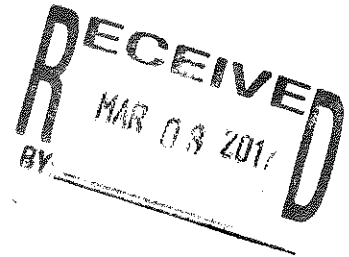


INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE
BOARD OF TRUSTEES



February 8, 2017
6:30 o'clock p.m.

B e f o r e:

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

* * *

DANIEL WHALEN
Superintendent of Buildings

JOSEPH R. SCALERO
Village Clerk

* * *

PATRICIA A. TAUBER, RPR
Official Court Reporter

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 DEPUTY MAYOR PEREIRA: Good evening everyone.
6 Mayor Strauss had every intention of being here.
7 Unfortunately he is not able to join us this evening. So
8 I will be conducting tonight's hearings, along with the
9 remainder of the Board. I would also like to announce
10 that there will be no work session this evening, as there
11 were no items for the work session.

12 Before we get started I would also like to make
13 mention of the fact that we have an impending storm
14 coming our way, scheduled to arrive sometime overnight
15 into the morning, noon, and throughout the day tomorrow.
16 Forecasts are calling for upwards of eight to ten inches.
17 So obviously, as we always say, keep the cars off the
18 street whenever two or more inches of snow fall. And you
19 can not put your cars back on the street until we have
20 given the all clear and we have cleared the streets.

21 Once again, I remind you, as the Mayor has
22 reminded you many, many times of several things: Sign up
23 for e-mail alerts, visit our web site, check out channel
24 18 for announcements, and you will know when the
25 emergency goes into effect and when the emergency is

1 lifted.

2 We will have our crews out there. Mr. Rini has
3 made preparations for the storm. If it does in fact hit
4 us the way the that forecasters are predicting, we're
5 prepared. We laid the brine solution today, and we'll be
6 prepared to begin plowing tomorrow.

7 But we do ask, as the Mayor also reminds
8 everyone, if you have a fire hydrant on or near your
9 property, please make sure you clear that. And again,
10 just use common sense. Do not plow or use a snowblower
11 and put the snow back into the streets. Plow it onto
12 your property, onto your grass or onto the easement, and
13 please keep it off of the roadways as we work to clear
14 the snow.

15 So, that's just a public service announcement
16 for anyone that is listening. And again, please just
17 heed the warnings. And if you don't have to go out,
18 don't go out, because it does sound like there may be
19 blizzard-like conditions at points throughout this storm.
20 OK?

21 Without further ado, Mr. Scalero.

22 MR. SCALERO: Yes.

23 "Legal Notice, Public Hearing, Incorporated
24 Village of Mineola.

25 "Please take Notice that the Board of Trustees

1 of the Incorporated Village of Mineola will hold a Public
2 Hearing on Wednesday, February 8, 2017 at 6:30 p.m. at
3 the Village Hall, 155 Washington Avenue, Mineola, New
4 York 11501, or at some other location to be hereafter
5 designated by the Board of Trustees, in order to receive
6 public comment upon the following:

7 "Application of Kyle Volkof for a Special Use
8 Permit pursuant to Chapter 550 of the Code of the
9 Incorporated Village of Mineola, entitled 'Zoning',
10 Section 550.12, entitled 'B-1 Districts', Subsection (B),
11 entitled 'Special Uses', for the purpose of establishing
12 a dance studio upon the property known as 75 East Jericho
13 Turnpike, Mineola, New York, known and designated on the
14 Nassau County Land and Tax Map as Section 9, Block 269,
15 Lot 1.

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

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

25 "At the aforesaid time and place all interested

1 persons will be given an opportunity to be heard.

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

5 "Dated January 9, 2017."

6 DEPUTY MAYOR PEREIRA: Thank you very much,
7 Mr. Scalero.

8 Mr. Whalen, Notice of Affidavit of Mailings?

9 MR. WHALEN: Yes, sir. We have the
10 application, the radius map, and the Notice of Affidavit
11 of Mailing has been signed and notarized.

12 DEPUTY MAYOR PEREIRA: Great. Thank you very
13 much.

14 Mr. Gibbons?

15 MR. GIBBONS: Yes. Nassau County Planning
16 Commission has looked at this and given a local
17 determination. And I would ask for a Type II designation
18 under SEQRA.

19 DEPUTY MAYOR PEREIRA: Would anyone like to
20 make a motion?

21 MR. CUSATO: Motion.

22 DEPUTY MAYOR PEREIRA: Motion by Trustee
23 Cusato.

24 MR. WALSH: Second.

25 DEPUTY MAYOR PEREIRA: Second by Mr. Walsh.

1 All in favor?

2 MR. DURHAM: Aye.

3 MR. CUSATO: Aye.

4 MR. WALSH: Aye.

5 DEPUTY MAYOR PEREIRA: Aye.

6 Any opposed?

7 Thank you.

8 OK, folks. So the hearing this evening is
9 going to be conducted like all other hearings. What we
10 will do is we will ask the applicant to come up to the
11 podium, tell us about the business, the type of business,
12 and give us as much information as they possibly can.
13 The Board will then ask any questions that we have of the
14 applicant. We will then ask the applicant to sit down.
15 And we will ask any residents or any members of the
16 audience who are here if they have any questions or
17 concerns. They can address them to the Board and we will
18 then ask the applicant to come back up and hopefully
19 address those issues, or concerns, or questions, so that
20 we may get all the information that we can.

21 With that, do we have anyone representing the
22 applicant here, Mr. Kyle Volkof?

23 Sir, if you would approach the podium and of
24 course please state your name, your address. Speak
25 clearly and slowly for the court reporter. OK?

1 MR. VOLKOF: OK.

2 DEPUTY MAYOR PEREIRA: Thank you.

3 MR. VOLKOF: Hello. My name is Kyle Volkof.

4 I'm representing myself. My address is 105-37 65th
5 Avenue, Apartment 5B, Forest Hills, New York 11375.

6 DEPUTY MAYOR PEREIRA: Thank you, Mr. Volkof.
7 Welcome.

8 MR. VOLKOF: Thank you.

9 Just a little bit background. We are an adult
10 dance studio. We deal primarily with wedding couples.
11 So what we do is we teach the first dance. These are
12 only private lessons. We do not do any type of group
13 lesson scenario. This is a one-on-one instruction for
14 the couples when they're preparing to get married and
15 they need to do the first dance. Usually they come in
16 from anywhere from five to six private lessons
17 one-on-one. The instructor in question --

18 THE REPORTER: Please speak louder.

19 MR. VOLKOF: This is actually our second
20 location. We have a first location in Forest Hills,
21 Queens, which has been established for the last five
22 years. This is the same type of venue.

23 We had a lot of couples who actually called us
24 from Nassau County who would like to come down but the
25 commute for them is very difficult and ultimately that

1 called to look for another venue. And this is why we
2 decided to come out here and become part of the
3 community.

4 And I have a little bit of background
5 information, if I can pass around.

6 DEPUTY MAYOR PEREIRA: You can give it to
7 Mr. Scalero here and he'll share with the Board.

8 MR. VOLKOF: This is also a little bit on the
9 background. We were profiled by Long Island Bride and
10 Groom as a preferred elite vendor. You can pass this
11 around, but I think it's visible from here. This is also
12 one of the profiles that was done on us. There's a
13 couple of more things that I'll pass around. We were
14 also profiled by TimeOut New York as the second best
15 studio in New York. And we were also profiled by
16 expertise.com as the best dance teachers in New York
17 State. And I have the relevant information, if I can
18 pass it around, if anybody would like to see it.

19 DEPUTY MAYOR PEREIRA: Sure.

20 MR. VOLKOF: Usually our type of business is by
21 referral. Usually we deal with a lot of wedding venues,
22 such as Westbury Manor and Jerry Scotto. We have a
23 preliminary agreement for him to give us --

24 THE REPORTER: If you could please speak up.

25 MR. VOLKOF: Sure.

1 We have an agreement with Jerry Scotto from
2 Westbury Manor. So if we pass the hearing and everything
3 goes well he's allowed, you know, for us to become one of
4 his vendors that he's going to recommend. We also have a
5 partnership with Lourdes Bridal, All Star Limo, and a
6 couple of other companies.

7 We also did -- about five years ago we did an
8 event that we sponsored for Malverne Historical Society,
9 which they had a Dancing With the Stars event. So we
10 donated our time and our studio for them to set up the
11 whole thing. We taught all the instructors,
12 participants. It was a charity raising event that went
13 very well. I guess that's a little bit of a background
14 on us.

15 We do have a signed lease for the property that
16 hopefully, if we get the approval, we will be exercising
17 It's a 15-year lease. So we would like to, you know,
18 stay in the community for a long time if possible.

19 Also, I know there might be a question about
20 parking. We do have a seven-car lot that's adjacent to
21 the property that's part of our property. And in such
22 situations, as we do teach only private lessons, so at
23 any most given time it will be about two or three
24 vehicles, and we will be able to accommodate them with
25 our own parking situation. So we would not be taking up

1 street parking, which I actually have printed out the
2 maps in question to show proof of this, if I can pass it
3 around, if you don't mind.

4 DEPUTY MAYOR PEREIRA: Sure.

5 MR. VOLKOF: Just give me one second. Let me
6 pull it up.

7 As you can see on the map, the smaller parking
8 lot is adjacent to the property. There's also, you know,
9 if it ever becomes a concern past seven cars, which we do
10 not see since, you know, we don't have the volume
11 business, but there is a municipal 25-car lot on the same
12 block. We do not foresee ever using it or having need
13 for it, since we do have our own, but -- because I know
14 the parking situation was raised as a concern to me by,
15 you know, some of the neighbors that we spoke about and
16 Department of Buildings. So that's one thing I want to
17 kind of alleviate the concerns for that.

18 We also had a little bit of a chance to come on
19 the property. You know, we kind of fixed it up. We
20 painted the outside, cleaned up the garbage, fixed it up
21 inside basically. One of our neighbors here today, he
22 had a chance to take a look. So he can kind of maybe be
23 a witness to some of the things we've done for the
24 surrounding area.

25 And I guess that's about everything.

1 Concerning the questions, I'd like to answer them.

2 DEPUTY MAYOR PEREIRA: Thank you very much,
3 Mr. Volkof.

4 I would like you to speak a little bit more
5 about the physical space. Just so that we're clear, so
6 this -- on the corner there's an organic kind of feminine
7 product place. You're next -- and then there's a barber
8 shop, right? And you're --

9 MR. VOLKOF: There is.

10 DEPUTY MAYOR PEREIRA: You're across from a gas
11 station.

12 MR. VOLKOF: Yes. Correct.

13 DEPUTY MAYOR PEREIRA: So the corner property,
14 I believe, at one point was an auto parts store?

15 MR. VOLKOF: Right.

16 DEPUTY MAYOR PEREIRA: I believe that whole
17 property was an auto parts store, which --

18 MR. VOLKOF: Right.

19 MR. CUSATO: It changed again.

20 MR. VOLKOF: OK.

21 DEPUTY MAYOR PEREIRA: And then it changed. So
22 I'm trying to see where --

23 MR. VOLKOF: Correct. So we are going to be
24 occupying the corner. We're next to the barber store.
25 So we'll be the corner property. Correct.

1 DEPUTY MAYOR PEREIRA: OK. Tell us about the
2 physical makeup of the studio in terms of is it divided
3 into different rooms? How large is this space?

4 MR. VOLKOF: I believe the space is about 2,800
5 square feet.

6 DEPUTY MAYOR PEREIRA: 2,800 square feet?

7 MR. VOLKOF: Correct. Yes.

8 And the layout is fully open. So we did not do
9 any construction. It was originally a open layout, which
10 is what I liked about it. For a dance studio that's the
11 best. And we're leaving it the same.

12 DEPUTY MAYOR PEREIRA: OK. And bathrooms and
13 things of that nature were existing?

14 MR. VOLKOF: Correct. We had two existing
15 bathrooms, which are staying as is. We have a small
16 reception area as you enter. We're using a side
17 entrance. And then we have just one open big dance
18 floor. And that's it. So we didn't really have to do
19 much construction at all since everything was already
20 there.

21 DEPUTY MAYOR PEREIRA: Hours of operation?
22 Obviously it's going to vary, I guess, depending on --
23 traditionally, what are your hours and days of operation?

24 MR. VOLKOF: Correct. Hours and days of
25 operation as pertain to the second location, which we've

1 been there for a long time, we generally operate in the
2 evenings since this is when most people, wedding couples,
3 they come from work. So mostly our hours of operation
4 are 5:00 p.m. to 9:00 p.m., Monday through Friday.

5 DEPUTY MAYOR PEREIRA: OK. Weekends?

6 MR. VOLKOF: Weekends varies upon request, but
7 it would be maybe a few hours in the afternoon at best.

8 DEPUTY MAYOR PEREIRA: OK.

9 MR. VOLKOF: Generally, for most people,
10 they're busy on the weekends. So it's mainly evening
11 during the weekdays.

12 DEPUTY MAYOR PEREIRA: Music. Obviously
13 they're going to be dancing to the music, but this will
14 be contained within the space?

15 MR. VOLKOF: Correct. The music, since you
16 have to instruct people, so you're not going to scream
17 over the music or I will lose my voice. So the music is
18 fairly low, since usually it's -- I don't know. Most
19 people, usually they've been going to a wedding. It's
20 usually more of a classical song, such as waltz,
21 fox-trot, or something like this. So the music is fairly
22 low and something I have to be able to speak over. So
23 noise would not be a concern. But yes, it is contained
24 indoors.

25 DEPUTY MAYOR PEREIRA: OK. Excellent. Those

1 were all my questions.

2 Mr. Cusato?

3 MR. CUSATO: Yes. Thank you.

4 Good evening, sir.

5 MR. VOLKOF: Good evening.

6 MR. CUSATO: So you're saying you're going to
7 occupy that corner building. So the occupant before that
8 is now no longer there?

9 MR. VOLKOF: I don't know if there was an
10 occupant there. I know the property has been up for
11 lease for the last two years, and it was vacant.

12 MR. CUSATO: Because we had a hearing about a
13 year-and-a-half ago maybe; no?

14 DEPUTY MAYOR PEREIRA: Yes. But I think that
15 was another --

16 MR. VOLKOF: I think there was a gym that was
17 interested in occupying the space, but they never did.

18 MR. CUSATO: So you're going to occupy that
19 corner building.

20 MR. VOLKOF: Correct. Yes.

21 MR. CUSATO: West of the barber shop.

22 MR. VOLKOF: Correct. Yes.

23 MR. CUSATO: So now, the parking lot behind
24 your building, that's your parking lot?

25 MR. VOLKOF: Correct. The five spots on the

1 lot are ours as pertaining to lease with the building.

2 MR. CUSATO: OK.

3 MR. VOLKOF: So the total lot is nine cars and
4 the barber shop has two spots and we have five spots.

5 MR. CUSATO: OK.

6 MR. VOLKOF: So it's in the lease, written,
7 that the parking spots belong to the, I guess, the
8 footprint of the building.

9 MR. CUSATO: OK.

10 MR. VOLKOF: So ours being the largest
11 footprint, the five spots behind starting from the street
12 level to the, I guess, half of the ingress inside are
13 ours, the five spots.

14 MR. CUSATO: OK. Now, you mentioned you're
15 doing a one-on-one.

16 MR. VOLKOF: Correct.

17 MR. CUSATO: But do you do multiple
18 one-on-ones? Could there be maybe six or seven brides
19 and grooms on any particular night, or do you just focus
20 on --

21 MR. VOLKOF: Just one. Just one.

22 MR. CUSATO: So just one couple will come on
23 any particular night.

24 MR. VOLKOF: That's correct. It's one couple
25 per hour. So at any given point one couple might be

1 there, one couple -- there might be an overlap, I guess,
2 to answer your question.

3 MR. CUSATO: OK. But you're not going to have,
4 like, six or seven one-on-one couples you're saying.

5 MR. VOLKOF: No. No.

6 MR. CUSATO: OK. Thank you.

7 MR. VOLKOF: By the way, I'm starting out. I'm
8 the only teacher there.

9 MR. CUSATO: I'm sorry?

10 MR. VOLKOF: I'm just starting out. So I'm the
11 only teacher there.

12 MR. CUSATO: OK.

13 MR. VOLKOF: So, you know, if it goes well, I
14 might bring one more teacher, but that's as far as I see
15 it going. So it will not go past that point.

16 MR. CUSATO: So you're saying it could be maybe
17 two one-on-one.

18 MR. VOLKOF: Yes. Being honest, it might be
19 two one-on-ones.

20 MR. CUSATO: All right.

21 Thank you, Deputy Mayor Pereira.

22 DEPUTY MAYOR PEREIRA: Yes. Thank you.

23 I think the confusion up here is that two
24 blocks up, on the corner, Frank and Jericho, there's a
25 very similar building with a very similar situation with

1 the parking on the side, and we had approved an
2 application about two years ago. So I think there was
3 some confusion up here. This is, in fact, two blocks
4 east of that. So it's on Columbus. I remember the auto
5 parts store perfectly. So, just so that we're clear.

6 MR. VOLKOF: Yes. I think the building has
7 been vacant for three or four years. It was in very bad
8 condition. We kind of actually fixed it up. I had the
9 whole building painted and got a lot of garbage. Fixed
10 it up inside. There was leaky plumbing. So it was a lot
11 of things that we had to kind of take care of, but it's
12 OK now.

13 DEPUTY MAYOR PEREIRA: Mr. Durham?

14 MR. DURHAM: And so now you said the inside
15 construction, you did not have to do anything. So was it
16 a wood floor, or --

17 MR. VOLKOF: Correct. There was already a
18 floor in there. It's not wooden floor, but we don't need
19 a wooden floor. It is a floor in very good condition.
20 So the floor was kept as is, and I will keep it as is.

21 We did paint the walls, since there had been
22 some leaking. And the only other thing that we did was
23 we replaced -- there was a lot of old broken down windows
24 on the rear, and the doors were very broken down. So we
25 had those replaced to new.

1 MR. DURHAM: And now, the sound system you're
2 putting in is just a basic simple stereo?

3 MR. VOLKOF: It's a basic stereo that you would
4 use at home.

5 MR. DURHAM: Like a home stereo. So it's
6 nothing that could be . . .

7 MR. VOLKOF: No. No. It will be room level
8 music that, let's say, if you're playing at home and you
9 want to talk to people, that would kind of be the level
10 that we would use inside to instruct the couples. And
11 they might be five, six feet away from me. So they have
12 to hear me clearly. It would be that kind of level of
13 noise. So it wouldn't be a club or, you know, or
14 anything loud like that.

15 MR. DURHAM: And you said most of your clients
16 are all referrals, or from people that have booked halls?

17 MR. VOLKOF: That's correct. That's correct.

18 MR. DURHAM: I have no further questions.

19 DEPUTY MAYOR PEREIRA: Thank you.

20 Mr. Walsh?

21 MR. WALSH: Yes. Thank you.

22 How are you today?

23 MR. VOLKOF: Good. How are you?

24 MR. WALSH: Welcome to Mineola.

25 MR. VOLKOF: Thank you.

1 MR. WALSH: You know, I took a good look over
2 there. I know that you have a bus stop a little bit to
3 the, you know, to the east of your store. There's
4 several parking meters along that road. And I -- the
5 past several days, I haven't seen anybody parking at any
6 of the parking meters. So it seems to me that you have
7 parking for, you know, one couple per hour, maybe four
8 couples per evening; is that correct?

9 MR. VOLKOF: On the meters?

10 MR. WALSH: No. No. No. I'm sorry. You have
11 one couple per hour. So the most you will have is four
12 couples per evening.

13 MR. VOLKOF: Correct. That's correct.

14 MR. WALSH: OK. And what I'm saying is,
15 there's meter space in front. There's nobody putting
16 money in the meters at night.

17 MR. VOLKOF: That's correct.

18 MR. WALSH: And there is a municipal parking
19 lot around the corner that's used quite a bit, but I
20 don't think you're going to have the need for that if you
21 only have . . . You're bringing your own car and you're
22 the only employee there?

23 MR. VOLKOF: That's correct.

24 MR. WALSH: Just out of curiosity, what is your
25 experience as a dance teacher?

1 MR. VOLKOF: I've been in the business for 15
2 years.

3 MR. WALSH: 15 years.

4 MR. VOLKOF: Correct.

5 MR. WALSH: Everybody looks young to me.

6 MR. VOLKOF: I'm 34.

7 MR. WALSH: Yes. OK.

8 MR. VOLKOF: But I started out as -- my
9 background is IT, corporate IT, which I still do during
10 the day. I mainly deal with Morgan Stanley, Goldman
11 Sachs, this type of company. So during the day I work.
12 I'm a managing director for a ground transportation
13 company that deals with Fortune 500. I know that doesn't
14 pertain to the hearing, but that's what I do during the
15 day. This is something that --

16 MR. WALSH: OK. About, you know, not exactly,
17 but about what does it cost for a service like that?

18 MR. VOLKOF: It's \$90 for the hour.

19 MR. WALSH: OK. OK. I understand that.

20 I'll tell you, that part of the Village over
21 there, I believe there's a need to build that area up.
22 There's the small barber shop, but there's a lot of
23 stores closed. There's a --

24 MR. VOLKOF: That's correct.

25 MR. WALSH: The other guy who owns the building

1 over there was supposed to have something in the basement
2 from a hearing two years ago, but it never came to pass.
3 So I think there's a need for a store over there. And I
4 think that there's ample parking. And I have no other
5 questions.

6 Thank you.

7 DEPUTY MAYOR PEREIRA: Thank you very much,
8 Mr. Walsh.

9 Any other comments from you?

10 MR. VOLKOF: No. If there's any questions,
11 I'll address.

12 DEPUTY MAYOR PEREIRA: OK. If you'll have a
13 seat, and we'll see if there are any questions or
14 concerns from the audience, and then we'll invite you
15 back up. OK?

16 MR. VOLKOF: Thank you.

17 DEPUTY MAYOR PEREIRA: Thank you.

18 Anybody in the first row? Second row? Third
19 row? Fourth row?

20 Yes, sir?

21 MR. PENNACCHIO: Nick Pennacchio, 241 Columbus
22 Parkway.

23 Good evening, Members of the Board.

24 I had received a letter in regard to the dance
25 studio, and the notification said adult dance studio.

1 Immediately antennas went up, loud music, a lot of
2 dancing, a lot of customers, etcetera. But before
3 tonight's meeting I had the opportunity to speak to
4 Mr. Volkof, and he explained what the business was going
5 to be all about and satisfied my concerns.

6 My only thing I would say right now is that
7 you're going to have one couple per hour. That's four
8 couple maximum per evening. Just to let them know the
9 parking is on your premises, rather than them parking on
10 the streets and taking up parking spots of the residents.
11 But that's my only concern. And the loud noise, which
12 you indicated there wouldn't be any. It would be a
13 regular home-size amplifier and stereo system, etcetera.

14 So I'm not concerned right now. I'm happy for
15 you and wish you success.

16 MR. VOLKOF: Thank you.

17 DEPUTY MAYOR PEREIRA: Thank you,
18 Mr. Pennacchio. Thank you very much.

19 Anybody in the fifth row? Sixth row? Seventh
20 row?

21 OK. Mr. Volkof, come right back up.

22 So that really wasn't a question, more than it
23 was just Mr. Pennacchio sharing his --

24 MR. VOLKOF: Well, I thank the gentleman for
25 his comments. We spoke before and, your know, he's a

1 neighbor. So I can explain to him a little bit. The
2 people didn't ask for detailed description, and I didn't
3 want to write a paragraph.

4 DEPUTY MAYOR PEREIRA: Right. No. And that's
5 great. And we do hope that you continue to be a good
6 neighbor, if this application is to be approved. You
7 abut a neighborhood. And just speaking for myself, I --
8 first of all, I have to say, I wouldn't even ever come up
9 with this idea. I never even knew that there was such a
10 demand. You know, I just, you know, shuffled my feet
11 with my wife on the dance floor for five minutes and
12 could hardly wait till it was over. But it's amazing
13 what you can go into business doing. And the fact that
14 you're opening up a second location does say something to
15 the demand for these services. So I do commend you on
16 coming up with a unique business model here.

17 And I'm not going to speak for Mr. Pennacchio,
18 but for me I could hardly think of a more mundane or -- a
19 less intrusive use for the neighborhood than having a
20 dance studio that caters to two people once an hour for
21 four hours an evening. There's a multitude of things
22 that could have opened on that corner. And if it is, in
23 fact, what you say it is, I couldn't think of anything
24 that would be more intrusive -- rather, less intrusive
25 than that.

1 MR. VOLKOF: Well at one point they wanted to
2 open a big gym there. I think there was --

3 MR. PEREIRA: Right.

4 MR. VOLKOF: And there was a hearing. And I
5 think that would be intrusive.

6 DEPUTY MAYOR PEREIRA: Right. We've had our
7 share of issues with gyms lately. So --

8 MR. VOLKOF: Well to give you a little
9 background --

10 DEPUTY MAYOR PEREIRA: Mr. Cusato, do you have
11 any comments?

12 MR. CUSATO: You know, I did go to a wedding
13 where it was obvious that the wedding couple went to a
14 place such as yours and, you know what, it was obvious.
15 They stole the show. They were so . . . So it does work.
16 It does work.

17 MR. VOLKOF: Well when I originally started I
18 was actually teaching regular people like what you see
19 dancing with the stars, similar things, to dance. And
20 then, you know, over the years, which we've been four or
21 five years in the location, and over the years there was
22 more and more demand for first couples coming in and
23 we're kind of focusing on that. And now 90 percent of
24 our business is actually wedding couples.

25 So to say I invented the dance model business,

1 I wouldn't say so, taking credit. But it kind of
2 emerged. And as we became friends with a lot of
3 venues -- I don't know if you're familiar with Russo's on
4 the Bay.

5 DEPUTY MAYOR PEREIRA: Mm hmm.

6 MR. VOLKOF: It's a big venue. So we are a
7 partner with them and a couple of other big ones.
8 Jericho Terrace --

9 DEPUTY MAYOR PEREIRA: Right.

10 MR. VOLKOF: -- we're talking to them right
11 now. And it kind of emerged. And it was always a
12 question, Why you guys not on Long Island? When people
13 keep asking, you know, you got to be local here. There's
14 a demand from Long Island couples, and they don't want to
15 drive to Queens. They don't want to drive. So --

16 DEPUTY MAYOR PEREIRA: Right. I certainly
17 thank you for those comments. And I would suggest, you
18 mentioned Jericho Terrace, but we also have a very active
19 Chamber of Commerce and they do some events that your
20 business could certainly benefit from. We have something
21 called Night on the Town where we have a fashion show,
22 restaurants, and it may be a good fit for you. So I
23 would reach out to the chamber and attend their meetings.
24 They have monthly meetings right across the street here.
25 And it's good networking for you. They are very good to

1 the Village and to the schools and to our volunteers.

2 So you've been in your other location for five
3 years. You're signing a lease for 15 years. We hope
4 that, if this is approved, that you will be here for
5 those 15 years and then some, and that you do become part
6 of our community, our business community, and your
7 neighborhood as well.

8 MR. VOLKOF: Thank you.

9 DEPUTY MAYOR PEREIRA: Thank you very much.

10 Mr. Gibbons, anything to preclude us from
11 voting on this this evening?

12 MR. GIBBONS: No. You can vote now.

13 DEPUTY MAYOR PEREIRA: We can vote. OK.

14 I will entertain a motion to approve the
15 application.

16 MR. CUSATO: I'll make a motion.

17 DEPUTY MAYOR PEREIRA: Motion by Trustee
18 Cusato.

19 MR. DURHAM: I'll second.

20 THE COURT: Second by Trustee Durham.

21 Mr. Scalero?

22 MR. SCALERO: Yes, sir.

23 Trustee Durham?

24 MR. DURHAM: Yes.

25 MR. SCALERO: Trustee Cusato?

1 MR. CUSATO: Yes.

2 MR. SCALERO: Trustee Walsh?

3 MR. WALSH: Yes.

4 MR. SCALERO: Deputy Mayor Pereira?

5 DEPUTY MAYOR PEREIRA: Yes.

6 Congratulations.

7 MR. VOLKOF: Thank you, everybody.

8 DEPUTY MAYOR PEREIRA: Good luck to you.

9 MR. VOLKOF: Thank you again.

10 DEPUTY MAYOR PEREIRA: And Mr. Walsh asked for
11 the price because we're all going to kick in and get him
12 lessons. First one is free, right?

13 MR. VOLKOF: The first one is always free.

14 MR. WALSH: I told you I can't hear well.

15 MR. VOLKOF: That's OK. I'll hum to you.

16 MR. WALSH: Very good.

17 DEPUTY MAYOR PEREIRA: Thank you.

18 MR. VOLKOF: By the way, we do have the first
19 lesson for free, and we do teach regular people to dance.
20 We're just not -- unfortunately not as much demand, but
21 it is the business I actually was trained for and focused
22 on by my teacher, who was in the business for 45 years
23 who actually learned from Mr. Murray himself.

24 DEPUTY MAYOR PEREIRA: Excellent.

25 MR. VOLKOF: But, you know, you go with the

1 times, and the business has to change. So we do teach
2 wedding couples, but we specialize in actually teaching
3 regular people to dance when they go to a dancing thing.

4 So if anybody wants to stop by, you know, from
5 anywhere, the first lesson is free. That's our policy.

6 DEPUTY MAYOR PEREIRA: Excellent. Thank you
7 very much.

8 MR. CUSATO: Congratulations.

9 DEPUTY MAYOR PEREIRA: Motion to close the
10 hearing?

11 MR. WALSH: Motion.

12 DEPUTY MAYOR PEREIRA: Motion by Mr. Walsh.
13 Can I get a second?

14 MR. CUSATO: I'll second.

15 DEPUTY MAYOR PEREIRA: Second by Mr. Cusato.
16 All in favor?

17 MR. DURHAM: Aye.

18 MR. CUSATO: Aye.

19 MR. WALSH: Aye.

20 DEPUTY MAYOR PEREIRA: Aye.

21 Any opposed?

22 No. OK.

23 * * *

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1 DEPUTY MAYOR PEREIRA: OK. Mr. Scalero. The
2 last item, right? The third one. Right.

3 Just to be clear, there is no one here from
4 Meta Burn Fitness, right, the second applicant?

5 So the second hearing that was scheduled for
6 this evening we're going to have to postpone because the
7 applicant is not here. And so as a result of that we're
8 going to go right to the third item on tonight's hearing
9 agenda.

10 Mr. Scalero.

11 MR. SCALERO: "Legal Notice, Public Hearing,
12 Incorporated Village of Mineola.

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

20 "A proposed Local Law amending Section 550-56
21 of the Municipal Code of the Incorporated Village of
22 Mineola, entitled 'Establishment of Zoning Board of
23 Appeals; Membership; Compensation; Terms,' to authorize
24 the appointment of alternate members of the Zoning Board
25 of Appeals.

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

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

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

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

15 "Dated January 11, 2017."

16 DEPUTY MAYOR PEREIRA: Thank you very much,
17 Mr. Scalero.

18 This is kind of an administrative procedural
19 thing, and I'll ask Mr. Gibbons to perhaps just explain
20 why we're doing this and what the need is and exactly
21 what it is that we are looking to do this evening.

22 MR. GIBBONS: Sure.

23 The Zoning Board of Appeals, by statute, is
24 composed of five members. A quorum is three members, and
25 it takes three votes to carry any application.

1 From time to time a member is absent, or has a
2 conflict of interest. And if it's one member, then they
3 would need three out of four votes. If it's two members,
4 you would then need a unanimous.

5 So this Local Law would allow the Mayor to
6 appoint, subject to the approval of the full Board of
7 Trustees, alternate members.

8 If a member knows that they're going to be
9 absent for a particular meeting, or they come down with
10 the flu, they would then call the Village and alert the
11 Village they would not be at the particular meeting. The
12 Chairperson of the Zoning Board could then call upon one
13 of the alternate members to fill the vacancy created by
14 the absence. That way every applicant would have the
15 ability to have a full Zoning Board review their
16 application.

17 DEPUTY MAYOR PEREIRA: And it's that
18 straightforward. It just makes sense, you know, that we
19 have residents, or even commercial property owners, who
20 may have to come before the BZA and it's a shame if we
21 don't have a quorum and then they have to wait another
22 month to have their case heard. And of course things
23 come up, emergencies come up. So it's just smart and
24 prudent for us to do this, in my opinion, because it
25 allows us to function seamlessly and to ensure that we

1 have meetings as they are required, rather than putting
2 things off. This is done in other villages and other
3 places where there are similar boards. So it's just
4 something that we didn't have, I guess, in our code or
5 resolution, and so we're asking today to pass a
6 resolution to approve the appointment of alternates to
7 the Board of Zoning Appeals, and under the same
8 requirements as traditional appointments. They're
9 appointed by the Mayor, approved by the Board.

10 MR. GIBBONS: Correct.

11 DEPUTY MAYOR PEREIRA: And so that we're clear,
12 the alternates would only serve when the member is not
13 there. Then, when the member comes back next month, the
14 alternate --

15 MR. GIBBONS: That is correct.

16 And where a member would have a five-year term,
17 the alternates only have a one-year term.

18 DEPUTY MAYOR PEREIRA: One-year term.

19 Excellent.

20 Any questions from anyone on the Board, or any
21 comments?

22 Mr. Cusato?

23 MR. CUSATO: No.

24 DEPUTY MAYOR PEREIRA: Mr. Durham?

25 MR. DURHAM: I just think it's a smart move.

1 We have a lot of businesses, and a lot of construction,
2 and different things going on in the Village. And it
3 makes sense to have a full Board when they're hearing
4 these cases.

5 DEPUTY MAYOR PEREIRA: Absolutely.

6 Mr. Walsh?

7 MR. WALSH: Yes. The only thing I think is
8 that if you come here -- if you need an application to be
9 approved, it's the biggest thing in the world to you.
10 And then if you come somewhere and there's not a full
11 Board, or you have to go home, it's just, you know, a
12 terrible day for you. And I'm glad that we can do this
13 and have somebody there.

14 DEPUTY MAYOR PEREIRA: Thank you.

15 I'll now open it up to public comment.

16 Anyone in the first row? Second row? Third
17 row? Fourth row? Fifth row? Sixth row? Seventh row?
18 Anyone?

19 No. OK. I'll entertain a motion to approve
20 the resolution.

21 MR. WALSH: Motion.

22 DEPUTY MAYOR PEREIRA: Motion by Trustee Walsh.
23 Second by?

24 MR. DURHAM: Second.

25 DEPUTY MAYOR PEREIRA: Second by Trustee

1 Durham.

2 Mr. Scalero?

3 MR. SCALERO: Yes, sir.

4 Trustee Durham?

5 MR. DURHAM: Yes.

6 MR. SCALERO: Trustee Cusato?

7 MR. CUSATO: Yes.

8 MR. SCALERO: Trustee Walsh?

9 MR. WALSH: Yes.

10 MR. SCALERO: Deputy Mayor Pereira?

11 DEPUTY MAYOR PEREIRA: Yes.

12 OK. Thank you very much.

13 A motion to close the hearing?

14 MR. WALSH: Motion.

15 MR. CUSATO: Second.

16 DEPUTY MAYOR PEREIRA: Motion by Trustee Walsh.

17 Second by Trustee Cusato.

18 All in favor?

19 MR. DURHAM: Aye.

20 MR. CUSATO: Aye.

21 (Transcript continued on next page.)

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MR. WALSH: Aye.

DEPUTY MAYOR PEREIRA: Aye.


Opposed?

OK. Folks, that concludes our hearings for
this evening.

* * *

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

* * *


PATRICIA A. TAUBER, RPR
OFFICIAL COURT REPORTER

- Board of Trustees Hearing of 2/8/2017 -

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