

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE
BOARD OF TRUSTEES

November 9, 2016
6:30 o'clock p.m.

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VILLAGE OF MINEOLA
2016 NOV 30 P 1:09

B e f o r e:

SCOTT P. STRAUSS,
Mayor
PAUL A. PEREIRA, Deputy Mayor
PAUL S. CUSATO,
GEORGE R. DURHAM,
DENNIS J. WALSH,
Trustees.

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

* * *

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 MAYOR STRAUSS: Evening, ladies and gentlemen.

6 THE COURT: Mr. Scalero?

7 MR. SCALERO: Yes.

8 "Legal Notice, Public Hearing, Incorporated
9 Village of Mineola.

10 "Please take Notice that the Board of Trustees
11 of the Incorporated Village of Mineola will hold a Public
12 Hearing on Wednesday, November 9, 2016 at 6:30 p.m. at
13 the Village Hall, 155 Washington Avenue, Mineola, New
14 York 11501, or at some other location to be hereafter
15 designated by the Board of Trustees, in order to receive
16 public comment upon the following:

17 "Application of Kaidi Gou for a Special Use
18 Permit pursuant to Chapter 550 of the Code of the
19 Incorporated Village of Mineola, entitled 'Zoning',
20 Section 550.12, entitled 'B-1 Districts', Subsection (B),
21 entitled 'Special Uses', for the purpose of establishing
22 a discount store with the sale of prepackaged foods and
23 beverages upon the property known as 155 Jericho
24 Turnpike, Mineola, New York, known and designated on the
25 Nassau County Land and Tax Map as Section 9, Block 405,

1 Lot 156.

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

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

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

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

16 "Dated October 3, 2016."

17 MAYOR STRAUSS: Thank you.

18 Mr. Whalen, report on mailings?

19 MR. WHALEN: Yes, Mayor. I have the signed
20 Affidavit of Mailing, as well as the radius map with the
21 registered 400-foot radius, indicating that the applicant
22 has in fact made his first class mailing as of the 24th
23 of October of this year.

24 MAYOR STRAUSS: Thank you.

25 Mr. Gibbons?

1 MR. GIBBONS: Yes, Mayor.

2 The Nassau County Planning Commission has
3 reviewed this application and recommended local
4 determination.

5 I would ask for a SEQRA designation of a Type
6 II Action for this application.

7 MAYOR STRAUSS: Motion?

8 MR. PEREIRA: Motion.

9 MR. CUSATO: Second.

10 MAYOR STRAUSS: Motion by Trustee Pereira.
11 Second by Trustee Cusato.

12 All in favor?

13 MR. DURHAM: Aye.

14 MR. PEREIRA: Aye.

15 MR. CUSATO: Aye.

16 MR. WALSH: Aye.

17 MAYOR STRAUSS: Aye.

18 Anyone opposed?

19 Carried. Thank you.

20 Ladies and gentlemen, this will be the format
21 for this evening's meeting. The applicant will make
22 their presentation. Come up to the podium. He will
23 state his case and there will be an interaction with the
24 Board at which time, after that, we will open it up to
25 any public comment.

1 I ask anyone coming to the podium to please
2 speak clearly and slowly for the reporter, and state your
3 name and your address.

4 Sir?

5 MR. GUO: Good evening, everyone.

6 MAYOR STRAUSS: Good evening.

7 MR. GUO: My name is Kaidi Gou, from Good Luck
8 Discount Store, 155 Jericho Turnpike.

9 I found the location on Jericho Turnpike in
10 Mineola, and I want to serve the community as well. When
11 I came to Mineola in September and opened my store I did
12 not realize that I need Special Use Permit in order to
13 sell prepackaged food, water and drinks.

14 Unfortunately, I can not survive without the
15 ability to sell such items. I have already had nearly
16 every customer ask me: Where is the candy and the
17 cookies, water and the drinks are located. They are all
18 surprised when I told them that I am not permitted to
19 sell such items.

20 I have also received the very positive feedback
21 about my store from Mineola residents. The residents are
22 happy with how large, how clean and how organized
23 discount store my store is. It's a very classy store. I
24 have great products, and keeping that way.

25 There have been no issues with parking,

1 deliveries, garbage and anything else. We note the
2 shipping department deliver to us earlier in the morning,
3 before the rush hour.

4 If I'm granted the Special Use Permit we will
5 service the community even better. I'm happy to be part
6 of Mineola community and look to serve the community.

7 Thank you so much, everybody.

8 MAYOR STRAUSS: Thank you, sir. I greatly
9 appreciate you selecting Mineola to put your business in.

10 What hours are you going to be working?

11 What hours is your store open?

12 MR. GUO: Store open 9:00 to 8:00.

13 MAYOR STRAUSS: Every day?

14 MR. GUO: 9:00 a.m. to --

15 THE COURT: 8:00 p.m.?

16 MR. GUO: -- 8:00 p.m. Not every day. Sunday
17 we close earlier, 7:00 p.m.

18 MAYOR STRAUSS: So Monday through Saturday
19 you're going to be open till 8:00, Sunday you close at
20 7:00?

21 MR. GUO: Yes, we close 7:00.

22 THE COURT: How many people do you have working
23 in the store?

24 MR. GUO: We have three people working there.

25 MAYOR STRAUSS: So where do you live?

1 MR. GUO: I live in Queens.

2 MAYOR STRAUSS: Queens. Flushing?

3 MR. GUO: Yes.

4 MAYOR STRAUSS: OK. Mr. Pereira?

5 MR. PEREIRA: Thank you.

6 I don't have any questions. I just want to
7 commend you on choosing Mineola, and we wish you luck.
8 We're glad there's another store on Jericho Turnpike that
9 is no longer empty. And from what I can see it does look
10 like it is a clean store. And so I hope that you have
11 great success here.

12 Thank you so much.

13 MR. GUO: Thank you so much. You're welcome.

14 MAYOR STRAUSS: Trustee Cusato?

15 MR. CUSATO: Thank you.

16 Good evening, sir.

17 MR. GUO: Good evening.

18 MR. CUSATO: I don't have an issue here, but I
19 do have some questions.

20 There's four applications that have a signature
21 on them. Two of them have a Glen Head address and two of
22 them have an Oakland Gardens address. So what's the
23 correct address here?

24 MR. GUO: 155 Jericho Turnpike.

25 MR. CUSATO: No. These forms here. There was

1 a form here. I have a --

2 MR. PEREIRA: The property owner?

3 MR. CUSATO: I don't know.

4 (Off the record discussion ensued.)

5 MR. CUSATO: Oakland Gardens?

6 MR. GUO: That's my home address.

7 MAYOR STRAUSS: You live in Oakland Gardens?

8 MR. GUO: Yes.

9 MR. CUSATO: OK. Fine. That's what I'm
10 asking.

11 MR. GUO: Thank you so much.

12 MR. CUSATO: But now, you want to do food and
13 beverage, but you have the sign outside your building and
14 the electronic scrolling sign says school and office
15 supplies, party and gift supplies, and hardware and
16 housewares.

17 So are you going to change that sign to show
18 food and beverages, or . . .

19 MR. GUO: I think that with that sell the
20 package food, like certain items as cookies, candies, and
21 that's part of the party supplies. We're not going to
22 change the sign.

23 MR. CUSATO: So how would I know that you're
24 doing cookies? I wouldn't know -- again, I have no
25 problem here, but how would I know if you're doing

1 cookies if I see -- how would I know that party supplies
2 means cookies? Just as a point of information, how would
3 I know that?

4 MR. GUO: I think the candy, cookies, the
5 people doing parties, they need those, those foods,
6 packaged foods and the drinks. So this is part of the
7 party supply.

8 MR. CUSATO: OK. And I think we may have an
9 issue. I don't think the Village of Mineola allows
10 scrolling signs inside --

11 THE COURT: Right --

12 MR. CUSATO: -- inside your building. You may
13 not need -- we may stop you from doing that.

14 Mayor?

15 THE COURT: Yes. Apparently the sign you have
16 inside your store up against the glass doesn't conform to
17 our building code. So we'll have that addressed with the
18 Building Department.

19 MR. GUO: We have a sign permit. I applied the
20 sign permit already.

21 MAYOR STRAUSS: We just need to work with you
22 to make sure that your signs conform to the code. So
23 we'll have somebody stop by and address that. OK?

24 MR. GUO: OK. We will do that.

25 MAYOR STRAUSS: Yes. We'll work with you.

1 MR. CUSATO: Again, I have no issue. I just
2 want to make sure you understand.

3 That's it, Mayor.

4 Thank you so much.

5 MR. GUO: Thank you so much.

6 MR. CUSATO: Thank you.

7 MAYOR STRAUSS: You're welcome.

8 Trustee Durham?

9 MR. DURHAM: My only question is, you said the
10 food is for the party supplies. So is it just bulk
11 supplies, or is it somebody just walks in, stops in,
12 grabs a soda and some candy, or is it for the parties
13 where they give big bags, pinatas and different things
14 like that?

15 MR. GUO: Yes. Well for the people that walk
16 in that maybe they thirsty. They want to buy a soda, a
17 water. For those people.

18 MR. DURHAM: So you'll have, like, the coolers
19 so they can have cold drinks.

20 MR. GUO: Yes.

21 MR. DURHAM: That's my only question.

22 MAYOR STRAUSS: Thank you.

23 Mr. Walsh?

24 MR. WALSH: Yes. Thank you.

25 Mr. Gou, how are you? Good evening.

1 MR. GUO: I'm good. Thank you so much.

2 MR. WALSH: I have a few questions for you.

3 Now, you're going to work 9:00 a.m. to 9:00
4 p.m., and you said that your deliveries come early in the
5 morning; is that correct?

6 MR. GUO: Yes.

7 MR. WALSH: When do you have -- now all your
8 deliveries come in the morning, or do you have trucks
9 that deliver things later on in the day, or is it just
10 all in the morning?

11 MR. GUO: Just the morning. Everything. I ask
12 them coming earlier morning, before the rush hour. When
13 I have delivery I come to open my store. They deliver to
14 me.

15 MR. WALSH: So what time do you usually arrive
16 at the store?

17 MR. GUO: Sometimes I actually 7:00 o'clock,
18 between 7:00 to 7:30. Yes.

19 MR. WALSH: Thank you.

20 How many other stores do you own?

21 MR. GUO: I own two stores.

22 MR. WALSH: So you own two in addition to this,
23 or two in total?

24 Do you own one other store besides this store,
25 or two other stores besides this store?

1 MR. GUO: I own one besides this.

2 MR. WALSH: OK. So two.

3 And where is that located? What is the address
4 of that location?

5 MR. GUO: It's 138 Rockaway Avenue, Valley
6 Stream.

7 MR. WALSH: I'm sorry. Say it again.

8 MR. GUO: Valley Stream.

9 MR. WALSH: I didn't get the address. Tell me
10 the address, please.

11 MR. GUO: 138 Rockaway Avenue.

12 MR. WALSH: Rockaway Avenue.

13 MR. GUO: 138 Rockaway Avenue. Zip code 11580.

14 MR. WALSH: Thank you. OK. So this is not the
15 first time.

16 And the only other thing I'd like to ask,
17 Mr. Whalen, if you don't mind, just for the record, can
18 you identify what he's not allowed to have in the window
19 as far as these flashing lights and everything else?

20 MR. WHALEN: To some extent I can explain it.
21 I don't have the code in front of me. But anything that
22 scrolls, flashes, or may be a distraction to motor
23 vehicle operators, pedestrians, maintained inside the
24 store, that's fine, but you can not have it facing out
25 towards the public space.

1 MR. WALSH: OK. Thank you.

2 MR. CUSATO: Because you also have dancing
3 lights around one of the windows as well. Scrolling --

4 MR. GUO: Inside the window.

5 MR. WALSH: Yes.

6 MR. CUSATO: Yes.

7 MR. WALSH: So if you just heard, what the
8 Building Inspector said was that anything that would
9 distract from somebody driving by, like seeing a flashing
10 light, like this, and it catches their eye while they're
11 driving is not permitted in Mineola.

12 MR. GUO: Oh.

13 MR. WALSH: If you understand that.

14 And they'll speak to you about it.

15 MR. GUO: Oh. I take it off tonight.

16 MAYOR STRAUSS: Thank you. Thank you.

17 MR. GUO: I take it off. If this is --

18 MR. WALSH: OK. Thank you very much. I have
19 no more questions.

20 MR. PEREIRA: You're allowed to have lit signs
21 if they're fixed, if they don't change, you know, if they
22 don't flash or move. So you're allowed to have LED
23 signs. They just can't be a distraction. But Mr. Whalen
24 or somebody from the Building Department will stop by
25 your store and clear it all up. You don't have to go

1 take anything down tonight, I don't think. That's OK.
2 We'll come see you.

3 MR. GUO: I change it to the LED white light
4 that's not shiny.

5 MR. PEREIRA: Right. That's OK. But
6 Mr. Whalen will stop in.

7 MAYOR STRAUSS: Yes, our Building Department
8 will come by and work with you to make sure that
9 everything is OK.

10 MR. GUO: Thank you so much.

11 MAYOR STRAUSS: You're very welcome, sir.

12 Anything else?

13 MR. GUO: Anything I did wrong, just let me
14 know. I fix it. I have experience to do this kind of
15 store, so no problem. I like to follow the law.

16 MAYOR STRAUSS: Yes. We appreciate that.
17 Thank you very much.

18 MR. CUSATO: Thank you.

19 MAYOR STRAUSS: Anything else, Mr. Walsh?

20 MR. WALSH: No. Thank you. That's all.

21 MAYOR STRAUSS: Sir, where do you put your
22 garbage? Do you put it out front in the morning, or the
23 night before?

24 MR. GUO: In the morning, before they coming,
25 we put out.

1 MAYOR STRAUSS: OK. That's greatly
2 appreciated.

3 MR. GUO: Because they pick garbage during --
4 around 10:00 o'clock. But we open night. So we don't
5 bring out the garbage at night. In the morning.

6 MAYOR STRAUSS: I greatly appreciate that.
7 Thank you very much.

8 And if you could, we'll get you a copy of the
9 garbage pick up schedule so you don't put it out
10 expecting it to be picked up and it's not because it's a
11 holiday. So we like to try to keep the streets as clean
12 as we possibly can, and it sounds like you're going to
13 work with us with that. So thank you.

14 MR. GUO: You're welcome.

15 MAYOR STRAUSS: Do you sell any vape products
16 in your store?

17 MR. GUO: What?

18 MAYOR STRAUSS: Vape, the vaporizers and
19 things?

20 That's against our code. I want to make sure
21 that you're in compliance with that.

22 MR. GUO: What kind of stuff? I'm sorry.

23 MR. WALSH: Smoking.

24 MAYOR STRAUSS: Smoking. Vape.

25 MR. GUO: No. We don't sell any of that. We

1 don't sell it.

2 MAYOR STRAUSS: All right. Thank you very
3 much.

4 Any other comments from the Board?

5 MR. WALSH: No thanks.

6 MAYOR STRAUSS: OK. Sir, have a seat.

7 MR. GUO: Thank you so much.

8 MAYOR STRAUSS: At this time I'm going to open
9 up to public comment. I ask anybody wishing to speak to
10 please approach the podium, state your name and address
11 for the record, and speak clearly.

12 Anybody in the first row? Second row? Third
13 row? Fourth row?

14 Yes, ma'am? Would you like to speak?

15 MS. RETTALIATA: Yes. Hi.

16 MAYOR STRAUSS: How are you?

17 MS. RETTALIATA: Good. How are you?

18 Sorry I came so late. I was -- something with
19 the computer.

20 Sheila Rettaliata, 4 Jay Court.

21 I'll try to make this short. As you all know,
22 we were unable to have the Mineola Street Fair --

23 MAYOR STRAUSS: Ma'am, this is a hearing on the
24 gentleman's store.

25 MS. RETTALIATA: Oh. I'm sorry. I thought it

1 was just public comment.

2 MAYOR STRAUSS: No. That's next week.

3 MS. RETTALIATA: That's next week?

4 MAYOR STRAUSS: That's next week.

5 MS. RETTALIATA: Can you help me understand?

6 Is that once a month, the general meeting?

7 MAYOR STRAUSS: Twice a month, the first and
8 third. The second is for hearings.

9 MS. RETTALIATA: Thank you. See you later.

10 MAYOR STRAUSS: Thank you very much.

11 Anybody else in the fourth row, or fifth row?

12 Sixth row? Seventh row?

13 OK. Sir?

14 Mr. Gibbons, is there anything?

15 MR. GIBBONS: No.

16 MAYOR STRAUSS: Anyone else have any comments?

17 I'll entertain a motion from the Board to

18 approve.

19 MR. PEREIRA: Motion.

20 MAYOR STRAUSS: Motion by Trustee Pereira.

21 Second?

22 MR. WALSH: Second.

23 MAYOR STRAUSS: By Trustee Walsh.

24 Mr. Scalero?

25 MR. SCALERO: Yes, sir.

1 Trustee Durham?

2 MR. DURHAM: Yes.

3 MR. SCALERO: Trustee Pereira?

4 MR. PEREIRA: Yes.

5 MR. SCALERO: Trustee Cusato?

6 MR. CUSATO: Yes, as long as they conform to
7 the lighting code. Yes.

8 MR. SCALERO: Trustee Walsh?

9 MR. WALSH: Yes.

10 MR. SCALERO: Mayor Strauss?

11 MAYOR STRAUSS: Yes.

12 Sir, congratulations. You'll get notified from
13 our Building Department. They're going to stop by and
14 work out the arrangements with the sign and make sure
15 that you're in code and in compliance with what we
16 require.

17 MR. GUO: Thank you so much.

18 MAYOR STRAUSS: Thank you. Have a great
19 evening.

20 MR. CUSATO: Thank you.

21 MR. PEREIRA: Thank you.

22 MAYOR STRAUSS: Welcome to Mineola. Thank you
23 so much.

24 MR. GUO: Thank you so much.

25 MAYOR STRAUSS: OK. I'll entertain a motion to

1 close.

2 MR. PEREIRA: Motion.

3 MAYOR STRAUSS: Motion by Trustee Pereira.

4 Second?

5 MR. DURHAM: Second.

6 MAYOR STRAUSS: By Trustee Durham.

7 All in favor?

8 MR. DURHAM: Aye.

9 MR. PEREIRA: Aye.

10 MR. CUSATO: Aye.

11 MR. WALSH: Aye.

12 MAYOR STRAUSS: Aye.

13 Any opposed?

14 Carried.

15 * * *

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

19 * * *

20 
21 PATRICIA A. TAUBER, RPR
22 OFFICIAL COURT REPORTER
23
24
25