize.
14 I'm just trying to get you guys to point your voices
15 towards myself and the Board and the stenographer.

16 MR. HALE: You know me. You know me a long
17 time. OK. And this is a different end. I'm usually up
18 on this type of thing where you guys are. But anyway.

19 So these compressors, or condensing units, are
20 going to be --

21 MR. MINUTELLA: They're going to be right by
22 where we keep the dumpsters.

23 MR. HALE: But your dumpsters are between that
24 first driveway just past your building and the
25 apartments.

1 MR. MINUTELLA: Let me -- I know it may be
2 hard.

3 MR. NARULA: It's about 32 away feet away from
4 the house.

5 MR. MINUTELLA: The beer garden doesn't go as
6 far back as the brick building does. The beer garden
7 stops at this point.

8 MR. HALE: You have --

9 MR. MINUTELLA: This is the end. This is the
10 end.

11 MR. HALE: You got eight --

12 MAYOR STRAUSS: One person at a time.

13 MR. HALE: You have eight spots against this.

14 MR. MINUTELLA: I think there's a better
15 picture.

16 MR. HALE: I just want to know where you're
17 putting the condensing units that's not going to hinder
18 the law house next door, because I don't understand.

19 And where are you going to get any parking?
20 You have no parking here now.

21 This is a much better one.

22 Now you're on the -- you're on this page, guys
23 (Indicating). All right.

24 MR. PEREIRA: Yes.

25 MR. HALE: So we're looking at this and he's

1 saying -- now this is the house. This is Roslyn Road.
2 Here's where you guys are now. You're blowing this out
3 here, correct?

4 MR. MINUTELLA: No. That's here. This is
5 where the house is now.

6 MR. HALE: This is your lot. OK.

7 MR. MINUTELLA: Correct.

8 MR. HALE: Now this is better. This is what
9 I'm looking at.

10 So this is where your lot is now, and this is
11 84, where the car is. That's --

12 MR. MINUTELLA: Right here, where it says
13 "proposed outdoor beer garden", that's where 84 is now.

14 MR. HALE: 84. Now the car comes down the
15 second driveway that's there now that's next to that lot.

16 MAYOR STRAUSS: Next --

17 MR. HALE: So that's going away.

18 Now you only have seven spots in the back to
19 begin with. There is no fence back there now, with the
20 grey house there, which they're afraid to come and talk.
21 And that's fine. I'll be their voice. OK.

22 Now where are you proposing to put your
23 condensing units?

24 MR. MINUTELLA: Right there.

25 MR. HALE: Behind the house.

1 MR. MINUTELLA: Right. The gear corner is
2 here. It closes off with a brick wall here. Just beyond
3 that would be, they say compressors, and our dumpsters
4 and garbage, and they would be behind another fence so
5 the neighbors wouldn't see them.

6 MR. HALE: So they're outdoor condensing units
7 that you're -- OK. It's condensing units. OK. Very
8 good.

9 Now, do you know what makes they are and what
10 kind of decibels are coming out of that?

11 MR. MINUTELLA: No. I couldn't tell you that,
12 sir.

13 MR. HALE: Maybe you could look into that for
14 me.

15 At least I got that whole idea with compressors
16 and condensing units. Thank you.

17 MR. MINUTELLA: OK.

18 MR. HALE: Second thing, quality of life in
19 Mineola. It's our biggest thing. It's been that way for
20 20 years, quality of life. OK?

21 When O'Donnell's closed and the Black Sheep
22 came around, it's nice. It's nice having the Black Sheep
23 there. I go there and have a brewski all the time. But
24 I have come and pleaded with you. Bob, I see you in the
25 mornings. I walk by in the morning, and I've asked you a

1 number of times: You have this lot over there. Can we
2 utilize that lot? I've come and told your bartenders:
3 Hey, you think on trivia night, or dart night, or your
4 Friday nights -- because it's busy Friday/Saturday -- you
5 have this lot over there and no one is using it. But
6 they're parking on Roslyn Road. They're parking on
7 Cottage. They're parking on Liberty.

8 And closing at 4:00 o'clock, by 3:00 o'clock
9 sometimes, you can't -- in the summer especially -- you
10 can't have your windows open because the group comes,
11 gets in their cars, and they are arguing. They're
12 inebriated. And then they leave their beer bottles.
13 Empty the ash trays of their car. And don't tell me that
14 they don't, because I have a whole set of glasses from
15 your bar. I've got beer bottles all over my yard.

16 MR. MINUTELLA: I want them back.

17 MR. HALE: I'm not going to give them back. I
18 used to bring them back and ask for a replacement,
19 but I don't give them back anymore. I put them in the
20 recycle bin.

21 I found guys laying in my yard.

22 Now our decorations are up, and they're
23 vandalized. And it's usually the guys coming and kicking
24 them or ripping the stuff out. Hey, it's real funny.
25 But they don't know that I'm awake. I'm a light sleeper,

1 and I'm waiting for a clown like him. And my neighbors
2 got a beautiful nativity scene. They're tossing beer
3 bottles. Where do you think the beer bottles are coming
4 from? They're not coming from, you know, 7-Eleven.
5 They're coming from the bar.

6 I have approached, my neighbors have
7 approached, and said: Hey, guys, could you just let them
8 know a little residential respect is key? And it's not
9 happening. It hasn't happened since you've been there.
10 And don't tell me, because then you can put your head in
11 the sand.

12 MAYOR STRAUSS: Mr. Hale, please.

13 MR. HALE: I'm sorry.

14 Parking lot issue, we just went over that.

15 Trash. Vandalism. I am sick of it. I am
16 totally sick of it.

17 You're talking about putting trees and plants
18 and that. I don't know if you're a horticulturist, but
19 how long does it take a tree to fully become a sound
20 barrier? I know arborvitae takes about 15 years to make
21 a solid living hedge. OK? So I don't know what you're
22 planning on putting out there making it all pretty and
23 that. I think that's crazy.

24 The other thing, we went over the 136 seats.
25 Come on guys. We've gone through -- when you guys first

1 came he put some tents up over there and had beer
2 parties. You guys just don't realize because you're not
3 there. They're not there. You guys aren't there. I
4 know, Paul, you're probably -- I'm sorry. Mayor
5 Strauss -- you're probably the closest one near the area
6 that lives -- and I know all these guys. You know me.
7 But they're not there at that time, at 2:00 in the
8 morning, or in the morning when I'm going to work. And
9 he's got his guy out there with the blower at 6:30
10 cleaning up the place because there's trash all over.
11 The street is full of cigarette butts. You know. And I
12 even said: Hey, why don't you put a butt can out there
13 just so they can throw their crap away. They have no
14 respect for the residents. None. And that's my biggest
15 thing.

16 We tried to ask them: Hey, can you keep it
17 down a little bit? And they basically will tell me:
18 Poop in my hat. And you know what, that's fine. I've
19 been told to do that many times. But it's just respect.
20 You can have that place. I don't mind. But, you know,
21 your beer garden there, guys, we don't need a beer
22 garden.

23 Have you been in Plattdeutsche? Have you been
24 there on a Friday night or Saturday night? Talk to those
25 residents. Talk to those residents. And I'm all about,

1 you know, making Mineola better but, no. It's not there.
2 It's not there. Not in this spot. You got too -- we're
3 too close. The residents are too close. You got to
4 think of us.

5 That's all I got to say, guys. Thank you.

6 MAYOR STRAUSS: Thank you, Mr. Hale.

7 Anybody else in the third row? Fourth row?

8 MR. MONDELLO: Mayor, Deputy Mayor, all
9 Trustees, my name is Robert Mondello. I live at 100
10 Roslyn Road. That's right on the corner of Liberty
11 Avenue and Roslyn.

12 I have a chain link fence around my house.
13 Like my neighbor Terry said, I have my manger up and my
14 decorations and everything and, yes, in the past I've had
15 people vandalize by throwing beer bottles and trying to
16 knock the angel off. You go out there. You try to say
17 something to people and, you know what, nowadays, you
18 can't do anything like that. You don't know what they're
19 having. What they're carrying.

20 As far as 136 people, seats in there, how many
21 parking spaces are in the parking lot across the street?

22 MAYOR STRAUSS: 70 spots.

23 MR. MONDELLO: So we have 70 spots to
24 accommodate 136 patrons.

25 If you have a wedding, or a baby shower, or

1 something like that, where else are they going to park?
2 We have a parking lot there that's been there a while,
3 and we still get the parking in front of my house on
4 Liberty Avenue, because the front of my house faces
5 Liberty. And it's just unbelievable. I mean, I try to
6 tell my daughter when she comes home from work: Try to
7 park in the driveway, because you're not going to get a
8 parking space in front of the house.

9 And I just -- you know what, the Black Sheep is
10 a great bar, and I have to say that. When you did have
11 the bands, yes, it was loud. I used to go over there and
12 say: Please, close the door at least. And you know
13 what, it would close for five minutes and would open up.

14 I think your place, your establishment, that
15 you want to open up would be better, like, in more of a
16 commercial area than our residential area. I think it's
17 just going to be too loud, and I hope these guys consider
18 that.

19 I've been here since 1959 so . . . I love this
20 place, and I hope my daughter stays here too. I know
21 some of you, and just consider us, please. Thank you so
22 much.

23 MAYOR STRAUSS: Thank you, Mr. Mondello.

24 Anyone else?

25 MR. KROKAN: Board. My name is Geir Krokan. I

1 live at 93 Roslyn Road. I lived in Mineola for two
2 years, coming from the city. I have two small children.

3 I want peace and quiet, nice life here. And we
4 have the bar. And I agree with my neighbors. We have
5 parking. People end up on the sidewalk, throwing bottles
6 into my yard. I picked up broken bottles. And they
7 often end up party outside the car. Outside. So there's
8 no way we have window open in the weekends, and that's a
9 problem.

10 So a beer garden, it scares me. I would never
11 buy this house if I knew there was going to be a beer
12 garden next to me where I raise my kids.

13 That's it.

14 MAYOR STRAUSS: Thank you, sir.

15 Anyone else?

16 MR. YAO: Your Honor, Board, my name is Tai
17 Yao. I live at 11 Liberty. T-A-I Y-A-O. And I've been
18 a Mineola resident for two years now. And from what the
19 owners are saying, I think they are painting a very
20 optimistic picture about their place. To be honest, if I
21 was a new home buyer I would not invest half a million
22 dollars into a house to move right next to a bar. It
23 just doesn't make sense, right? Especially if you are a
24 family, a family man, like myself.

25 I have two small children. They're four and

1 one, right. And I share same concerns as my neighbors.
2 I have open space yard. I don't have a fence. And I
3 constantly find bottles and I also see a lot of, I would
4 say, paraphernalia but --

5 MAYOR STRAUSS: Things you shouldn't see.

6 MR. YAO: Things of that nature. And marijuana
7 smoke coming wafting through my windows. And my son's
8 bedroom is right facing the yard. So it's a huge concern
9 to me.

10 And I feel like this optimistic picture is
11 like, you know, it's like -- I don't know if you guys
12 watch football. It's like saying the Giants, if they
13 still had Odell Beckham, and if JPP still had ten
14 fingers, that would be great. They would be Super Bowl
15 champs. But the realistic point is they're two and 13.

16 So my three main concerns are: Number one, the
17 security of the neighborhood, because I think even right
18 now, without the beer garden, it's getting slightly out
19 of hand. Number two, it's the parking situation. We
20 have a lot of random cars from I don't know where park on
21 my block, especially all the time. And I see the south
22 lot that you guys placed up. There's never really more
23 than one or two cars there. And my concern right now is
24 the security -- I said security already. But that's --
25 yes. I mean, that's my main thing. As a parent, that's

1 really something.

2 So thank you for your time.

3 MR. WALSH: What did you say your address was?

4 MR. YAO: 11 Liberty Avenue. It's the first
5 house after you turn onto Liberty.

6 MAYOR STRAUSS: Anybody else now?

7 MS. LUO: Hi, everyone. My name is Tammy Luo.
8 I live at 18 Liberty Avenue, which is two doors down from
9 Rob's.

10 I think everybody already told you their
11 concerns. The concern is noise. I have kids and they
12 are going to school a block down from the bar. So my
13 main concern is my kids need -- the safety of my kids.
14 There's a bar. And then I have -- whatever the guys have
15 been saying, I have been seeing the same thing. My stuff
16 gets stolen from my front lawn. My solar lights get
17 missing. I decided not to put anything out there because
18 you never know. And then, also, I found cases of empty
19 bottles. Maybe they decide to park in front of my house
20 and drink, and they leave it right in front of my house.

21 And also, the idea is great but the garden, I
22 don't approve. I don't like the idea of coming home. I
23 work late. I pass by there every single day. And the
24 streets are not wide enough. I see people standing
25 outside drinking, smoking. And it's a safety concern for

1 me. I don't like to pass by every day people smoking and
2 I have to breathe in all the smoke.

3 And the cars are turning really fast. And the
4 light over there is like. . . it's, what, seconds.
5 People are still turning. Like, it's just -- that corner
6 is very unsafe. And to have people standing there at
7 3:00 o'clock. I don't know. Whenever I leave work,
8 10:00 o'clock at night, for a woman like me it's really
9 scary. You know. You don't know. You can't control
10 their own people. You never know. I mean, I try to go
11 across the street. I don't want to pass by that place.

12 MAYOR STRAUSS: Understood.

13 MS. LUO: So thank you for listening.

14 MAYOR STRAUSS: Appreciate your time.

15 Anybody else in the fourth row, fifth row,
16 sixth row, seventh row? Anybody at all?

17 Gentlemen?

18 Obviously you heard a couple of comments. Many
19 of them echoed what we've said and what some of our
20 concerns are.

21 So you currently close at 4:00 o'clock every
22 morning.

23 MR. MINUTELLA: Mm hmm.

24 MAYOR STRAUSS: And just to clarify -- I'm
25 going to go through only some of my notes. Those

1 compressors versus condensers, can you speak, sir, about
2 the quality of life issues that the residents have
3 brought up? Not only talking about what you plan to do,
4 but obviously there's a constant, maybe not constant, but
5 there is a concern that the residents are having right
6 now.

7 MR. MINUTELLA: Yes, it seems to be. This is
8 the first I've heard of it.

9 I can first say: Some of it we're not
10 responsible for. Right off the bat. We don't sell cases
11 of beer. If someone bought a case of beer and left it by
12 their house, they bought it at 7-Eleven or somewhere. We
13 don't sell beer to go. You know, bottles of beer in my
14 place, you know, come from Belgium. I don't know.

15 I understand your concerns about your safety.
16 I understand your concerns about noise. I personally
17 don't understand why people don't take advantage of the
18 parking lot right across the street, why they would
19 prefer to park on the street and not in the parking lot.

20 What I've noticed is that most of my clientele
21 seems to take Ubers these days. They're cheaper than
22 cabs. They're very convenient. So we're constantly
23 seeing Ubers pull up in front of the bar now.

24 I haven't seen -- I'll find a can of beer in my
25 parking lot that we don't sell, you know, a brand of beer

1 that we don't sell. People walk around with beers.
2 People come from other bars. People come from house
3 parties. I don't know. We have employees from other
4 bars come through our parking lot inebriated after work
5 and start arguments with people in our own parking lot,
6 and this has been a more recent occurrence which we've
7 taken note of. We're keeping more of an eye on now.

8 But as far as -- I mean, people are permitted
9 to park on the streets, where there's parking permitted.
10 I don't know what I could possibly do to direct people
11 toward the municipal lot, other than put it in my menu:
12 "Please, folks, when you come, park in the municipal lot
13 and try to leave street parking for the residents."
14 That's the only thing I can think of. People are allowed
15 to park on the streets. It's permitted.

16 MAYOR STRAUSS: So when the residents mention
17 about the noise, and when you had the music playing in
18 O'Donnell's, the Black Sheep, and the doors close and
19 then it's open again.

20 MR. MINUTELLA: That was at O'Donnell's. We
21 had live music and I stopped it. I killed the live music
22 night, even though it was very profitable, after I just
23 paid a lot of money to buy a bar.

24 MAYOR STRAUSS: One of the other comments was
25 about 136 seats. I know that your contractor mentioned

1 that that's unrealistic. You're talking about 18-inch
2 seats.

3 MR. NARULA: That's code.

4 MAYOR STRAUSS: That's fine. That will be
5 cleared up? That will be reduced?

6 MR. MINUTELLA: Yes.

7 MAYOR STRAUSS: Mr. Mondello mentioned about
8 the parking lot across the street, as you mentioned,
9 about the 70 spots that are in that. I don't understand
10 either why people would want to park on a side street and
11 have to drive around the block when you can park right
12 across the street in an open parking lot that's lit. Why
13 would they want to go down a side street? It doesn't
14 make sense.

15 You can't control it, but whatever steps you
16 take currently, now, would probably be beneficial in the
17 future as far as putting that on the menu.

18 MR. MINUTELLA: I will. I'll add it to the
19 beer menu tonight.

20 MAYOR STRAUSS: Even when you have your hours
21 that are open now and the kids, your patrons, are hanging
22 outside: "Hey, guys, why don't you park your cars in
23 these spots here? Use this lot. Use this lot."

24 If the lot is not used, we'll find something
25 else for it and then you're out of luck.

1 So we also have security concerns, as Mr. Yao
2 mentioned and Ms. Lou mentioned, about noise. All of
3 those quality of life issues are important to us. We
4 want to make sure that the neighborhood surrounding the
5 establishment is at peace. And we don't always get what
6 we want, but we want to try --

7 MR. MINUTELLA: I want to be a good neighbor.
8 I want everyone around the bar to feel safe. I want them
9 to want us there. I want their property values to be as
10 high as they can be. I want them to live, you know, to
11 enjoy the peace and comfort of their homes. And whatever
12 I can do to ensure that, I will do.

13 MAYOR STRAUSS: Any other comments from the
14 Board?

15 MR. WALSH: Yes. I have --

16 MAYOR STRAUSS: Yes, sir.

17 MR. WALSH: -- two questions for you.

18 First of all, you just came up and said: This
19 is the first I've heard of this.

20 MR. MINUTELLA: That's correct.

21 MR. WALSH: The problems you heard here
22 tonight.

23 MR. MINUTELLA: Yes.

24 MR. WALSH: But someone, Mr. Hale or somebody,
25 said that he had spoken to you about it. So. . .

1 MR. MINUTELLA: I have not been spoken to about
2 any of this.

3 MR. WALSH: OK. He didn't speak to you. OK.
4 Could this model work with the restaurant only and not
5 the beer garden?

6 MR. MINUTELLA: Sure. I mean, I think it would
7 be a detriment to the Village, and I think it would be a
8 detriment to my business, but I could do the restaurant
9 without a beer garden.

10 MR. WALSH: I mean, listen, it's not up to me
11 to decide. I'm just asking you, is that part of your
12 consideration? Would you put in a restaurant if you
13 didn't have the beer garden also included?

14 MR. MINUTELLA: It makes it a lot harder. You
15 know. It's a lot of money to put in the kitchen and a
16 lot of money to do the work. And if you can only, you
17 know, cook for a certain amount of people, you know, it
18 will make my life very difficult. It will make us, you
19 know. . .

20 MR. WALSH: So the beer garden is a big part of --

21 MR. MINUTELLA: It is a big part of the
22 business plan, as far as doing well.

23 MR. WALSH: That's my only question.

24 MAYOR STRAUSS: Any other comments?

25 MR. DURHAM: Would you consider that being an

1 enclosed structure?

2 MR. MINUTELLA: An enclosed structure?

3 MR. DURHAM: An enclosed structure, the beer
4 garden.

5 MR. MINUTELLA: I wouldn't, because it has an
6 open roof. It's completely enclosed around the
7 perimeter, with the exception of what I described as the
8 means of egress in the front with the wrought iron gates.

9 MR. DURHAM: I understood that. I'm just
10 talking about that being closed so there's no sound going
11 out of the area and it's enclosed, put a roof and --

12 MR. WALSH: And the sides.

13 MR. NARULA: We can put higher walls, if we get
14 a permit. That's all Nassau County and the Village. If
15 they let us put 12-foot walls, masonry walls, I'm sure
16 they're open to that, but that's town Code.

17 MR. MINUTELLA: If I would be permitted to put
18 higher walls in, I would be happy to do that.

19 MAYOR STRAUSS: Anything else? Any other
20 comments from the Board?

21 MR. WALSH: No.

22 MAYOR STRAUSS: We still need documentation.
23 Nassau County still needs documentation from you.

24 MR. MINUTELLA: Bob?

25 MR. MILLER: I had spoken to the building --

1 MAYOR STRAUSS: If you could come to the
2 podium.

3 MR. MILLER: I'm sorry.

4 When we got the resolution from the Village I
5 had spoken to Pete over in the Building Department and he
6 had said we shouldn't do anything else until we came
7 here.

8 MAYOR STRAUSS: OK. That's fine. But there's
9 still some outstanding information that needs to be
10 gathered up.

11 So I'll entertain a motion to adjourn the
12 hearing again till the same date as the other, January
13 10th. And if you have that information, we'll be on for
14 January 10th. If you have that additional information,
15 maybe you can send the information that Deputy Mayor
16 Pereira asked for regarding the business plan, kind of
17 similar to what Nassau County is looking for from you.

18 And if you don't have that January 10th, we can
19 mention that night that we'll hear it in February. So if
20 you can't gather that information by January, that won't
21 be a concern.

22 I'll entertain a motion to adjourn the motion.

23 MR. PEREIRA: Motion.

24 MAYOR STRAUSS: Anything, Mr. Gibbons?

25 MR. GIBBONS: Yes. Just make sure you get back

1 to Nassau County, because we're not going to be able to
2 vote the matter until Nassau County has another
3 resolution that they have received the information from
4 you and they've made a determination.

5 MR. MILLER: OK. Can I ask then because,
6 again, when I had inquired it was we were supposed to
7 respond to the Village, because the Village had received
8 the resolution saying you need to make sure that they
9 meet your needs. So should we respond directly to the
10 county?

11 MR. GIBBONS: Well if I were you, I would
12 respond directly to the county. If you would like, you
13 could make the submission to the Village. The Village
14 would then submit it to the county. But, you know,
15 playing telephone, then the county would get back to the
16 Village. And then the Village would get back to you.

17 If I were the applicant, I would call up Nassau
18 County Planning Commission. I would say: I have
19 additional materials for you in response to resolution
20 10215 of 2017. I would like to deliver it to your
21 office. Who is a good contact? They'll tell you the
22 person, and it will speed up the process.

23 MR. MILLER: Very good. And we'll copy the
24 Village as well.

25 MR. GIBBONS: Great. Thank you.

1 MAYOR STRAUSS: Thank you, gentlemen. Thank
2 you, folks, for coming out tonight. Appreciate your time
3 and your efforts.

4 I'll entertain a motion to adjourn the session.

5 MR. DURHAM: Motion.

6 MAYOR STRAUSS: Motion by Trustee Durham.

7 MR. WALSH: Second.

8 MAYOR STRAUSS: Second by Trustee Walsh.

9 All in favor?

10 MR. DURHAM: Aye.

11 MR. PEREIRA: Aye.

12 MR. CUSATO: Aye.

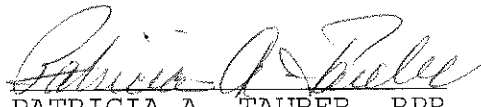
13 MR. WALSH: Aye.

14 MAYOR STRAUSS: Aye.

15 Opposed?

16 Carried.

17 * * *
18 This is to certify that the within and foregoing is a
19 true and accurate transcript of the stenographic notes as
20 recorded by the undersigned Official Court Reporter.

21 * * *
22 
23 PATRICIA A. TAUBER, RPR
24 OFFICIAL COURT REPORTER
25

I N D E X

SUBJECT

PAGE

Meixia Huang
52 Jericho Turnpike

2

Vincent Minutella
78-80 2nd Street

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