

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE  
BOARD OF TRUSTEES

January 13, 2016  
6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,

Mayor

GEORGE R. DURHAM,

PAUL A. PEREIRA,

PAUL S. CUSATO,

DENNIS J. WALSH,

Trustees.

INC VILLAGE OF MINEOLA

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

\* \* \*

JOSEPH R. SCALERO  
Village Clerk

\* \* \*

Sharon Tal  
Freelance Court Reporter

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

6 MAYOR STRAUSS: Good evening, ladies and  
7 gentlemen. This evening we continue the hearing on the  
8 application of the Mineola Metro LLC for a special permit  
9 for the development of properties on Searing Avenue. The  
10 hearing is continued from November of 2015.

11 Is there anything new that the applicant would  
12 like to provide?

13 MR. COSCHIGNANO: Just very briefly, Mayor,  
14 thank you, thank you for the opportunity to continue our  
15 case.

16 Chris Coschignano, partner of Sahn Ward  
17 Coschignano, PLLC, 333 Earl Ovington Blvd, Suite 601,  
18 Uniondale, New York 11553.

19 If I can, I'd just like to ask Monsignor Batule  
20 to please join me one second, because I know based on  
21 what this Board was able to accomplish at the last  
22 meeting and the good work that the Village attorney has  
23 done with us -- I should say Village attorneys have done  
24 with us -- we've worked very diligently since the last  
25 hearing and its gone very well. We even had a very

1 successful occasion at the Nassau County Planning  
2 Commission where they fully understood the application  
3 and no small great work of Mr. Gibbons who was there with  
4 me at the same time. We even received several  
5 compliments from Planning Commission Board members who  
6 liked the transit-oriented development going on in the  
7 Village and liked the application.

8 So I have a few things to cover, but I just  
9 wanted to afford the Monsignor an opportunity to discuss  
10 his -- I don't want to steal your words Monsignor, I  
11 never would -- but your appreciation of what's taken  
12 place here. Maybe you can say it better.

13 MSGR. BATULE: Good evening, Mayor and Members  
14 of the Village Board, we're appreciative of the meeting  
15 that was held on November 4th. We're appreciative of the  
16 opportunity we've had to state our case. And I just want  
17 to ask your continued good deliberation this evening and  
18 to ask for a swift resolution to this matter.

19 The fact is that we've been in contract for  
20 seventeen months at this point, so we're looking to bring  
21 this to a conclusion as swiftly as possible. We also  
22 have increased costs come winter for heating of our  
23 building, snow removal, et cetera. All of those  
24 considerations are in play, so again we're asking for  
25 your speedy resolution of this matter and we thank you

1 for your most earnest consideration tonight. Thank you.

2 MAYOR STRAUSS: Thank you, sir.

3 MR. COSCHIGNANO: Just one or two brief  
4 housekeeping issues: The applicant is respectfully  
5 requesting to change the number of units that we're going  
6 to construct from 197 to 192. In laying out the  
7 development it became evident that within the mix of  
8 units we propose 96 units on the north and 96 units on  
9 the south now in our updated number, because that will  
10 lay out better and work better for the project.

11 MR. WALSH: Can you repeat on which side?

12 MR. COSHIGNANO: 96 on the south and 96 on the  
13 north. It will be an even number of units on both sides.  
14 It was 97. We found we were only able to successfully  
15 construct 192, and therefore we would like to decrease  
16 the number of units by five.

17 MAYOR STRAUSS: Are those five, one-bedrooms?

18 MR. STOVER: It's a very --

19 MR. COSCHIGNANO: Yeah, do you want to  
20 quickly...

21 We think we're going to have, essentially, the  
22 same mix of units that we had before. I don't exactly  
23 know.

24 Jamie, do you want to come up?

25 MR. STOVER: Jamie Stover, Mill Creek

1 Residential. The total number of -- so it's 192  
2 apartments. 15 studio/junior one-bedrooms, actually, a  
3 total of 19. 85 one-bedrooms. And a total of 88  
4 two-bedrooms.

5 MR. WALSH: Mr. Stover, did you say 15 studios?

6 MR. STOVER: 19 studios. When I say "studios"  
7 they're really junior one-bedrooms. We call them  
8 studio/junior one-bedrooms with a sleeping alcove. If  
9 you want you can consider those one-bedrooms. They're  
10 smaller than one-bedrooms.

11 MR. COSCHIGNANO: So we have that reduction in  
12 units. And a second item, based on comments that were  
13 made at the meeting the last time, we've heard the  
14 Board's desires. We know you've spent a long time  
15 talking about parking spaces per unit and what your  
16 preferences are and what you would like to see in the  
17 Village. And this applicant would like to say this  
18 evening that each of our units are going to include one  
19 parking space with each of our units, which we did not  
20 say at the last hearing. But we fully intend on  
21 complying with one space per unit being included in the  
22 rental. We'd like to get that on the record as well this  
23 evening.

24 MAYOR STRAUSS: Thank you.

25 MR. COSCHIGNANO: The only other item -- we

1 have two other items. One, I'm going to ask Mr. Lenihan  
2 to cover -- our traffic expert. He's going to talk about  
3 some accounts that were requested of us based on the  
4 Modera properties, so I will ask Mr. Lenihan to come up,  
5 and then I just have to conclude with one other item.

6 MR. LENIHAN: Thank you, Chris. Good evening,  
7 Mayor Strauss, Members of the Board. Patrick Lenihan,  
8 VHB Engineering, Hauppauge, New York.

9 As part of the environmental documents that we  
10 have submitted to the Village for the application is a  
11 traffic assessment, of course. As part of these traffic  
12 assessments -- I'm sure the Board is familiar with these  
13 IT trip generation manuals. Engineers such as myself get  
14 up here and speak about it. I myself have done it a  
15 number of times before this Board. But when we talk  
16 about transit-oriented development, it's customary to  
17 make an adjustment to the numbers that are in the trip  
18 generation manual to account for the operating, specific  
19 operating characteristics as they relate to trips that  
20 the TODs have. Usually we site studies, published data,  
21 that indicate reductions in trip making at TODs of up to  
22 50 percent. And then in this instance, in this study as  
23 I've had with others in the Village, we took a 25 percent  
24 reduction to prevent a conservative high side evaluation.

25 But I understand there are some questions by

1 some as to the actual real affect of a TOD. All of those  
2 reductions in trips, real, and are they real to the  
3 extent that we stand before you and talk about them.

4 So we had the opportunity to get some traffic  
5 data from the Modera. I looked at several evening  
6 weekdays in evening peak periods on several days in  
7 November and did some calculations. And what I found  
8 from that data was a trip generation rate at the Modera,  
9 which is an operating TOD in the Village, of just under  
10 60 percent of what ITE shows us prior to any adjustments.

11 MAYOR STRAUSS: What does that mean?

12 MR. LENIHAN: Good question. The trip  
13 generation manual has a trip generation for apartments.  
14 So we go in, we get those rates, we punch in 197  
15 apartments and it tells us it's going to generate X  
16 amount of traffic during the a.m., p.m. and the Saturday  
17 peak periods, and we jump into an evaluation and looking  
18 at what the effects of that are. But when you have a  
19 situation where your development is located in the  
20 transit-oriented area, which this clearly is, there are  
21 studies that show that the trip generation of the  
22 apartment use in a normal setting is higher than what it  
23 is near a railroad station, near a transit hub, that sort  
24 of thing.

25 So it's customary to make an adjustment. And

1 in this case, rather than the 50 percent that TOD studies  
2 sites, we took 25. So we're using 75 percent of what an  
3 apartment building would be expected to generate if it  
4 were located somewhere else, away from the train station.  
5 Follow me?

6 MAYOR STRAUSS: Absolutely. I actually do.

7 MR. LENIHAN: I'm doing something right.

8 So we have some examples of TODs in the Village  
9 of Mineola that are open and operating. So those studies  
10 that we sited, some of the documentation that may have  
11 been done somewhere else, we have an opportunity to look  
12 right here in Mineola to see what does a TOD do right  
13 here. And that's what we did with the Modera.

14 And as I said, we looked at several p.m. peak  
15 hours in November so we know how much traffic was being  
16 drawn by the Modera. We knew how many units were  
17 occupied on those days and it was a simple calculation to  
18 determine the actual rate that that TOD in Mineola was  
19 drawing.

20 And when I compared that to ITE, it's just  
21 under 60 percent of ITE; in other words, it's 40 percent  
22 less than what an apartment would generate based on that  
23 ITE book somewhere else.

24 MAYOR STRAUSS: So you're saying, in essence,  
25 that the traffic generated from a transit-oriented



1 development building will be 40 percent less than it  
2 would if it was put somewhere else outside of a  
3 transit-oriented area?

4 MR. LENIHAN: Actually, in the Village of  
5 Mineola. It's specific. We had that opportunity.

6 MR. CUSATO: With all due respect, everybody in  
7 this Village knows what happens when the grade crossing  
8 goes down on Willis Avenue. And you never made any  
9 mention on what happens on Willis Avenue when that grade  
10 crossing goes down. And I know we're trying to talk to  
11 the state to get that relieved, but right now I have a  
12 concern with traffic on Searing Avenue when the -- I  
13 don't know how those people are going to get out of that  
14 apartment complex when the grade crossing goes down. I  
15 have a concern, with all due respect.

16 MR. LENIHAN: Right. I understand you're  
17 concern.

18 MR. CUSATO: And the Modera is on the south  
19 side and you're on the north side.

20 MR. LENIHAN: There is certainly an impact of  
21 traffic flow on lots of streets in Mineola when the grade  
22 crossing comes down.

23 Mr. CUSATO: Why did you never show that in  
24 your survey? It's sort of misleading. I'm not saying  
25 I'm opposed to this project, but your report is kind of

1 misleading to me.

2 MR. LENIHAN: I guess when we're talking about  
3 impacts, are we going to impact -- you know, the level of  
4 traffic that we generate, is it going to significantly  
5 exacerbate that existing condition. In this  
6 environmental process, we're looking for impacts.

7 MR. CUSATO: That's not an impact, with the  
8 grade crossing going down and the light turns and people  
9 can't move.

10 MR. LENIHAN: The grade crossing is an existing  
11 condition.

12 MAYOR STRAUSS: We're trying to eliminate it.

13 MR. CUSATO: Yes, but right now -- so when you  
14 took your traffic study, obviously, someone on the corner  
15 noticed, hey, the traffic light is red, traffic is not  
16 moving, but you never showed them your report.

17 MR. LENIHAN: Perhaps that was an oversight.

18 MR. CUSATO: That's part of our decision.

19 MR. LENIHAN: Is what we're proposing now going  
20 to impact the condition?

21 MR. CUSATO: What's that?

22 MR. LENIHAN: Is what we're proposing now going  
23 to impact that condition to any degree when you look at  
24 the volumes that we're talking about, I don't think so.

25 MR. CUSATO: If I'm a resident who buys an

1 apartment on Searing Avenue and I want to make a left  
2 turn going south on Willis Avenue, I can't move when the  
3 traffic goes down. It's just a concern. I'm not saying  
4 I'm opposed to this project, it's just a concern that I  
5 have.

6 MAYOR STRAUSS: With that being said, and I  
7 certainly appreciate Mr. Cusato's comments, folks, just  
8 so the public knows, we've sent a couple of letters;  
9 we've also been in contact with Rich Nicholello, our  
10 representative in the Nassau County Legislator in trying  
11 to get the Willis Avenue light detached from the grade  
12 crossing. It's just a headache.

13 MR. CUSATO: Yes.

14 MAYOR STRAUSS: Regardless of what's happening  
15 in the Village at 4:30 on to 6:30, 7:00, it's just a  
16 problem. We're aware of it, I've been stuck in that  
17 traffic, we all have. We're doing our best to get that  
18 mitigated. Hopefully, that will relieve some of the  
19 pressure.

20 MR. WALSH: Can I just ask a question, Mayor?

21 MAYOR STRAUSS: Yes, sir.

22 MR. WALSH: With the numbers that you gave with  
23 the percentage and everything else, can you give us a  
24 hard number with the cars that you counted?

25 MR. DURHAM: We asked for a physical count of

1 the cars leaving in the rush hour in the morning and  
2 returning in the rush hour in the evening for the Modera.  
3 We asked that at the last hearing.

4 Could you give us that physical number for the  
5 a.m. numbers for cars leaving in the morning and cars  
6 returning during the rush hour?

7 MR. LENIHAN: What I do have is the cars  
8 entering in the evening, but I don't currently have the  
9 cars exiting in the a.m.

10 The way the counts were derived, there's a  
11 system at the Modera that's capable of counting vehicles  
12 as they come in, but not as they leave. So the reason I  
13 took the p.m. was, as you know, residential people leave  
14 in the morning but enter in the p.m.

15 So when I compared the p.m., that gave me the  
16 largest statistical sample with which to draw a  
17 conclusion. Because the entering in the a.m. would be  
18 very small.

19 MR. DURHAM: For exiting in the a.m., during  
20 the p.m. rush hour coming onto the streets of Mineola.

21 MR. LENIHAN: Exiting in the a.m. I do not.

22 MR. PEREIRA: So what's the number entering in  
23 the p.m.?

24 MR. LENIHAN: Entering in the p.m. peak we have  
25 -- I'm getting old -- anywhere from 29 to 32 vehicles.

1 MR. DURHAM: From what time period?

2 MR. PEREIRA: What's the peak?

3 MR. LENIHAN: Depends --

4 MR. DURHAM: Is that per hour or is it --

5 MR. LENIHAN: That's in a one-hour period.

6 5:00 to 6:00 p.m., 6:00 to 7:00 p.m. Very close in those  
7 two hours. Now, as far as the a.m. is concerned, it's  
8 the same, folks.

9 MR. DURHAM: So what you, basically, just said,  
10 we expect -- so it's 15 cars returning between 5:00 and  
11 7:00 p.m. So that means we can expect to see 58 cars  
12 leaving in the morning rush hour?

13 MR. LENIHAN: Like I said, I found 29 and 33 in  
14 one hour. There's two hours that are about the same. In  
15 the morning we would likely find something very similar  
16 leaving. There's nothing that would lead me to believe  
17 that the morning would be --

18 MR. WALSH: Thank you for clearing up my  
19 question.

20 MAYOR STRAUSS: Thank you. Anything else, sir?

21 MR. PEREIRA: I have a question. When you take  
22 these numbers, going back to your original numbers, you  
23 factored in that the building is not fully occupied.

24 MR. LENIHAN: Correct.

25 MR. PEREIRA: You multiplied times whatever

1 units are still open.

2 MR. LENIHAN: Exactly.

3 MR. PEREIRA: That's how you arrived --

4 MR. LENIHAN: They're are all different dates,  
5 there were different numbers of -- because the building  
6 is filling up.

7 MR. PEREIRA: When you use these statistics,  
8 are they specific to our region or for the United States?

9 MR. LENIHAN: The ITE is the United States.

10 MR. PEREIRA: When you're saying that the  
11 Modera traffic is just over 60 percent less than the  
12 ITE --

13 MR. LENIHAN: Just under 60 percent of. More  
14 than 40 percent less.

15 MR. PEREIRA: More than 40 percent less than if  
16 this building was Nebraska or if this building was on  
17 Jericho Turnpike?

18 MR. LENIHAN: On Jericho Turnpike away from the  
19 railroad, away from --

20 MR. PEREIRA: Right. So not somewhere else,  
21 you know, out in the middle of America. In other words,  
22 the trips that it's generating now where it is is about  
23 40 percent less than the trips that it would generate if  
24 it was somewhere else in the Village away from the train;  
25 is that what you're saying?

1 MR. LENIHAN: Correct.

2 MAYOR STRAUSS: Anything else, sir?

3 MR. LENIHAN: That's it for me.

4 MR. COSCHIGNANO: I just have one item to cover  
5 last, which was at Modera now there is, as of today,  
6 176 units rented. Some of the best information  
7 available, and it's not always easy to decipher, we  
8 wanted to measure for you the number of school-aged  
9 children. And we believe that the ratio breaks down to  
10 3.4 per hundred based on the units that are rented right  
11 now.

12 So it's actually in line with the testimony and  
13 the data we provided to you at the last hearing, but  
14 based on a real analysis, the best information available  
15 that we can gather, it's 3.4 per hundred.

16 MR. PEREIRA: That means about six to eight  
17 students?

18 MR. COSCHIGNANO: Right now probably about six  
19 to seven students, eight at most currently there. And  
20 there's no real guarantee that those students are  
21 actually even attending all one school or other schools.  
22 Some could be in private school. It's really tough to  
23 gather that information. The only place to get that  
24 information would be from the school district.

25 MAYOR STRAUSS: Thank you.

1 MR. COSCHIGNANO: Thank you. And that would  
2 conclude what we have. Of course, we're here to answer  
3 and our professionals are here to answer any questions  
4 the Board may have.

5 MAYOR STRAUSS: I have a couple of questions.  
6 Many of them were answered at the last hearing.

7 I'm assuming that there will be an access  
8 control system at this building similar to the other  
9 ones.

10 MR. COSCHIGNANO: Yes.

11 MAYOR STRAUSS: As well as access control  
12 throughout the building so cars can't park in there at  
13 any other times?

14 MR. COSCHIGNANO: Absolutely.

15 MAYOR STRAUSS: Other than people who live in  
16 the building?

17 MR. COSCHIGNANO: Yes.

18 MAYOR STRAUSS: This is probably a typo, but on  
19 page 70 of the application you referenced The anticipated  
20 growth of the Town of Hempstead.

21 Is there a reason why you picked the Town of  
22 Hempstead and not the Town of North Hempstead that  
23 Mineola is in?

24 MR. COSCHIGNANO: I could not speak for it  
25 myself.



1 MAYOR STRAUSS: I'm sure it's the same.

2 MR. COSCHIGNANO: We'll check that right now.

3 MR. LENIHAN: Is it a traffic reference?

4 MAYOR STRAUSS: Sorry.

5 MR. LENIHAN: The available information on  
6 traffic growth as published by the DOT based on some  
7 studies that they've done is available on a town basis.

8 MAYOR STRAUSS: So you picked the Town of  
9 Hempstead, not the Town of North Hempstead. Are they  
10 different?

11 MR. LENIHAN: The Town of North Hempstead I  
12 think is a little bit less, if I recall.

13 MAYOR STRAUSS: That's what we're in, the Town  
14 of North Hempstead.

15 MR. COSCHIGNANO: Could be a part of this is in  
16 the Town of Hempstead.

17 MR. LENIHAN: I think we had to make a choice  
18 and we took the bigger one.

19 MAYOR STRAUSS: Just to clarify, I think it was  
20 mentioned at the last hearing, there are plans for the  
21 grass area behind Corpus Christy to be made into a  
22 parking lot to accommodate any of the sporting activities  
23 that are going on there.

24 Is that something you could answer?

25 MR. COSCHIGNANO: Jamie, I think you might be

1           able to speak to it more fully.

2           MR. STOVER: The grass area on this property.

3           MAYOR STRAUSS: I don't know if this is  
4           somebody that represented the church, if they're here,  
5           they could speak to it. There's a grass area behind --

6           MR. STOVER: Behind the church property.

7           MAYOR STRAUSS: Correct.

8           MR. STOVER: So the plan as we discussed at the  
9           last hearing was to accommodate the traffic flow on  
10          Searing Avenue, we will be creating -- and off street  
11          parking for the church on a go-forward basis. The idea  
12          was we'll have traffic going back there with a few  
13          parking spaces for the existing use of what we call the  
14          old school.

15          MAYOR STRAUSS: Thank you very much.

16          Mr. Pereira?

17          MR. PEREIRA: Thank you. I think I have a  
18          question for Ms. Watral. The water and sewage, is that  
19          you?

20          MS. WATRAL: Yes.

21          MR. PEREIRA: On page 13 where it says  
22          "Sanitary Disposable and Water Supply."

23          MS. WATRAL: Yes, sir.

24          MR. PEREIRA: Obviously, water is being used  
25          currently both by the school, not that much, and the

1 homes across the street that will be part of this plan.  
2 But if you can explain that very last sentence. "Thus  
3 lowering the net water demand and sewage generation." So  
4 are you saying that these two new buildings will actually  
5 generate less water and sewage than what is there now?

6 MS. WATRAL: I'm sorry, I'm looking for the  
7 sentence that you're referencing.

8 MR. PEREIRA: It's the very last sentence under  
9 two point two point five, page 13.

10 MS. WATRAL: I was on the wrong page. I'm  
11 sorry.

12 MR. PEREIRA: It's the very last sentence. It  
13 says, "Thus lowering the net water demand and sewage  
14 generation."

15 Is that implying that the development will  
16 actually use less water and create less sewage than an  
17 empty school and two houses?

18 MS. WATRAL: I think it's base on what the  
19 original sewage demand had been from the school. The  
20 same as the school had -- what had been in use. And that  
21 was a use that did exist. And while it may not now, it  
22 really is not a new use that we're proposing because that  
23 generation did exist at one time. It's like we're going  
24 back in.

25 MR. PEREIRA: In other words, the Village --

1 MS. WATRAL: The Village was accommodating that  
2 amount at one time. This is not in addition, it's just  
3 replacing what was removed at one point.

4 MR. PEREIRA: If you say so, but I'm going to  
5 kind of steal a page from Mr. Gonzalez. I'm  
6 uncomfortable that a school was in operation only six  
7 hours a day and then closed in the summer and all that is  
8 going to generate the same amount of water demand and  
9 sewage as a building that's going to be occupied 24/7.

10 MS. WATRAL: Between students and staff versus  
11 the number of residents.

12 MR. PEREIRA: My students do ask to go to the  
13 bathroom a lot. There's something to that. Okay. So  
14 you're saying compared to what's not there now, but what  
15 was already occupied.

16 MS. WATRAL: Yes.

17 MR. PEREIRA: In using the Village's  
18 infrastructure?

19 MS. WATRAL: Correct.

20 MR. PEREIRA: I have a question. So now you  
21 went from 197 units to 192 units. Are there any plans to  
22 change the parking numbers?

23 MR. COSCHIGNANO: I don't believe so. I think  
24 we're going to leave it as is.

25 MR. PEREIRA: You'll leave it as is.

1 MR. COSCHIGNANO: Hopefully, that would be a  
2 benefit.

3 MR. PEREIRA: That's it for now.

4 MAYOR STRAUSS: Thank you.

5 MR. CUSATO: Thank you. I need a clarification  
6 here. Page 39 under "Impact Issues."

7 MR. COSCHIGNANO: I apologize. I can't answer  
8 everything myself, but they're more qualified than I am.

9 MR. CUSATO: So I understand that the western  
10 building is going to remain?

11 MR. COSCHIGNANO: Yes.

12 MR. CUSATO: And I think we'll retain the  
13 religious education in that building; is that correct?

14 MR. COSCHIGNANO: Right.

15 MR. CUSATO: So I read on page 39 it says "The  
16 proposed development is not going to conflict with the  
17 traveling of children, nor is it -- to the immediate  
18 neighborhood respecting some of their persons or  
19 vehicles."

20 So how did you make that statement when, like,  
21 ten feet away you're going to have children in that  
22 school?

23 MR. COSCHIGNANO: In what respect, in the  
24 traffic flow?

25 MR. CUSATO: Well, you say it's not going to be

1 in conflict with the traveling of children, when children  
2 are going to be like ten feet away from this apartment  
3 house. And we have parents dropping of their kids.

4 Am I reading this wrong?

5 MR. COSCHIGNANO: No. I think though at the  
6 last hearing one of the ways we tried to mitigate that  
7 was to create the traffic pattern that Mr. Stover  
8 mentioned a minute ago where the traffic flow would go  
9 around behind the building and then come out on the west  
10 side.

11 MR. CUSATO: Okay.

12 MR. COSCHIGNANO: And then exit onto the  
13 street, hopefully, lending the ability to stack a large  
14 number of cars around the side and rear of the property  
15 for dropping off for religious education, thus taking  
16 them off Searing Avenue.

17 MR. CUSATO: So if I'm a parent of Corpus  
18 Christy -- my grand,kids go to St. Aidan -- so I would go  
19 around the back of the building and drop off my child or  
20 something?

21 MR. COSCHIGNANO: Yes, in a counter-clockwise  
22 direction.

23 MR. CUSATO: Okay.

24 MR. COSCHIGNANO: And we think it will be a  
25 significant amount of room for many cars. An actual

1 number, I don't have, but I think we estimated at the  
2 last hearing maybe 25 cars at a time could fit in sort of  
3 an L-shaped scenario.

4 MR. CUSATO: Okay.

5 MR. COSCHIGNANO: Which is really a horseshoe,  
6 but you can't count the exiting sign because those would  
7 be moving all the time.

8 MR. CUSATO: Okay. That's it. Thank you.

9 MAYOR STRAUSS: Thank you, Mr. Cusato.

10 MR. COSCHIGNANO: That would be the plan.

11 MAYOR STRAUSS: Mr. Durham?

12 MR. DURHAM: No, my question was about the  
13 number of cars so.

14 MAYOR STRAUSS: Mr. Walsh?

15 MR. WALSH: Thank you. Are you involved with  
16 the number of school children?

17 MS. WATRAL: Yes.

18 MR. WALSH: How are you?

19 MS. WATRAL: Fine.

20 MR. WALSH: Say about a year ago the Nassau  
21 County Controller, George Maragos, put out a report and  
22 the report stated that the overall population of Nassau  
23 County will go down by three percent by the year 2024.  
24 And with the aging population included in that, the  
25 population of children between the age of zero and nine

1 will go down by 23 percent. I spoke to someone in his  
2 office and they told me they got those numbers from the  
3 census. Are you familiar with that report?

4 MS. WATRAL: I'm not familiar with the report,  
5 personally, no.

6 MR. WALSH: Recently, the Mineola School  
7 District did a study on the number of children that will  
8 be coming out of those buildings. Have you had the  
9 opportunity to read that report?

10 MS. WATRAL: I have not.

11 MR. WALSH: Neither have I.

12 I'm glad to hear that the number that was  
13 counted, when you actually counted, goes along with the  
14 Rutgers University study which shows six children per  
15 every 100 units. And someone had a question here the  
16 last time that this property was outside of the  
17 transit-oriented development area and that the number  
18 would be higher. You figured that you gave -- you gave  
19 them a higher number but in effect it's going to be about  
20 six children per unit?

21 MS. WATRAL: Correct.

22 MR. WALSH: But in that Rutgers University  
23 study it also takes into account many of the buildings  
24 that they counted were -- some of the buildings they  
25 counted were buildings that were oriented to invite



1 children in. So the study took buildings that were  
2 inviting children in as well as buildings were developed.  
3 So the actual number I thought would be lower than six  
4 children per unit. Would it be around three children per  
5 100 units? That's closer to the actual number I think.

6 MS. WATRAL: I think the TOD studies that we've  
7 shown, and then even the information that we provided  
8 tonight with the available information for the Modera is  
9 that it's three per 100 units. So we were saying that at  
10 197 units we were estimating six children. So we dropped  
11 a couple of units but it's still in that neighborhood.

12 I would say that the information that was  
13 raised at the last hearing with whether or not this  
14 building would be considered transit-oriented  
15 development, I would respectfully submit that it is  
16 because it is still within the half mile of the train  
17 station. So it maybe at an hour perimeter for some  
18 studies but it is still considered part of the TOD.

19 MR. WALSH: And I agree with that. I believe  
20 that also.

21 In your observation here you provided for us,  
22 we have the Mineola Union Free School District from the  
23 year 2003 to 2004 at a population of 2,724. And now to  
24 the year 2013/14, the population is 2,638. So it has  
25 gone down a bit. And that's not taking into

1 consideration the number of students that will diminish  
2 more as the aging population and the overall population  
3 in the county goes down.

4 So I don't believe that this building is going  
5 to generate too many children for the school district.

6 MS. WATRAL: Correct. That is our position.

7 MR. WALSH: That was a concern some, but I  
8 don't think it any more. Thank you, Ms. Watral.

9 My question, I guess, for the attorney is  
10 you're changing the number of units in the building, how  
11 about the number of parking units?

12 MR. COSCHIGNANO: No. The parking is going to  
13 remain the same.

14 MR. WALSH: Same.

15 MR. COSCHIGNANO: Yes.

16 MR. WALSH: So the additional few spaces.

17 How about visitor parking?

18 MR. COSCHIGNANO: Jamie, do you want to handle  
19 that.

20 MR. STOVER: Yes. We'll handle visitor parking  
21 in a similar way as we handle it at the Modera. The  
22 calculation includes I think 1.5 ratio includes  
23 additional spaces for visitors. Typically, most of our  
24 visitors are showing up during non-peak hours to lease  
25 apartments. We call them future resident spaces and we

1 designate sort of a number of those within the building.

2 So the way our building is designed we have  
3 segregated two separate entrances. We'll allow one of  
4 those entrances to be available for visitor parking  
5 during business hours.

6 MR. WALSH: If I were to have an apartment in  
7 your building and a visitor came to see me, there would  
8 be a spot for he or she to park in.

9 MR. STOVER: Yes.

10 MR. WALSH: About how many do you have?

11 MR. STOVER: Well, I can't -- you know, we  
12 haven't designated those spaces, but the way we see the  
13 Modera working out with visitors, there's what we  
14 perceive to be more than enough spaces for visitor  
15 parking off street based upon what we're seeing.

16 MR. WALSH: Okay.

17 MR. STOVER: On an operational and going  
18 forward.

19 MR. WALSH: So based on Modera, how many spaces  
20 are there at Modera?

21 MR. STOVER: Off the top of my head, I don't  
22 know how many we have segregated in the sort of future  
23 resident/visitor parking spaces, but I want to say it's  
24 roughly 25 spaces for 275 apartments.

25 MR. WALSH: Thank you. And just something I

1 would like to ask about is mentioned, is the idea of  
2 having to make a turn on Willis Avenue. Willis Avenue,  
3 because of the light that is tied into the railroad  
4 during peak hours, the traffic is really horrendous over  
5 there. But the cars that will be coming out of Searing  
6 Avenue will be at a triple. It won't be at a pace of  
7 multiple cars, 15 cars at the same time leaving; is that  
8 correct?

9 MR. STOVER: That's correct.

10 The impact that he measures in his traffic  
11 study at that light --

12 MR. COSCHIGNANO: It's roughly one every two  
13 minutes during rush hour?

14 MR. LENIHAN: It's about one every minute,  
15 actually.

16 MR. WALSH: Can I speak to Pat?

17 MR. COSCHIGNANO: I thought it was 62 cars over  
18 a two-hour period.

19 MR. WALSH: So how many cars are permitted?

20 MR. COSCHIGNANO: 62 in a two-hour period.

21 MR. LENIHAN: With our 25 percent reduction on  
22 the high side conservative, we had exiting cars in the  
23 morning, 61 vehicles in an hour.

24 MR. WALSH: 61 vehicles in an hour in the  
25 morning rush hour.

1 MR. LENIHAN: Yes.

2 MR. WALSH: And you don't have a count in the  
3 afternoon, you said that.

4 MR. LENIHAN: Well, entering in the afternoon  
5 is 60 in and out.

6 MR. WALSH: About the same. Now, how would  
7 that be different from the other blocks, Lincoln and  
8 Clinton and such, they also have apartments on them and  
9 they also have a trickle of cars that enter into the  
10 traffic stream. Is it the same, is it more, is it less,  
11 if you know? I'm not asking you to guess.

12 MR. LENIHAN: As far as the rate of how smooth  
13 it is and whether there's big slugs of traffic, it would  
14 be the same, I think. It would be a little lower than  
15 the one to the north, based on the numbers that we have.

16 MR. WALSH: Are you giving me ITE numbers or  
17 Modera numbers.

18 MR. LENIHAN: Well, the Modera numbers I have  
19 not adjusted to the size of the Searing Avenue project.  
20 So I'm giving you 75 percent of ITE which is what we  
21 actually evaluated. And what we found when we evaluated  
22 --

23 MR. WALSH: Those numbers are 75 percent of the  
24 ITE.

25 MR. LENIHAN: Right. When we evaluated

1       Searing, we found that signal works very well. Of  
2       course, we mentioned the railroad operation which impacts  
3       it periodically. But the signal itself operates very  
4       well.

5               MR. WALSH: As cars trickle out of this block,  
6       they will trickle out of this block and --

7               MR. LENIHAN: It's not like a movie theatre,  
8       for instance, where you might have a hundred people  
9       leaving at once. That doesn't happen.

10              MR. WALSH: Thank you.

11              MAYOR STRAUSS: Anything else, gentleman?

12              MR. COSCHIGNANO: Not from us. Only if you  
13       have additional questions.

14              MAYOR STRAUSS: Any other questions.

15              Mr. Durham?

16              MR. DURHAM: With the changes in the apartments  
17       and stuff like that, nothing on the outside structural  
18       changes? Same design.

19              MR. COSCHIGNANO: Same design.

20              MR. DURHAM: Just you're adding more space  
21       inside?

22              MR. COSCHIGNANO: Correct. Same number of  
23       stories, same design.

24              MAYOR STRAUSS: At this time I'll open it up to  
25       the public comment again.

1                   Gentleman, you can have a seat and record any  
2 questions that come up. We'll go through the floor and  
3 then we'll address those questions at the end.

4                   Any questions in the first row? Second row?  
5 Third row? Fourth row? Fifth row? Sixth row?

6                   Yes, ma'am.

7                   MS. MAFFETORE: Madeline Maffetore, 101  
8 Lincoln Avenue, Mineola.

9                   Mayor, Members of the Board, problems  
10 unrecognized and there is problems, and I was very happy  
11 to hear that you addressed some of the concerns. It took  
12 a whole bunch of my questions away.

13                   But there's one problem that's not recognized,  
14 so therefore it's not a problem. And that's with the  
15 excessive building and more people and more need for  
16 railroad, the Long Island Railroad is now proposing to  
17 put a third rail. That has not been addressed, so it's  
18 not a problem, but it is to me. What is the Village  
19 going to do, what are you going to do about the problem  
20 with more trains and keeping the gate down on Second  
21 Street down even longer?

22                   MAYOR STRAUSS: I can tell you it is a problem  
23 for us and it is certainly a concern for us. I met this  
24 passed Monday with representatives of the railroad as  
25 well as Governor Cuomo's office, they don't have a plan

1 or at least one they're willing to share with us at this  
2 time. So we're all watching it very very closely. Their  
3 idea from what I can gather, and I can only said what  
4 we've all read in the paper, is that they're looking to  
5 put a third track to help with reverse commuting. I'm  
6 not sure that's going to work, my own personal opinion.  
7 It's kind of off topic here, but I think to your point  
8 about the increased buildings and the increased amount of  
9 people who are looking to utilize the railroad speaks of  
10 the question how could we get more trains or more cars on  
11 the trains that are there or prevent the railroad from  
12 shutting off cars from the front end and the back of the  
13 train. Many times you get onto a train and they have the  
14 front car and back car locked off. Those are  
15 conversations that I will have with the president of the  
16 railroad when we can link up.

17 I have many concerns with the railroad and we  
18 are, all of us, watching that third track proposal, as  
19 they call it now, very very closely.

20 MS. MAFFETORE: Well, the excessive building  
21 has given it motivation to continue with its quest to  
22 have this ugly thing rear its head again. I'm really  
23 concerned about that.

24 MAYOR STRAUSS: Well, from what I can gather  
25 with the railroad with the third track, it's not so much



1 because of what's going on here, they want to redevelop  
2 or give some sort of rail infrastructure further out  
3 east. So, in essence, we're going to take the brunt of  
4 something that's not going to positively affect us or  
5 help us. It's going to positively affect, allegedly,  
6 people way out east.

7 So it has nothing to do with really these  
8 buildings. They're looking to generate a reverse commute  
9 for people who don't live here to come out here and work  
10 out on the island and then when they're done at the end  
11 of the day, they pack up and they go home and they leave  
12 those areas desolate. That's another conversation.

13 MS. MAFFETORE: But the gate still has to come  
14 down.

15 MAYOR STRAUSS: I can't agree with you more.

16 MS. MAFFETORE: If you're going south and you  
17 really want to go south on Willis and you want to go  
18 straight on Second, you're blocking all the traffic  
19 behind you and no one is going to move. Now, if you're  
20 lucky enough to be closer to the light, you do what all  
21 the intelligent Mineoleons do -- they go through the deli  
22 parking lot, they go to Second, and they cut around.

23 We're very very creative and inventive in  
24 Mineola. And I don't see the traffic moving that quickly  
25 if someone wants to go straight on Willis Avenue and the

1 gates down.

2 MAYOR STRAUSS: There's a couple of other ways  
3 to get around that that we're all aware of. I don't want  
4 to mention it because then everyone is going to be  
5 following me.

6 It is a problem. As I've mentioned earlier,  
7 I've sent two letters. I've been in contact with our  
8 county legislature, Rich Nicholello. He's aware of the  
9 situation. We're trying to get the light at Willis  
10 Avenue disconnected from the gate, so when the gates go  
11 down on the main line which they do, certainly peak hour,  
12 rush hour, for extended lengths of time, the traffic  
13 light is turned red for southbound. It's green for north  
14 a little bit, but it doesn't need to be that way anymore.

15 MS. MAFFETORE: Only if you make the turn going  
16 west.

17 MAYOR STRAUSS: Right. It doesn't need to be  
18 that way anymore. We're trying to get it disconnected.  
19 Because with Hinck Way running parallel to the tracks,  
20 that light can be green southbound on Willis, allowing  
21 people to make the lefts and makes rights and go  
22 straight. When they get to the gate to the main line  
23 they can make a left and go right down to Roslyn Road.

24 It doesn't even make sense to have it connected  
25 anymore. We're trying to get it changed. We're doing

1 our best to get that changed. When it does that will  
2 alleviate a lot of that problem.

3 MS. MAFFETORE: How much of the planning that  
4 has been done with the traffic flow and all that taken in  
5 consideration that the third rail might become a reality?

6 MAYOR STRAUSS: Well, I can't speak for the  
7 traffic engineer, but I can speak for what I believe and  
8 that is that this third track was an eye opener, it was  
9 slapped in our faces last week. I don't think anybody  
10 expected that.

11 MS. MAFFETORE: I didn't either, but it makes a  
12 lot of sense if you're the Railroad and you're the State.

13 MAYOR STRAUSS: They want this, but we'll see  
14 what happens. It all comes down to money. And one of my  
15 questions is they're claiming it's going to take \$105  
16 billion dollars to do the third track. That's a topic  
17 for another night.

18 MS. MAFFETORE: I hope I have something to say  
19 then too.

20 MAYOR STRAUSS: I certainly welcome it.

21 And folks, if the plan, if there is one becomes  
22 available I will share it obviously with the Board and  
23 everybody here because we need to get our ducks in a row  
24 with this and see how we're going to address it.

25 MARILYN: I thank you for your efforts and your

1 proactive approach to this.

2 MAYOR STRAUSS: I try. Thank you very much.  
3 Have a good night. Anyone else in the sixth row?  
4 Seventh row?

5 MR. COLBERT: John Colbert, 167 Emory Road,  
6 Mineola. Good evening, Mayor, Members of the Board.  
7 First of all, happy new year.

8 MAYOR STRAUSS: Same to you.

9 MR. COLBERT: The traffic impact that we're  
10 talking about really has nothing to do with the Searing  
11 Avenue application. But at the point in the end of 1999  
12 into 2000 the DOT wanted to dead end Willis Avenue and  
13 also Main Street and make Main Street into a pedestrian  
14 walkway, so be careful.

15 MAYOR STRAUSS: We're watching the Long Island  
16 Railroad very very closely.

17 MR. COLBERT: Can I ask if the host community  
18 benefit agreement has been reached on this property?

19 MAYOR STRAUSS: Not that I'm aware of.

20 MR. COLBERT: What about the pilot plan?

21 MAYOR STRAUSS: No, as far as I know. Mr.  
22 Gibbons?

23 MR. GIBBONS: No, but there certainly will be  
24 before the first permit is issued.

25 MR. COLBERT: When the resolution was adopted

1 for the Modera and also with the 250 Old Country Road and  
2 there was the host community benefit agreement, but there  
3 was no host agreement for the Village Green Property.

4 MAYOR STRAUSS: No, I believe we have a host  
5 benefit agreement with the Village Green Property.

6 MR. COLBERT: There was none on the minutes.

7 MR. GIBBONS: I know because I'm doing it.

8 We're working on a host agreement right now  
9 with the Village Green. There have been no permits  
10 issued to the Village Green. There will not be unless  
11 there's an agreement is worked out.

12 MR. COLBERT: So you need a separate resolution  
13 made on that?

14 MR. GIBBONS: That's correct. And the same can  
15 be said for this project.

16 MR. COLBERT: One of the things that I'm  
17 concerned about is the water and the sewer regarding the  
18 whole conglomerate of different buildings going here. As  
19 I said before, the Searing Avenue, we should be looking  
20 at that as a positive mode and not in a negative mode.  
21 And I don't mean this to be negative at all. But the  
22 amount of water that they're saying is going to be used  
23 is false.

24 I don't understand, and as Mr. Pereira had  
25 mentioned, how does a school that is open five hours a

1 day is going to consume more water than an apartment  
2 house which has a 192 units now on which you have  
3 showers, washers, dryers, people who are washing dishes,  
4 I don't understand how it can be less, as well as the  
5 consumption into the sewer system.

6 It's the same thing as some of the traffic  
7 study in which we're receiving. 60 cars an hour is a lot  
8 of cars if you have a red light at First Street.

9 MAYOR STRAUSS: We'll ask the water  
10 representative expert to address that.

11 MR. COLBERT: I think the sewer that was put in  
12 around 1928 and the water lines that were put in around  
13 1912, 1915. The water all comes out of Well No. 1.

14 MAYOR STRAUSS: Well No. 1 is offline right  
15 now.

16 MR. COLBERT: Is that the main line if it was  
17 online?

18 MAYOR STRAUSS: I couldn't tell you which water  
19 well water would come from, but the well -- we're looking  
20 to rehab that well anyway.

21 MR. COLBERT: Right.

22 MAYOR STRAUSS: So when it comes back online  
23 everything should be fine. Our water engineers have said  
24 that we have plenty of water. The problem with our water  
25 is our water distribution.

1 MR. COLBERT: I understand that from the  
2 previous report. Thank you, Mayor.

3 MAYOR STRAUSS: Thank you.

4 Anybody else in the seventh row?

5 MR. REDMOND: Thomas Redmond, 187 Grant Avenue,  
6 Mineola, New York.

7 I'm definitely supportive of the development  
8 going here and I appreciate Mill Creek's interest in the  
9 Village. I hop they develop a lot more buildings here.

10 I'm sorry I came here a little late. I've been  
11 delayed with work, I made a fire call. So the building  
12 stayed the same height as last time? Nothing changed?  
13 I'm sorry. I missed all that.

14 MAYOR STRAUSS: Height wasn't specifically  
15 mentioned, but we'll address that.

16 MR. REDMOND: So same amount of floors.

17 MAYOR STRAUSS: Five plus units.

18 MR. REDMOND: On grade parking and then four  
19 floors of apartments above that?

20 MR. COSCHIGNANO: Correct.

21 MR. REDMOND: And then a loft on top?

22 MR. COSCHIGNANO: Everything is the same as we  
23 presented it last time.

24 MR. REDMOND: The height was around 70 --

25 MS. WATRAL: 69.

1 MR. REDMOND: Okay. Does anyone on the Board  
2 know the current heights of the six apartment buildings  
3 that are along the corridor of Willis Avenue and --

4 MAYOR STRAUSS: I think they're in a 50-foot  
5 range. We have them in this book.

6 MR. REDMOND: They're 45 feet because I  
7 actually from work I have a laser that could measure it.  
8 I did it from grade from the front of the building.

9 MAYOR STRAUSS: Sir, address the Board.

10 MR. REDMOND: So I did it with the lasering on  
11 all the buildings, got the same reading of 44 feet and  
12 eight inches. And then you add the four inches on the  
13 top of the parapet, so that's exactly 45 on all of them.

14 And also on Main Street, there's two 45-foot  
15 buildings there. One of them Jack Martin put up when he  
16 was mayor. He matched the height of the building across  
17 the street.

18 So the eight closest apartment buildings to  
19 where this is going to go are all 45 feet. So I would  
20 like to see that building match the height. Maybe not  
21 exactly 45 feet but something around like 50 feet. 69 or  
22 68 is definitely a bigger building than anything that's  
23 there. There's no precedent for a building in that area.

24 I understand the downtown has bigger buildings.  
25 That's where I support having bigger buildings. And I'd



1       rather see a building like this going there next to where  
2       Modera went.

3               So I'm definitely supportive of Mill Creek  
4       developing buildings here, but I'd like to see like an  
5       appropriate-size building go there. I definitely think a  
6       development should go there. I don't want to seem like  
7       I'm anti-developing a building there or anywhere else.  
8       The fact that all existing buildings are a certain height  
9       or at least take off one floor from this. They could  
10      possibly keep the same amount of apartments if they put  
11      all the parking underground. I know they said there is  
12      an issue about the Oyster Bay line, if they could look  
13      into that.

14             The parking doesn't necessarily need to go  
15      right up against the tracks. I'm sure there's a setback  
16      where they could go two floors down. But I am supportive  
17      of the development going there so.

18             MAYOR STRAUSS: Thank you.

19             MR. REDMOND: I have a graph that shows the  
20      building that I measured. If you want to look at them, I  
21      can leave them up here.

22             MAYOR STRAUSS: We'll take a look and catch you  
23      later.

24             Anybody else looking to make a comment?

25             Gentleman?

1 MR. COSCHIGNANO: Just addressing the  
2 gentleman's comments, we did look at the building height  
3 and surrounding area and I believe we testified at the  
4 last hearing that those buildings were roughly 50 feet in  
5 height.

6 Additionally, based on the heights of our  
7 ceilings and the area between our floors, with modern day  
8 construction, that necessitated the height at which we  
9 have it now. And even though there's a reduction in five  
10 units, we still plan to construct the same size building  
11 with the same number of floors as we proposed at the last  
12 hearing. That hasn't changed. So that the question the  
13 gentleman raised tonight, he actually raised at the last  
14 hearing. We addressed him at the last hearing, we  
15 addressed them independently in the hallway in between  
16 that evening and we're addressing them again.

17 MAYOR STRAUSS: Regarding the water issue,  
18 because it does kind of not make sense that a school of  
19 elementary school level would use more capacity of water,  
20 volume of water, than an apartment building. How do  
21 those numbers get derived? How are they configured.

22 MR. COSCHIGNANO: Not being an engineer, I'll  
23 call upon the engineers for some more help.

24 I did want to point out we couldn't get to step  
25 one on the application if we did not have water

1 availability.

2 MAYOR STRAUSS: No, I know there's water  
3 availability, I absolutely do, but it's the water use  
4 question that I have.

5 MR. COSCHIGNANO: I'll see if we can do a  
6 little better with it.

7 MAYOR STRAUSS: I know there are things that we  
8 have in place now that you could purchase to conserve  
9 water and showers are running at less volume, and all  
10 those things are taken into consideration. But it is  
11 kind of mind boggling. I'm sure you can answer it. I  
12 apologize for my ignorance on the top there, but it just  
13 doesn't make sense.

14 MS. WATRAL: Not at all. You're about to get a  
15 mea culpa. The page that was pointed out to me, page 13  
16 which had the no new net. It's part of the project  
17 description but it's really like an executive summary.  
18 So I went to the actual section where it is discussed in  
19 detail and on page -- sorry, I lost my place. It was a  
20 typo. It should be no new or the new.

21 MR. WALSH: What page?

22 MS. WATRAL: Page 63, the top of page 63. It's  
23 the end of section 3.3.3 which starts on page 63.

24 I'm still trying because that's not even the  
25 same.

1 MR. CUSATO: 63.

2 MS. WATRAL: I'm looking for the same sentence  
3 that was on page 13. I apologize. I was flipping around  
4 as everyone was talking.

5 What it boils down to is that I stand by what I  
6 say in that there was significant generation as part of,  
7 you know, a full-time school with students, staff and 1  
8 lunch room facilities. However, you're right in that it  
9 wasn't necessarily equivalent to what -- not that there  
10 was no new net, it was not a distinct new element to the  
11 water supply.

12 MR. COSCHIGNANO: Above and beyond.

13 MS. WATRAL: Above and beyond.

14 MR. COSCHIGNANO: The new demand.

15 MR. PEREIRA: "Therefore, the new water demand  
16 would be less than fifty thousand gallons per day on top  
17 of the existing of what would have been."

18 MS. WATRAL: Correct. I apologize.

19 MR. PEREIRA: I got you. That's why if you  
20 look at this I highlighted page 13 and I highlighted page  
21 63.

22 In other words, at the end of the day we're  
23 adding 50,000 gallons of new demand.

24 MS. WATRAL: New demand of what is currently,  
25 but allowing for the fact that there had been prior

1 demand at the school.

2 MR. PEREIRA: We're not all crazy that a  
3 building of 192 units demands more water than the  
4 elementary school.

5 MS. WATRAL: But net --

6 MR. PEREIRA: Net new. I got you.

7 MAYOR STRAUSS: Okay.

8 MS. WATRAL: And it's not as the significance  
9 of the 50,000 gallons -- again, as the water supply would  
10 be available, that increase is not significant.

11 MAYOR STRAUSS: No. We certainly have the  
12 water. It just didn't make sense.

13 MS. WATRAL: I apologize.

14 MR. COSCHIGNANO: The reason I wanted to point  
15 that out as well is because 50,000 of anything is a big  
16 number. And it sounds like a huge number, but when you  
17 talk about gallons of usage of water in a project like  
18 this it's not a significant increase net new.

19 MR. WALSH: As to Mr. Redmond's comment about  
20 the buildings he says is 45 feet compared to this  
21 building, those buildings do not provide for 1½ parking  
22 spaces per unit. So for me to have 1½ parking spaces per  
23 unit to be included in on the building, if it has to be a  
24 little bit taller to house those other cars, then it's  
25 okay with me.

1 MR. COSCHIGNANO: Yes. And we've said all  
2 along we cannot go any deeper with our parking garage  
3 underground. If we would've, we could've looked at that  
4 issue, but because of the train tracks --

5 MR. WALSH: Which is what you presented last  
6 time.

7 MR. COSCHIGNANO: Right. We were told we  
8 couldn't do that.

9 MR. WALSH: Thank you.

10 MAYOR STRAUSS: Anything else?

11 MR. PEREIRA: Going back to the parking, so if  
12 we look at this just from purely mathematical we have  
13 about 296 spots total. And about 192 of those will be  
14 dedicated from now on, right.

15 MR. COSCHIGNANO: Yes.

16 MR. PEREIRA: So that leaves about a hundred  
17 and change left over for visitors or for anyone who wants  
18 a second spot. And that's assuming that everyone will  
19 want one to begin with.

20 MR. COSCHIGNANO: Yes. Maybe not.

21 MR. PEREIRA: At the very least, everyone that  
22 lives there and has a car has a designated spot. And  
23 there will be over a hundred spots that could be either  
24 sold off as second spots or used as visitor spots or for  
25 other purposes.

1 MR. COSCHIGNANO: Yes. We believe we have a  
2 lot of parking. And that's a good thing.

3 MR. PEREIRA: And no exit or entrance to the  
4 south on the little league -- in terms of vehicles?

5 MR. COSCHIGNANO: No.

6 MR. PEREIRA: Onto the Village parking lot.

7 MR. COSCHIGNANO: No.

8 MR. PEREIRA: How about a pedestrian exit?  
9 Will there be an emergency room exit or --

10 MR. COSCHIGNANO: None.

11 MR. STOVER: We don't have access from the  
12 south side of the south buildings. We do have fire  
13 emergency stairwells that come down to the east and west  
14 sides of those buildings. And the idea for egress would  
15 be to the side yard and out to Searing, not to the south  
16 side. We're keeping away from that use.

17 MR. PEREIRA: Thank you.

18 MR. WALSH: Before you walk away, Mr. Stover,  
19 in the other building at the Modera -- we took a tour  
20 there and several people have dogs in that building.  
21 Where do you plan on having the people -- I expect that  
22 you'll have dogs in this building. What provisions have  
23 you made for walking dogs? Do you have a spot?

24 MR. STOVER: Yes. We're land constrained so  
25 what we have at Modera is we put up little doggie bags.

1 MR. WALSH: I saw that.

2 MR. STOVER: We did that at the -- we did  
3 receive a letter from the Village Clerk, we addressed  
4 that right away.

5 You know, yes, these days we're finding that  
6 renters have dogs. And we are dog friendly. And we  
7 provide washrooms for dogs, we call them a pet spa. And  
8 it does get used. Likely, residents will walk their dogs  
9 on the streets. And we'll have provisions and  
10 accommodations to make sure that does not become an  
11 issue.

12 MR. WALSH: Thank you for putting those out.  
13 How many animals per unit --

14 MR. STOVER: That I can't project on the K-9  
15 population.

16 MR. WALSH: How many do you permit?

17 MR. STOVER: Oh, that's a good question. I  
18 don't know that we have a cap on the number of dogs that  
19 we permit. I imagine that we do in our rules and  
20 regulations. I can tell you that we have breed  
21 restrictions on certain dogs and heights and weights and  
22 that kind of things.

23 I can't tell you right here and say what our  
24 policy is on the total number of pets. But so far from  
25 our experience, we haven't seemed to have a problem.



1 MR. WALSH: I was surprised to see that you had  
2 a dog station. Do you charge extra to a tenant that has  
3 dogs or cats?

4 MR. STOVER: Yes.

5 MAYOR STRAUSS: Any other comments from the  
6 Board?

7 MR. COSCHIGNANO: I couldn't tell you how many  
8 school age dogs there will be. No more than 3.4 per 100  
9 units.

10 MAYOR STRAUSS: Anymore comments from the  
11 public?

12 MR. COLBERT: John Colbert, 167 Emory Road.  
13 I'm glad counsel got a sense of humor.

14 About the parking lot which is used for the MAA  
15 which is also used for commuter parking. I know now  
16 we've addressed the one car, which I had spoken about at  
17 the last meeting, but what happens with the second car  
18 and the people are using the \$55 a year parking space  
19 rather than giving a phenomenal fee which is probably  
20 more than 55 bucks a month for a second car?

21 MAYOR STRAUSS: We've looked at that since the  
22 first start of any of these buildings and what we can do  
23 with it. From year to date, there's one person from the  
24 Modera that has taken advantage of the \$55 per year  
25 commuter parking. We are currently going through --

1 we've commissioned a parking study of the entire Village  
2 with a focus of downtown. Specifically, looking to  
3 address that issue right now. So we are watching that  
4 like hawks.

5 MR. COLBERT: The only thing I was looking at  
6 was how close the parking lot is to the building -- the  
7 little league parking lot, how close it is to the  
8 apartment building versus where the Modera is or 250 Old  
9 Country Road. But I mean this is just really a crawl  
10 from the parking space to your apartment, so I don't know  
11 if it would be different or not.

12 MAYOR STRAUSS: We're looking --

13 MR. COLBERT: I'm looking at it for the little  
14 league moms coming in and not having a place to park.

15 MAYOR STRAUSS: We're already on top of that.

16 MR. DURHAM: That's why we want to make sure  
17 there's no entrance and exits towards that side of the  
18 building.

19 MAYOR STRAUSS: So we have to literally walk  
20 around the block the long way and come all the way back  
21 up again to make it inconvenient. So we're already on  
22 top of that.

23 MR. COLBERT: Thank you for your consideration.

24 MR. COSCHIGNANO: That was going to be my  
25 point. Yes. I would literally have to walk around the

1 block because of the no access. Also, we're pleased to  
2 say on behalf of Mr. Stover, we want to work with the  
3 Village to make sure that people are not abusing that  
4 privilege of buying those permits. And we were glad to  
5 hear from your efforts, letting us know that there was  
6 only one person from Modera who did that, so we would  
7 like to keep an eye on that as well.

8 MAYOR STRAUSS: We're not so sure that they  
9 moved in and did it or maybe they moved from Mineola and  
10 just transferred it to their new address, because there  
11 are Mineola people living there. So it could have been a  
12 whole host of things.

13 Folks, we're watching that. That's part of the  
14 traffic study that the Village Board has commissioned.  
15 And we're going to do everything we can to make sure the  
16 system is not abused.

17 MR. COSCHIGNANO: It mutually benefits both you  
18 and our client because our client wants to keep track of  
19 that as well and does not want, obviously, the Village  
20 upset and the people need to park. There's adequate  
21 parking that we're providing and they should be paying  
22 for the parking at the site.

23 MAYOR STRAUSS: Folks, again, that's why this  
24 Board made it the law that any apartment buildings going  
25 up need to include in their rent and the cost of their

1 monthly -- one parking spot because that's a law now.  
2 We're watching it and we're concerned about that also.

3 MR. COSCHIGNANO: We have nothing further,  
4 Mayor. Thank you.

5 MAYOR STRAUSS: Anything else from the public?  
6 Anything else from the Board?

7 MR. PEREIRA: Just two things, Mayor, that I  
8 want to address because the public doesn't have access to  
9 things that we have here.

10 On the same page that we were just referencing,  
11 there's also something that says -- and obviously we know  
12 that these buildings are bringing in more water but for  
13 those of you that have been watching for the last several  
14 years have noticed that we also along with the parking  
15 study we've commissioned a water study to our engineers,  
16 DMB Engineering. And that in fact the report has  
17 indicated that we are in good shape for our water  
18 consumption for the foreseeable future.

19 Before I ask the question, I just wanted to  
20 make sure that we had the accurate numbers and that we  
21 are all on the same page. But on that very same page it  
22 does reference the report which is called Evaluation and  
23 Distribution of Proposed Improvements and Future  
24 Developments which we have DMB do.

25 The second thing, as we all do, we live here

1 and we certainly know Willis Avenue. And the point that  
2 Mr. Cusato brought up earlier this evening is absolutely  
3 valid. It's valid today without that building existing.  
4 It's valid today with that school closed. It was valid  
5 ten years ago when the school was in operation.

6 I would argue, and I'm not an engineer and this  
7 is not a scientific argument, I would argue that if we do  
8 develop this property that it gives us more weight to  
9 lobby the state and the county to disconnect that light.

10 I would lobby that this in fact gives us a  
11 better position to fix that problem not just for this  
12 building but fix the problem that exists without the  
13 building.

14 MR. CUSATO: Great point.

15 MR. PEREIRA: I think if we go to the county,  
16 and if we go to the state, and if we go to the railroads  
17 and we say we have these new buildings and these new  
18 residents who invested a lot, we have developers that  
19 have invested a lot, we have residents that have been  
20 suffering long enough. And I think you get us to a  
21 certain point where when you reach a certain critical  
22 mass you actually can move things like government, at  
23 least we hope. So that's my -- I'm not saying that based  
24 on any scientific or inside knowledge, but just from a  
25 commonsense point of view, if we do nothing, that light

1           probably does not get changed, that's my point.

2           MR. CUSATO: Great point.

3           MAYOR STRAUSS: We're on that fight. Any other  
4           comments from the Board? Obtain a motion to approve?

5           MR. WALSH: I'll offer the motion.

6           MAYOR STRAUSS: Motion by Trustee Walsh. Do I  
7           have a second.

8           MR. PEREIRA: Second.

9           MAYOR STRAUSS: Second by Trustee Pereira.

10          Mr. Scalero, pole the Board.

11          MR. SCALERO: Yes, sir.

12          Trustee Durham?

13          MR. DURHAM: Yes.

14          MR. SCALERO: Trustee Pereira?

15          MR. PEREIRA: Yes.

16          MR. SCALERO: Trustee Cusato?

17          MR. CUSATO: You know I have my concerns, but  
18          I'm voting yes.

19          MR. SCALERO: Trustee Walsh?

20          MR. WALSH: No concerns. Yes.

21          MR. SCALERO: Mayor Strauss?

22          MAYOR STRAUSS: Yes.

23          Gentlemen, congratulations.

24          MR. COSCHIGNANO: On behalf of the applicant  
25          and on behalf of Monsignor Batule, thank you very much

1 for all of your efforts and for placing all your  
2 confidence --

3 THE COURT: I'd just like to thank everyone  
4 that participated in the hearings. These hearings  
5 shouldn't be taking lightly and I appreciate everybody's  
6 comments at not only at these hearings but at previous  
7 hearings. When we ask for your input we actually want  
8 it. And it's a good thing that you guys are down here  
9 tonight and you take an active part in this and what we  
10 do here. As Mr. Pereira mentioned earlier, we're  
11 residents here too. We're not looking to harm this  
12 Village, we're here to make it even better than it was  
13 and better than it is and stronger than it is. It seems  
14 that we're on the right track. Although we need to take  
15 a little breather from time to time and this might be one  
16 of those times.

17 Thank you, folks for coming. Have a great  
18 night. Good luck.

19 Motion to close the hearing?

20 MR. PEREIRA: Aye.

21 MAYOR STRAUSS: Trustee Pereira. Second?

22 MR. WALSH: Second.

23 MAYOR STRAUSS: All in favor?

24 MR. DURHAM: Aye.

25 MR. PEREIRA: Aye.

1 MR. CUSATO: Aye.

2 MR. WALSH: Aye.

3 MAYOR STRAUSS: Any opposed?

4 Folks, we'll be out momentarily to continue our  
5 work session.

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

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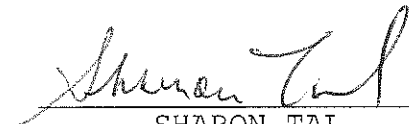
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SHARON TAL  
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