

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE  
BOARD OF TRUSTEES

February 10, 2016  
6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,

Mayor

PAUL A. PEREIRA,

Deputy Mayor

PAUL S. CUSATO,

GEORGE R. DURHAM,

DENNIS J. WALSH,

Trustees.

\* \* \*

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

\* \* \*

DANIEL WHALEN  
Superintendent of Buildings

JOSEPH R. SCALERO  
Village Clerk

\* \* \*

PATRICIA A. TAUBER, RPR  
Official Court Reporter

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INC VILLAGE OF MINEOLA

RECEIVED

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: OK. Good evening, ladies and  
6 gentlemen.

7 Mr. Scalero, the floor is yours.

8 MR. SCALERO: Yes, sir.

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

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

18 "Application of AV Zinus Corp. for a Special  
19 Use Permit pursuant to Chapter 550 of the Code of the  
20 Incorporated Village of Mineola, entitled 'Zoning',  
21 Section 550.12, entitled 'B-1 Districts', Subsection (B),  
22 entitled 'Special Uses', for the purpose of establishing  
23 a discount store with the sale of prepackaged food and  
24 beverages upon the property known as 500 Jericho  
25 Turnpike, Mineola, New York, known and designated on the

1 Nassau County Land and Tax Map as Section 9, Block 7,  
2 Lots 32, 131.

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

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

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

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

17 "Dated January 6, 2016."

18 MAYOR STRAUSS: Thank you.

19 Mr. Whalen, report on the mailings?

20 MR. WHALEN: Yes, sir, Mayor.

21 The radius map and the Affidavit of Mailing are  
22 in order.

23 MAYOR STRAUSS: Thank you.

24 Mr. Gibbons, anything?

25 MR. GIBBONS: Yes. I'd ask for a resolution

1 designating this a Type II action.

2 MAYOR STRAUSS: Motion?

3 MR. PEREIRA: Motion.

4 MAYOR STRAUSS: Motion by Trustee Pereira.  
5 Second?

6 MR. CUSATO: Second.

7 MAYOR STRAUSS: By Trustee Cusato.  
8 All in favor?

9 MR. DURHAM: Aye.

10 MR. PEREIRA: Aye.

11 MR. CUSATO: Aye.

12 MR. WALSH: Aye.

13 MAYOR STRAUSS: Aye.

14 Opposed?

15 Carried.

16 OK, ladies and gentlemen, this will be the  
17 format for this evening's meeting. The applicant will  
18 make its presentation. Once the presentation is complete  
19 they'll interact with the Board, and then we'll open up  
20 for public comment.

21 I ask anyone who approaches the podium to  
22 please speak clearly, state your name and your address  
23 for the record.

24 Please, sir.

25 MR. THAPAR: Good evening, Honorable Mayor,

1 trustees, and everybody else in this hall. My name is  
2 Sandeep Thapar. I reside at 84-04 256th Street, Floral  
3 Park, New York 11001.

4 My friend here, Pushpraj, opened a 99 cent  
5 store sometime in the middle of December and we seek  
6 permission to sell prepackaged food which will comprise  
7 of candies, chewing gums, cookies, chips and beverages,  
8 which is water and soda. So we seek permission to let us  
9 sell those products at our premises. We do not intend to  
10 do any cooking on the premises at all.

11 MAYOR STRAUSS: Where does the sanitation get  
12 picked up? Where do you store the garbage?

13 MR. THAPAR: Well, the store garbage, we have a  
14 dumpster in our parking lot. We use that. And we, of  
15 course, use the sidewalk over there. The city picks up  
16 the garbage. It's mainly cartons, because we get all the  
17 merchandise in cartons. And that's all the garbage that  
18 we have to dispose of.

19 MAYOR STRAUSS: Theoretically you'll have some  
20 left over food that you'll be throwing out, if it's  
21 approved tonight, stuff that gets expired.

22 MR. THAPAR: The food which will be expired?

23 MAYOR STRAUSS: Yes.

24 MR. THAPAR: Well, the chips and all those  
25 things do carry an expiring date, and of course if it

1 does expire on the shelf. We will be taking it off.

2 MAYOR STRAUSS: All right. So you'll put it in  
3 the dumpster next to the store?

4 MR. THAPAR: I mean, we're not selling anything  
5 at the moment which expires.

6 MAYOR STRAUSS: If you do. If you're  
7 successful this evening.

8 MR. THAPAR: Yes. If we do, we have a dumpster  
9 on the premises.

10 MAYOR STRAUSS: You have a dumpster on the  
11 premises.

12 MR. THAPAR: Yes.

13 MAYOR STRAUSS: Mr. Pereira?

14 MR. PEREIRA: Thank you.

15 Good evening, sir.

16 Just to be clear, this is where the old  
17 Blockbuster was, behind Panera?

18 MR. THAPAR: Yes.

19 MR. PEREIRA: Which was also a 99 cent store.

20 MR. THAPAR: There was a 99 cent store.

21 MR. PEREIRA: And it became a puppy store for  
22 about two months.

23 MR. THAPAR: Yes.

24 MR. PEREIRA: So you're essentially looking to  
25 just run a similar operation to the operation that was

1 there prior to the puppy mill, for lack of a better word.

2 MR. THAPAR: Yes.

3 And I just would like to point out here that  
4 that store also had sought permission to sell and was  
5 granted that permission.

6 MR. PEREIRA: Absolutely. I have no problem  
7 whatsoever. It used to be a Blockbuster for many, many,  
8 many years. And it was a puppy mill for quite a while.  
9 And we approved a 99 cent store.

10 So essentially you're looking for the same  
11 conditions that were permitted under that application for  
12 that business.

13 MR. THAPAR: Yes.

14 MR. PEREIRA: Thank you, sir.

15 I have no problem with it.

16 MAYOR STRAUSS: Thank you.

17 Mr. Cusato?

18 MR. CUSATO: Thank you.

19 Good evening, sir.

20 When I see prepackaged food I'm thinking  
21 sandwiches wrapped up in cellophane, you know, cuts of  
22 watermelon in plastic bowls. You're not doing that?

23 MR. THAPAR: No. No. No. We are not selling  
24 any raw vegetables or foods. We do not intend to sell  
25 any sandwiches. We mainly are doing it as a prepackage,

1 which would be, as I mentioned, the chips and candies,  
2 the cookies.

3 MR. CUSATO: OK. Because I was in your store  
4 today. I see there's absolutely no refrigeration in the  
5 store.

6 MR. THAPAR: We don't intend to sell any  
7 sandwiches or anything which is -- not even the  
8 prepackage of frozen food. No. We don't even intend to  
9 sell that.

10 MR. CUSATO: OK. If you're selling soda, I  
11 guess you're going to sell soda in like a 24-pack soda or  
12 something? You're not going to sell soda, like, because  
13 it's not going to be cold, right? The soda is not going  
14 to be cold.

15 MR. THAPAR: No. We intend to sell soda in  
16 packages which is --

17 MR. CUSATO: Like 24 cans in a case, something  
18 like that.

19 MR. THAPAR: Yes. We intend to sell it that  
20 way. We also intend to sell it -- put it in the  
21 refrigerator, single pieces. A single piece. If  
22 somebody wants to buy just one piece to be used right  
23 away, we do intend to sell with putting up two or three  
24 refrigerators and that would only have the sodas and the  
25 water.



1 MR. CUSATO: So you will eventually put  
2 refrigerators in there?

3 MR. THAPAR: Yes. We will be putting a  
4 refrigerator to sell those single items.

5 MR. CUSATO: OK. So in other words, there will  
6 be no food in this refrigerator, just --

7 MR. THAPAR: No.

8 MR. CUSATO: -- soda, cans of soda and water,  
9 etcetera.

10 MR. THAPAR: Just the soda and water.

11 MR. CUSATO: OK. Thank you.

12 MAYOR STRAUSS: Mr. Durham?

13 MR. DURHAM: That was one of my questions. Is  
14 it going to be, like, one of the Pepsi or Coke with  
15 deliveries by, like, a distributor, or is it going to be  
16 you purchasing the soda in bulk and putting it into  
17 refrigerators? How were you planning on working that?

18 MR. THAPAR: We intend to work with either  
19 Pepsi or Coca-Cola, with their refrigerator, and they  
20 will give us the supplies, replenish it for us, and we  
21 make payments.

22 MR. DURHAM: OK. So then you're going to have  
23 a Pepsi truck, or whatever, making deliveries. Is there  
24 -- there's enough room for the truck to come off of  
25 Jericho Turnpike and they can make the deliveries in the

1 parking lot?

2 MR. THAPAR: Yes. We have a parking lot which  
3 is pretty large. Actually, a little bigger than the  
4 store, maybe. It's about 6,500 square feet store. It's  
5 a pretty large -- we can get our deliveries there.

6 MR. DURHAM: So your deliveries now are coming  
7 into the parking lot. They're not going to be delivered  
8 on Jericho Turnpike.

9 MR. THAPAR: Yes. They will be delivered in  
10 the parking lot. Not on the road, no. Inside the  
11 parking lot.

12 MR. DURHAM: OK. It's basically the same thing  
13 that was already there. So I have no further questions.

14 MAYOR STRAUSS: Thank you.

15 Mr. Walsh?

16 MR. WALSH: Yes. Thank you, Mayor.

17 Hello. How are you, sir?

18 MR. THAPAR: Good, sir.

19 MR. WALSH: You know I, too, was in your store  
20 today. You have a very clean store. For a 99 cent and  
21 up store, you have a tremendous amount of products. You  
22 don't have narrow little aisles. You have wide open  
23 aisles. I think it's a very nice looking store.

24 MR. THAPAR: Thank you, sir.

25 MR. WALSH: You do not currently sell any of

1 these products that you're speaking about tonight, that  
2 you're requesting to sell?

3 MR. THAPAR: No. We are not currently selling.

4 MR. WALSH: I didn't see any.

5 MR. THAPAR: No.

6 MR. WALSH: And what part of the store will you  
7 be putting your refrigeration units in?

8 MR. THAPAR: We intend -- the candies, the  
9 chewing gum?

10 MR. WALSH: No. No. No. The cold units that  
11 will keep the soda cold, these refrigerator units, where  
12 do you intend to put them inside the store? Just  
13 describe it for me, or maybe you don't know.

14 MR. THAPAR: You went into our store.

15 MR. WALSH: Yes.

16 MR. THAPAR: And thanks for appreciating our  
17 effort there.

18 As we enter the store on the left-hand side is  
19 a counter and next to it, towards the end, is where we  
20 have the outlets for the refrigerators. And we  
21 originally left that space for that purpose.

22 MR. WALSH: OK. And are you affiliated with  
23 any of the previous 99 cent store owners that were in  
24 that property, because there have been a few.

25 MR. THAPAR: Affiliated to owners?

1 MR. WALSH: To any previous owners at that  
2 property.

3 MR. THAPAR: No.

4 MR. WALSH: OK. Thank you.

5 I just want to say that you have a very nice  
6 size parking lot. It's a nice looking business inside.  
7 I'm sure you're getting many deliveries already inside  
8 the parking lot.

9 Do you have deliveries now made mostly with  
10 vans and box trucks, or any kind of large vehicles making  
11 your deliveries?

12 MR. THAPAR: Well, it's mainly vans, the larger  
13 vans. Not very large trucks and not very small ones, but  
14 the mid-size.

15 MR. WALSH: So, there's so many products in  
16 that store already. I've been in and out. I've never  
17 seen a problem over there, and I think that you have a  
18 very clean operation.

19 Thank you, Mayor. That's all.

20 Thank you, sir.

21 MR. THAPAR: Thank you very much, sir.

22 MAYOR STRAUSS: Any other comments from the  
23 Board?

24 MR. PEREIRA: Yes. Just a couple of questions.  
25 Doesn't really have anything to do with the Special Use

1 Permit that you're seeking, but -- and you are already  
2 open, but what are your hours of operation?

3 MR. THAPAR: I'm sorry?

4 MR. PEREIRA: Your hours of operation.

5 MR. THAPAR: We are open 9:00 to 9:00 Monday to  
6 Saturday and 9:00 to 8:00 on Sundays.

7 MR. PEREIRA: OK. So you're open seven days a  
8 week.

9 How many employees?

10 MR. THAPAR: Right now we have three employees  
11 and he, himself, of course, is at the store. So we are  
12 practically four people at the store at any time.

13 MR. PEREIRA: OK. Very nice.

14 Thank you.

15 MR. WALSH: Just one comment I want to make  
16 also.

17 As I walked through the store I did see people,  
18 employees, in the aisles there looking to, you know,  
19 available for customers to ask questions. Many times you  
20 go in stores and you can't find a clerk to help you. So  
21 I was surprised to see that you had so many people, you  
22 know, compared to -- I think you run a clean operation.  
23 Very nice.

24 MR. THAPAR: Thank you very much, sir.

25 MAYOR STRAUSS: Anything else, sir?

1 MR. THAPAR: No.

2 MAYOR STRAUSS: OK. Great. I ask that you  
3 take a seat. We'll open up to public comment, and then  
4 we'll hear the comments from the public, and then we'll  
5 bring you back up.

6 MR. THAPAR: OK. Thank you very much, sir.

7 MAYOR STRAUSS: Anybody in the second row  
8 wishing to speak? Third row? Fourth row?

9 Don't go too far.

10 Fifth row? Sixth row? Seventh row? Anybody  
11 at all?

12 Sir, come on back up. Come on back up. Don't  
13 go too far.

14 I don't see a reason why not to approve this.  
15 So I'll entertain a motion to approve. And I wish you  
16 the best of luck. Thank you for running the clean  
17 operation that you do. And I hope that you get involved  
18 in the community, as I mentioned last time when they were  
19 here to open up the business, I believe. Get involved in  
20 the Chamber of Commerce. It's a great organization here  
21 in the Village. It will help you and it will certainly  
22 help us.

23 I'll entertain a motion to approve.

24 MR. WALSH: I'll make the motion.

25 MAYOR STRAUSS: Motion by Trustee Walsh.

1 Do I have a second?

2 MR. PEREIRA: Second.

3 MAYOR STRAUSS: Second by Trustee Pereira.

4 Mr. Scalero?

5 MR. SCALERO: Yes, sir.

6 Trustee Durham?

7 MR. DURHAM: Yes.

8 MR. SCALERO: Trustee Pereira?

9 MR. PEREIRA: Yes.

10 MR. SCALERO: Trustee Cusato?

11 TRUSTEE CUSATO: Yes.

12 MR. SCALERO: Trustee Walsh?

13 MR. WALSH: Yes.

14 MR. SCALERO: Mayor Strauss?

15 MAYOR STRAUSS: Yes.

16 Congratulations.

17 MR. THAPAR: Thank you very much.

18 MR. ZINUS: Thank you.

19 MR. PEREIRA: Good luck.

20 \* \* \*

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25

1 THE COURT: Mr. Scalero?

2 MR. SCALERO: Yes.

3 "Legal Notice, Public Hearing, Incorporated  
4 Village of Mineola.

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

12 "Application of Xin Zhang for a Special Use  
13 Permit pursuant to Chapter 550 of the Code of the  
14 Incorporated Village of Mineola, entitled 'Zoning',  
15 Section 550.12, entitled 'B-1 Districts', Subsection (B),  
16 and Section 550.16, entitled 'M Districts', Subsection  
17 (A), for the purpose of establishing an automotive repair  
18 shop upon the property known as 75 Windsor Avenue,  
19 Mineola, New York, known and designated on the Nassau  
20 County Land and Tax Map as Section 9, Block 622, Lot 7.

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



1 Federal Revenue Sharing regulations.

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

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

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

10 "Dated January 13, 2016."

11 MAYOR STRAUSS: Thank you.

12 Mr. Whalen, report on mailings?

13 MR. WHALEN: The radius map and Affidavit of  
14 Mailing are in order, Mayor.

15 MAYOR STRAUSS: Thank you.

16 Mr. Gibbons?

17 MR. GIBBONS: Yes, Mayor. Can I have a  
18 resolution that this is an unlisted action under SEQRA?

19 MAYOR STRAUSS: Motion?

20 MR. PEREIRA: Motion.

21 MAYOR STRAUSS: Motion by Trustee Pereira.  
22 Second?

23 MR. DURHAM: Second.

24 MAYOR STRAUSS: By Trustee Durham.

25 All in favor?

1 MR. DURHAM: Aye.

2 MR. PEREIRA: Aye.

3 MR. CUSATO: Aye.

4 MR. WALSH: Aye.

5 MAYOR STRAUSS: Aye.

6 Opposed?

7 Carried.

8 Again, this will be the format for this  
9 evening's hearing. The applicant will make its  
10 application, call any witnesses, and when that  
11 application is presented, after that the Board will  
12 interact with the applicant, and then we'll open up for  
13 public comment. I ask anyone coming to the podium to  
14 please state your name, address and speak clearly for the  
15 record.

16 Sir?

17 MR. KOUTSOUMBIS: Good evening, Members of the  
18 Board. My name is Dean Koutsoumbis. My address is 121  
19 Newbridge Road, Hicksville, New York 11801.

20 I'm here this evening together with Mr. Xin  
21 Zhang, he's the tenant of the property, and also the  
22 owner, Mr. Rodriguez, the landlord. We are proposing to  
23 open up an auto repair shop.

24 The subject property is located in the  
25 Industrial M zoning district and is primarily surrounded

1 by other similar types of businesses, which include body  
2 shops, cabinet shops, oil distribution facilities and  
3 other industrial-type buildings.

4 Mr. Xin is the owner of the proposed repair  
5 shop. He is a graduate of Lincoln Tech for Automotive  
6 Technology. He has seven years experience working for  
7 different shops. He currently decided to go on his own  
8 and open this shop. Mr. Xin is Honda certified, AC 609  
9 certified, and ASC in electrical systems. In addition,  
10 he also holds a New York State Motor Vehicle Inspection  
11 Certification.

12 The mechanic shop that he proposes to open is  
13 approximately 1,400 square feet interior and the outside  
14 paved yard space is approximately 1,600 square feet.  
15 There will be two mechanic's bays with lifts, one  
16 bathroom and one office.

17 MR. WALSH: I'm sorry. Did you say the outside  
18 is 1,600 square feet, the outside area he'll be using?

19 MR. KOUTSOUMBIS: Yes. The outside parking  
20 area, paved parking area, is 1,600 square feet. And the  
21 interior is 1,400 square feet.

22 In addition to Mr. Xin, he will also hire one  
23 employee, for a total of two people working on site,  
24 himself and one employee.

25 The work he proposes to do there is regular

1 maintenance on automobiles, general repairs and  
2 performance upgrades. In the future he would also like  
3 to do inspections, but at this point he does not have the  
4 -- he can not do inspections at this point.

5 As far as waste removal, regular trash will be  
6 picked up by the Village on a daily basis. Used oil and  
7 coolant will be collected by recycling companies, and  
8 used auto parts will be collected by scrap metal  
9 companies. The bins and tanks for the waste will be  
10 stored inside the shop. The outside space has parking  
11 for eight cars.

12 Also, all repairs that he proposes to do are  
13 done by appointment, drop off and pick up. It's not  
14 going to be set up for walk-in customers. You know,  
15 based on the location, it's not the type of place where  
16 you are driving by and you see you need a shop. Every  
17 customer that he has will be, you know, they will call,  
18 make an appointment, and schedule to bring the car to  
19 him. It's not set up to be like a quick lube or, you  
20 know, drive-up oil change type of place. It's not going  
21 to be a huge traffic area.

22 The work hours he proposes are 9:00 to 5:00  
23 Monday through Friday, and Saturdays 9:00 to 1:00.

24 It's also his intention to create a very  
25 modernized, clean, repair shop. Nice lighting. He plans

1 on insulating it for sound, to keep the noise to a  
2 minimum and, you know, all completely within the  
3 building. And, you know, operate a good clean shop.

4 That will conclude my presentation.

5 MAYOR STRAUSS: Where exactly in 75 Windsor  
6 Avenue will this go?

7 MR. KOUTSOUMBIS: This is garage space which is  
8 right on Windsor. You know, right on Windsor. It  
9 doesn't fit -- if I can show you on the plot diagram.

10 MAYOR STRAUSS: It's a large building. There's  
11 a lot of garage doors that --

12 MR. KOUTSOUMBIS: This is the one -- this is  
13 the only garage door facing Windsor Avenue.

14 MAYOR STRAUSS: So is that where Competition  
15 Mowers is now?

16 MR. KOUTSOUMBIS: Competition Mowers is in the  
17 other building.

18 MAYOR STRAUSS: Well I'm a little confused,  
19 then.

20 MR. CUSATO: So am I.

21 MAYOR STRAUSS: Because on the map that you  
22 provided us it says number 75 is a masonry building. I  
23 believe that to be the front of the building that would  
24 be occupied by Competition Mowers, if I'm saying that  
25 right.

1 So what building are you talking about?

2 MR. KOUTSOUMBIS: May I show you on my diagram?

3 MAYOR STRAUSS: Sure you can.

4 MR. KOUTSOUMBIS: OK.

5 MAYOR STRAUSS: Why don't you point it out on  
6 this.

7 MR. WALSH: Are you familiar with S-C-A-G, Scag  
8 Power Equipment, sir? Is that where it's going to go?

9 MR. KOUTSOUMBIS: It's going to go right in the  
10 front half of this building right here, (Indicating).

11 MAYOR STRAUSS: But that's not 75 Windsor  
12 Avenue.

13 MR. CUSATO: That's 75 G -- I mean 57 G.

14 No?

15 MAYOR STRAUSS: 75 G.

16 MR. CUSATO: 75 G.

17 MAYOR STRAUSS: That building, the long  
18 building to your left --

19 MR. KOUTSOUMBIS: Yes.

20 MAYOR STRAUSS: -- is 75 Windsor.

21 MR. KOUTSOUMBIS: OK.

22 MAYOR STRAUSS: So that's not going in that  
23 building?

24 MR. KOUTSOUMBIS: It's not in this building.

25 Same property. Same landlord. It's going right in this

1 building, (Indicating), approximately the first 40 feet  
2 of it. So it's about 40 by 40. 45 by, I believe, 37.

3 MAYOR STRAUSS: Can I have that back? And if  
4 you could go back to the podium, I would appreciate that.  
5 Thank you.

6 So it's not going in 75 Windsor Avenue, right?  
7 It's not?

8 MR. KOUTSOUMBIS: I'm not familiar with any  
9 other address other than 75.

10 MR. CUSATO: This is 75 G.

11 MAYOR STRAUSS: Right.

12 The building that you're talking about, it  
13 sounds like we're nitpicking here, but the place seems to  
14 be a little mishmash. Like, we're not sure what's going  
15 on in that building, to be quite honest with you. So we  
16 would like you to narrow down where exactly you're  
17 looking to put this business. And if it's in this  
18 building here, it's not 75 Windsor Avenue according to  
19 the information that you gave us.

20 Yes? No?

21 MR. KOUTSOUMBIS: I have to consult with the  
22 landlord who is more familiar with the addresses.

23 MAYOR STRAUSS: Is the landlord here?

24 MR. KOUTSOUMBIS: Yes.

25 MR. RODRIGUES: Good evening. My name is Zack

1 Rodriguez. I'm the landlord on the property.

2 Actually, the entire property is 75 and then  
3 each bay has its own label, letter, that determines --  
4 the entire property is 75 Windsor Avenue. Then start  
5 from A, B, so on, so forth, to G.

6 MAYOR STRAUSS: So what's in 75 G now, which is  
7 where you're looking to put this.

8 MR. RODRIGUES: Actually, I use for my own use.

9 MAYOR STRAUSS: Your own use?

10 What's in the rest of this building?

11 MR. RODRIGUES: The rest of the building?

12 MAYOR STRAUSS: Yes. Behind the building.

13 MR. RODRIGUES: Behind is storage.

14 MAYOR STRAUSS: No. No. No. The longer  
15 building with all the bay doors.

16 MR. RODRIGUES: The longer building, they have  
17 a lot of different uses in that building.

18 MAYOR STRAUSS: Yes. I noticed that.

19 MR. RODRIGUES: The auto repair, cabinetmakers,  
20 machine shop, storage.

21 By the way, that building is authorized for  
22 auto repair right now based on the application of that  
23 building back to 1998.

24 MAYOR STRAUSS: '99.

25 MR. RODRIGUES: '99. OK?



1                   Actually, that building, you know, was 31  
2                   percent -- actually, the property -- 31 percent auto use  
3                   on that property.

4                   MAYOR STRAUSS: The building that's in question  
5                   now, or the other building that's actually 75?

6                   I'm not sure how you can have two separate  
7                   buildings have the same address.

8                   MR. RODRIGUES: I mean, the entire -- I have a  
9                   document here -- I don't know if you would like to read  
10                  it -- back in 1999.

11                  MAYOR STRAUSS: No. I don't need to read it.

12                  MR. RODRIGUES: So that state the property  
13                  allowed 31 percent as auto use.

14                  MAYOR STRAUSS: Mr. Koutsoumbis, is there going  
15                  to be painting or body work done in the building?

16                  MR. KOUTSOUMBIS: No painting.

17                  MAYOR STRAUSS: No painting. No painting at  
18                  all.

19                  MR. KOUTSOUMBIS: No painting.

20                  MAYOR STRAUSS: Mr. Pereira?

21                  MR. PEREIRA: Thank you.

22                  It is very confusing, the idea that you have  
23                  two separate buildings. Even if the property -- so,  
24                  Mr. Rodrigues, is the property one tax lot?

25                  MR. RODRIGUES: Yes, sir.

1 MR. PEREIRA: It's one tax lot.

2 MR. RODRIGUES: Lot 26.

3 MR. PEREIRA: Lot 26 --

4 MR. RODRIGUES: If I'm not mistaken.

5 MR. PEREIRA: Section 9, Block 622, Lot 7.

6 That's what we have here.

7 MR. KOUTSOUMBIS: Yes. Lot 26.

8 MR. PEREIRA: Lot 26?

9 MR. RODRIGUES: Lot 26.

10 MR. PEREIRA: OK. Here I have Lot 7. But OK.

11 We'll look at that.

12 MR. RODRIGUES: Lot 7 must be the previous lot,  
13 but 30 years ago.

14 MR. PEREIRA: OK. So --

15 MR. RODRIGUES: We adjust on the mapping -- on  
16 the tax map. Like, 30 years ago it was --

17 MR. PEREIRA: It was Lot 7.

18 MR. RODRIGUES: -- there was some division  
19 there. Some property was kind of separated. Back then  
20 it used to be Lot 7.

21 MR. PEREIRA: But now it's Lot 26.

22 MR. RODRIGUES: Now it's Lot 26.

23 MR. PEREIRA: And The entire property is Lot  
24 26.

25 MR. RODRIGUES: Correct.

1 MR. PEREIRA: And who assigned the number 75 to  
2 two separate buildings? That was before you?

3 MR. RODRIGUES: Good question. It's been there  
4 since 1940.

5 MR. PEREIRA: It's always been 75.

6 MR. RODRIGUES: Always.

7 MR. PEREIRA: And those two buildings have  
8 always existed?

9 MR. RODRIGUES: Actually, more than two  
10 buildings. Might be three buildings, four buildings,  
11 there since 1940, Lot 26. I mean, the lot used to be Lot  
12 7. Now it's 26. The address always been 75 Windsor  
13 Avenue.

14 MR. PEREIRA: Always been 75 Windsor Avenue.

15 How many businesses are at 75 Windsor Avenue?

16 MR. RODRIGUES: Multi-businesses. Like, I can  
17 guess like 25 different businesses.

18 MR. PEREIRA: 25 different businesses operating  
19 there.

20 MR. RODRIGUES: Yes.

21 MR. PEREIRA: And now, you said some of the  
22 uses are automotive. I mean, I can see the lawn mower  
23 place in the front, but I don't know --

24 MR. RODRIGUES: Lawn mowers, auto repairs,  
25 again, cabinetmakers, machine shops, storage, welding

1 shops. And, also, big portion of the property is being  
2 used for open storage, outside storage.

3 MR. PEREIRA: And that's permitted?

4 MAYOR STRAUSS: Mr. Whalen?

5 MR. RODRIGUES: As far as I know, yes.

6 MR. PEREIRA: Outside storage on that property  
7 is permitted?

8 MR. WHALEN: I have to check the code to be  
9 sure. In certain instances, Mr. Trustees, some things  
10 would be, but others are not.

11 MR. PEREIRA: OK. All right. I just --

12 MR. RODRIGUES: I would like to submit a  
13 document. We have it.

14 Actually, Mr. Gibbons is very familiar with  
15 this document.

16 (Document handed up to the Mayor.)

17 MAYOR STRAUSS: What is this?

18 MR. RODRIGUES: Outside storage permitted on  
19 the property.

20 MAYOR STRAUSS: OK. We'll take it into  
21 consideration.

22 MR. PEREIRA: I'm just not familiar with it.  
23 But Kurtz Steel, is that still in operation  
24 there?

25 MR. RODRIGUES: Yes.

1 MR. PEREIRA: Kurtz Steel is.  
2 Competition Mowers?  
3 MR. RODRIGUES: Yes.  
4 MR. PEREIRA: P&G Auto?  
5 MR. RODRIGUES: Yes.  
6 MR. PEREIRA: Joseph Gailor?  
7 MR. RODRIGUES: Yes.  
8 MR. PEREIRA: East Coast Auto?  
9 MR. RODRIGUES: Yes.  
10 MR. PEREIRA: United We Advance?  
11 MR. RODRIGUES: Yes.  
12 MR. PEREIRA: S&V Furniture?  
13 MR. RODRIGUES: Yes.  
14 MR. PEREIRA: M&L Auto?  
15 MR. RODRIGUES: Yes.  
16 MR. PEREIRA: Danny Well?  
17 MR. RODRIGUES: Yes.  
18 MR. PEREIRA: Fury Automotive?  
19 MR. RODRIGUES: Yes.  
20 MR. PEREIRA: A&E Aquatics?  
21 MR. RODRIGUES: Yes.  
22 MR. PEREIRA: 1 Deal Imports?  
23 MR. RODRIGUES: Yes.  
24 MR. PEREIRA: Crown Waste?  
25 MR. RODRIGUES: Yes.

1 MR. PEREIRA: Queue Electrical?  
2 MR. RODRIGUES: Yes.  
3 MR. PEREIRA: Kelly Brickworks?  
4 MR. RODRIGUES: Yes.  
5 MR. PEREIRA: Da Silva Contracting?  
6 MR. RODRIGUES: Yes.  
7 MR. PEREIRA: Goldstar Equipment?  
8 MR. RODRIGUES: Yes.  
9 MR. PEREIRA: Mineola Awning and Signs?  
10 MR. RODRIGUES: Yes.  
11 MR. PEREIRA: Turino Contracting?  
12 MR. RODRIGUES: Yes.  
13 MR. PEREIRA: Neptune Air Conditioning?  
14 MR. RODRIGUES: Yes.  
15 MR. PEREIRA: Athol -- I'm sorry. Athol  
16 Malcolm?  
17 MR. RODRIGUES: Yes.  
18 MR. PEREIRA: Chelmsford Contracting?  
19 MR. RODRIGUES: Yes.  
20 MR. PEREIRA: Chestnut Tree Service?  
21 MR. RODRIGUES: Yes.  
22 MR. PEREIRA: Neil Tree Service?  
23 MR. RODRIGUES: Yes.  
24 MR. PEREIRA: Capulco Construction?  
25 MR. RODRIGUES: Yes.

1 MR. PEREIRA: Greystone Construction?

2 MR. RODRIGUES: Yes.

3 MR. PEREIRA: Allure Candles?

4 MR. RODRIGUES: Yes.

5 MR. PEREIRA: And Ansu Construction?

6 MR. RODRIGUES: Yes.

7 MR. PEREIRA: So all of those businesses are  
8 doing business at 75.

9 MR. RODRIGUES: Correct.

10 MR. PEREIRA: That's a lot. You know, that's  
11 -- it's just hard for me to see all this stuff -- now  
12 some of these people just store?

13 MR. RODRIGUES: Excuse me. As far as I know  
14 everything is conforming on that property.

15 MR. PEREIRA: OK.

16 MR. RODRIGUES: As far as I know everything is  
17 conforming on that property.

18 MR. PEREIRA: OK. And all of these businesses  
19 are permitted uses --

20 MR. RODRIGUES: As far as I know, yes.

21 MR. PEREIRA: -- in that zone. OK.

22 All right. So you know what I just read,  
23 right?

24 MR. RODRIGUES: Rent roll mistakenly sent to  
25 Mr. Gibbons, mistakenly. But that's OK.

1 MR. PEREIRA: Rent roll. Rent roll.

2 MR. RODRIGUES: The rent roll mistakenly been  
3 sent to Mr. Gibbons, mistakenly mailed. But that's OK.  
4 That's OK.

5 MR. PEREIRA: So you know what all these  
6 businesses are doing there?

7 MR. RODRIGUES: My attorney mistakenly sent to  
8 Mr. Gibbons, but that's accurate. That's what's there.

9 MR. PEREIRA: OK. And they're all there --

10 MR. RODRIGUES: All there. All accurate.

11 MR. PEREIRA: -- all legit and all conforming.

12 MR. RODRIGUES: Yes, sir.

13 MR. PEREIRA: OK. Thank you.

14 MAYOR STRAUSS: Thank you.

15 Mr. Cusato?

16 MR. CUSATO: Thank you, Mayor.

17 Good evening, sir.

18 I spent about 45 minutes at your property  
19 trying to find out where your building was going to be.  
20 So now it looks like it's going to be in the building  
21 with the railing, the fencing, in front of it, correct?

22 MR. RODRIGUES: Correct.

23 MR. CUSATO: OK. OK. And there are, I think,  
24 ten gas meters and 12 mailboxes on the corner. So it  
25 does verify the amount of businesses that are in that



1 building.

2 The other question I had was the spray  
3 painting, but the Mayor already raised that question. So  
4 I have no other questions.

5 MAYOR STRAUSS: Thank you.

6 Mr. Durham?

7 MR. DURHAM: What was in the building? I mean,  
8 you have all these things. What was there that freed up  
9 the space that this automotive --

10 MR. RODRIGUES: Competition Mowers used to be  
11 in this building. Then he moved to the other building.  
12 Now I'm using this particular building myself.

13 MR. DURHAM: So you were using the building  
14 yourself, whatever.

15 MR. RODRIGUES: Yes.

16 MR. DURHAM: So now you're going to take and  
17 move away from that, or whatever, and move someplace  
18 else, whatever, and set up for them to move in?

19 MR. RODRIGUES: Yes.

20 MAYOR STRAUSS: Mr. Walsh?

21 MR. WALSH: Yes. Thank you, Mayor.

22 Good evening.

23 See now, when I saw 75 -- I also was at your  
24 property and I saw 75 Windsor. And there is an S-A-G --  
25 there are two stores in the front. That's what I

1 thought.

2 Now along that parking lot there's a 75 C,  
3 75 CC, 75 F, 75 FF. It's not in that building.

4 MR. RODRIGUES: Yes, sir.

5 MR. WALSH: It's the building to the west of  
6 there.

7 MR. RODRIGUES: Right. Not this building.

8 MR. WALSH: So now, you have racks there with  
9 stuff stored on these outside storage racks; is that  
10 correct?

11 MR. RODRIGUES: Yes.

12 MR. WALSH: In front of that building.

13 MR. RODRIGUES: Alongside.

14 MR. WALSH: Alongside the building you have  
15 racks with stuff stored on those racks.

16 MR. RODRIGUES: Correct.

17 MR. WALSH: Is that a permissible use?

18 MR. RODRIGUES: As far as I know, yes.

19 MR. WALSH: OK.

20 MR. RODRIGUES: Outside open storage, as far as  
21 I know.

22 MR. WALSH: Now from all these -- you wanted to  
23 submit something before from February 11, 1999, a  
24 decision of the Village of Mineola Board, and you were  
25 permitted to use 31 percent of that property for

1 automotive use.

2 MR. GIBBONS: No.

3 MR. WALSH: 45 percent of that building --

4 MR. GIBBONS: 31.

5 MR. WALSH: OK. Let me start again.

6 You're allowed to use 31 percent of the entire  
7 75 Windsor --

8 MR. RODRIGUES: Yes.

9 MR. WALSH: -- for automotive.

10 It seems like you're using 31 percent of that  
11 already for automotive.

12 MR. RODRIGUES: No, sir. About nine percent.

13 MR. WALSH: About how much?

14 MR. RODRIGUES: As auto repair, about nine  
15 percent.

16 MR. WALSH: Nine percent.

17 Now at this time, today, there are 11 abandoned  
18 autos in that parking lot. Autos that are in different  
19 means of repair. Some are missing fenders. Some are  
20 missing a front nose. But all these abandoned autos, or  
21 what appears to me to be abandoned autos. Have no  
22 license plates on them.

23 Why are they there.

24 MR. RODRIGUES: It's part of the operations,  
25 probably some auto repair there.

1 MR. WALSH: And most of these are covered with  
2 snow, by the way. So it doesn't look like they're being  
3 fixed. As is the former Windsor -- what was the street?  
4 Not called Windsor Terrace --

5 MR. RODRIGUES: Windsor Court.

6 MR. WALSH: Windsor Court. There are several  
7 abandoned autos along both sides of that street.

8 Do some of those belong to somebody else? Are  
9 they all on your property, or how is that?

10 MR. RODRIGUES: I can not answer that right now  
11 because litigation go on with Windsor Court. So I'm  
12 limited to talk about Windsor Court right now.

13 MR. WALSH: OK. But can you say whether those  
14 abandoned autos have anything to do with any businesses  
15 on 75 Windsor Terrace?

16 MR. RODRIGUES: Some of them, yes. Some of  
17 them belong to 75 Windsor.

18 MR. WALSH: Because, you know, it really does  
19 look -- I mean, listen, that's an automotive block, but  
20 your area looks like the Wreck of the Hesperus over  
21 there. It's a mess. There's abandoned cars all over the  
22 place. And you can't drive down that parking lot because  
23 your abandoned cars are parked in angled spaces. And  
24 then people that work there park in front of the  
25 abandoned cars. So it's kind of a circle. And I get it.

1 It's an automotive area. But, you know, it's way over  
2 the top, in my opinion, over there.

3 And I would have to see that only nine percent  
4 of that is used for automotive, because what are they  
5 doing with all these cars? If they're to be repaired --

6 MR. RODRIGUES: I mean, you have the rent roll.  
7 So they are on the rent roll.

8 MR. WALSH: No. We'll verify all of this. But  
9 I just -- I have a, you know -- I even had the wrong  
10 building because that's the way it appeared to us in the  
11 paperwork that you gave us.

12 At this time I have no other questions, Mayor.

13 MAYOR STRAUSS: Thank you.

14 Any other comments from the Board?

15 MR. PEREIRA: Yes. I'm sorry.

16 And obviously the application is kind of  
17 separate from the property, but since Mr. Rodrigues was  
18 saying it, and I'm sorry to do this again, but obviously  
19 Kurtz Steel is steel, right? Competition Mowers, pretty  
20 obvious. P&G Auto, is that automotive repair?

21 MR. RODRIGUES: Yes.

22 MR. PEREIRA: What's Joseph Gailor? What is  
23 it?

24 MR. RODRIGUES: A machine shop.

25 MR. PEREIRA: Machine shop. Not auto.

1 MR. RODRIGUES: Not auto.

2 MR. PEREIRA: OK. East Coast Auto is auto.

3 United We Advance, what do they do?

4 MR. RODRIGUES: Storage.

5 MR. PEREIRA: Just storage.

6 MR. RODRIGUES: Storage.

7 MR. PEREIRA: Of what?

8 MR. RODRIGUES: They do, like, parties. Like,  
9 go out for parties and they use that for storage, tables,  
10 chairs, whatever.

11 MR. PEREIRA: OK. S&V Furniture, I guess they  
12 make furniture.

13 MR. RODRIGUES: Furniture.

14 MR. PEREIRA: M&L Auto, that's auto repair.

15 MR. RODRIGUES: Right.

16 MR. PEREIRA: Danny Well?

17 MR. RODRIGUES: He's a welder.

18 MR. PEREIRA: OK. That makes sense.

19 Fury Automotive is automotive.

20 MR. RODRIGUES: Well, but that was the part of  
21 the applicant when I --

22 MR. PEREIRA: Oh. That's Fury Automotive?

23 MR. RODRIGUES: Yes.

24 MR. PEREIRA: OK. And A&E Aquatics?

25 MR. RODRIGUES: This deal with fish. Buy fish

1 alive.

2 MR. PEREIRA: And they're alive there?

3 MR. RODRIGUES: Yes. He have the tanks, fish  
4 tanks, there.

5 MR. PEREIRA: And that's a permitted use?

6 MR. RODRIGUES: As far as I know.

7 MR. PEREIRA: OK. 1 Deal Imports?

8 MR. RODRIGUES: He's import wine and beer from  
9 Portugal. He has a warehouse there, storage.

10 MR. PEREIRA: OK. Crown Waste?

11 MR. RODRIGUES: He has trucks parked there.

12 MR. PEREIRA: Just trucks.

13 MR. RODRIGUES: Trucks.

14 MR. PEREIRA: Queue Electrical is --

15 MR. RODRIGUES: Storage.

16 MR. PEREIRA: Kelly Brickworks?

17 MR. RODRIGUES: Storage.

18 MR. PEREIRA: Storage.

19 Da Silva Contracting?

20 MR. RODRIGUES: Storage.

21 MR. PEREIRA: Gold Star Equipment?

22 MR. RODRIGUES: Equipment.

23 MR. PEREIRA: Mineola Signs, storage?

24 MR. RODRIGUES: Storage.

25 MR. PEREIRA: Turino Contracting, equipment,

1 right?

2 MR. RODRIGUES: Storage.

3 MR. PEREIRA: Neptune Air Conditioning?

4 MR. RODRIGUES: Storage.

5 MR. PEREIRA: Athol Malcolm?

6 MR. RODRIGUES: Storage.

7 MR. PEREIRA: What does he store?

8 MR. RODRIGUES: He stores -- like, he goes out,  
9 buys stuff at these auctions and sends overseas, this  
10 country, somewhere.

11 MR. PEREIRA: OK. Chelmsford Contracting?

12 MR. RODRIGUES: Contractor.

13 MR. PEREIRA: Contractor.

14 Tree service, they cut trees. Tree service.

15 What do they do? They store their trucks?

16 MR. RODRIGUES: Equipment.

17 MR. PEREIRA: Equipment. OK.

18 Capulco Construction, Greystone Construction,  
19 Allure Candles.

20 MR. RODRIGUES: That is use one container  
21 storage for candles. He buys from overseas and bring it  
22 there and sells them locally.

23 MR. PEREIRA: So he's not physically in the  
24 building. He's in one of the storage containers?

25 MR. RODRIGUES: Right. Yes.



1 MR. PEREIRA: OK. And Ansu Construction.

2 OK. So you have currently one, two, three, and  
3 this would be the fourth automotive.

4 MR. RODRIGUES: Automotive.

5 MR. PEREIRA: OK. Thank you.

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

7 MAYOR STRAUSS: Of course you can.

8 MR. WALSH: Those containers that are at the  
9 back of the property, are they where you put storage in,  
10 or do you use those containers?

11 MR. RODRIGUES: Storage. Yes, sir.

12 MR. WALSH: They're all storage.

13 MR. RODRIGUES: All storage.

14 MR. WALSH: None of them are being used for  
15 office space.

16 MR. RODRIGUES: No. Storage.

17 MR. WALSH: OK. Thank you.

18 THE COURT: Anything else you would like to  
19 say?

20 MR. KOUTSOUMBIS: Also, I would like to submit  
21 some renderings of what Mr. Xin would like to propose.

22 MAYOR STRAUSS: Mr. Scalero?

23 (Documents handed up to the Mayor.)

24 MR. PEREIRA: Are there going to be -- bays are  
25 going to be --

1 MR. KOUTSOUMBIS: Two bays.

2 MR. PEREIRA: Two bays. And lifts and all  
3 that?

4 MR. KOUTSOUMBIS: Two bays and two lifts.

5 MAYOR STRAUSS: Anything else?

6 MR. PEREIRA: Is there going to be any  
7 overnight?

8 You know, obviously, when you get cars in you  
9 don't always get through all of them. You may have cars  
10 that need more than a day to be repaired.

11 Where are those cars going to be.

12 MR. KOUTSOUMBIS: We have, aside from the two  
13 that will be indoors, there's available -- part of the  
14 lease area is available for eight parking. That's part  
15 of the 1,600 square feet outside space. Up to eight cars  
16 can go outside. He doesn't believe he's going to have  
17 eight cars at any given point, but it's part of his space  
18 that he's leasing.

19 MR. PEREIRA: OK. And if I remember  
20 correctly -- I wasn't there today -- but there's some,  
21 you know, bobcats and things like that have been between  
22 the building and the street.

23 MR. KOUTSOUMBIS: Those are currently there by  
24 the landlord and --

25 MR. PEREIRA: They'll be moved.

1 MR. KOUTSOUMBIS: Yes. They'll be moved once  
2 this -- I mean, you know, if this is granted and, you  
3 know, Mr. Xin takes over the space.

4 MR. PEREIRA: That will then be his?

5 MR. KOUTSOUMBIS: That will be his, yes.

6 MR. PEREIRA: Thank you.

7 MAYOR STRAUSS: Thank you.

8 Anything else, gentlemen?

9 I'd ask that you sit down. We'll open it up to  
10 public comment. Have a seat.

11 Before that, Mr. Whelan, are there any problems  
12 with that building?

13 It seems like there's -- I was down there  
14 recently. It's like the Wild West there. Are those  
15 buildings conformed to our code, and the businesses  
16 conformed to our code?

17 It seems like there's a lot happening in a very  
18 tight space and, quite honestly, it looks like a  
19 disaster.

20 MR. WHALEN: The problem, Mr. Mayor --

21 THE COURT: Could you come to the podium,  
22 Mr. Whalen?

23 I apologize. Thank you.

24 MR. WHALEN: My name is Dan Whalen. I'm the  
25 Superintendent of Buildings in the Incorporated Village

1 of Mineola.

2           The property has been the subject of a number  
3 of issues over the years relative to its use, density and  
4 occupation. At one time we had a concrete plant that  
5 went up out there. That took a number of years to be  
6 resolved and come down. The issue with the trailers in  
7 the back, they're alleged to have been used now  
8 exclusively as storage containers. There was a history  
9 of those having been used for offices. Some of the other  
10 buildings that are out there we've never gained access  
11 into. It's an ever-evolving situation over there with  
12 the number of tenants and what's actually going on at the  
13 buildings. The department has looked at them a number of  
14 times. There have been a number of issues that have come  
15 that rose to Notices of Violation on the property, as  
16 well as a good number of summonses over the years as well  
17 for any number of different violations relative to the  
18 entire property.

19           As far as the address is concerned, the 75, the  
20 addresses are assigned for the Village of Mineola by the  
21 Village, and specifically the Building Department. I've  
22 never assigned one out there. The owner alleges that  
23 it's been 75 forever. That may very well be the case.  
24 Some of the construction of the buildings out there would  
25 lend one to believe that perhaps they were put up at a

1 time after the original address was assigned to the  
2 property and should have had another address.

3 The assigning of addresses by the Village of A,  
4 B, C, D, E, G, or any letters, has never been done in the  
5 15 years that I'm here. So while you have separate  
6 structures on the same lot and the like, it is not an  
7 apartment building. They should have different addresses  
8 on them.

9 There has been a multiple-stand mailbox set up  
10 on the property by the meter bars where, I believe, the  
11 small gasoline engine repair operation is located, and  
12 the Post Office probably just uses whatever the boxes are  
13 for whoever the current tenant.

14 The uses: As far as the automotive is  
15 concerned, there's some evidence that the landlord, or  
16 the applicant, had something in your pack related to the  
17 31 percent of the use of the property for automotive  
18 uses. That does not negate the necessity of any one of  
19 those entities having or should have come to this Board  
20 to apply to put that use in there. While it's  
21 permissible up to that extent, they would still have to  
22 apply. I don't know if that was ever done.

23 Some of the other tenants, specifically, we had  
24 issues or, actually, the owners had issues with their own  
25 tenant with the garbage removal, with things such as

1 washing the vehicles out on the public streets. The  
2 allegation was made, and it was proven, and there were  
3 photos, and that was resolved.

4 So it's an ever-evolving situation for the  
5 department. We're looking at it again now, as this  
6 application arrived. The owner and I have spoken. So I  
7 don't have all the answers. I'm not quite sure of  
8 everything that you have out there.

9 There was an instance when I received a call  
10 from the Nassau County Fire Marshal's office for a hazmat  
11 spill. It didn't turn out to be a whole lot of anything  
12 out there, but nobody could tell us who this particular  
13 55-gallon drum of whatever was leaking out there belonged  
14 to. It turned out, fortunately, to be something benign,  
15 but it's not uncommon.

16 We had occasion out there where there was  
17 firewood on the south side of one of the buildings  
18 stacked literally along the entire south side of the  
19 building and as high as the roof line, somewhere in  
20 excess of 20-plus feet, which is not permissible from a  
21 fire perspective or the Village. That is no longer  
22 there. I have no idea who it belonged to, how it got  
23 there, or how it got out of there.

24 So the property has a good number of uses. Are  
25 they all permissible? Without doing an extensive

1 investigation to each one of those as you mentioned here  
2 tonight on the rent roll alone, I couldn't tell you. And  
3 in the storage area beyond that, in the back, is a whole  
4 other situation.

5 MAYOR STRAUSS: You mentioned summonses.  
6 Have those been cleared up.

7 MR. WHALEN: They have.

8 MAYOR STRAUSS: Satisfied?

9 MR. WHALEN: They have.

10 MAYOR STRAUSS: Are there ongoing issues that  
11 we need to address, or the Building Department needs to  
12 address, there that you're aware of?

13 MR. WHALEN: Well this issue of the outdoor  
14 storage. Where there are certain things that are  
15 permissible, I have to go back and check the code  
16 specifically because, while it may allow you to put  
17 storage onto that property in an industrial-manufacturing  
18 district, it may not permit you to put up rack storage  
19 and go skyward with it outside where it can be viewed by  
20 anyone. That's part of what we have there now. That's  
21 one of the questions we need to get answered.

22 MAYOR STRAUSS: Thank you, Mr. Whalen.

23 MR. WALSH: Mr. Whalen, one question.

24 A welding business, do you know anything about  
25 the welding business that's there? Does that require

1 Fire Marshal clearance or anything like that?

2 MR. WHELAN: I have no personal knowledge of  
3 the welding business or where it is in that group of  
4 buildings.

5 MR. WALSH: So when I see these garage doors  
6 that have A, double A, C, CC, F, FF, they were just  
7 assigned by the owner, on his own, so the different units  
8 can get their own mail somehow.

9 MR. WHALEN: I couldn't tell you who assigned  
10 them. I know we didn't.

11 MR. WALSH: I mean, the Post Office didn't do  
12 that.

13 MR. WHELAN: As far as the welding is  
14 concerned, there were certain aspects of welding. If  
15 it's oxyacetylene or things of this nature, that they  
16 have to comply with certain requirements of the Nassau  
17 County Fire Marshal's office.

18 MR. WALSH: Thank you.

19 MAYOR STRAUSS: Thank you, Mr. Whalen.

20 Any other comments from the Board, questions,  
21 before I open up to the public?

22 MR. RODRIGUES: May I say something?

23 MAYOR STRAUSS: Of course you can.

24 MR. RODRIGUES: As far as the address goes,  
25 1995 the building was a permit application for subdivide



1 the building. So on the particular subdivision, each  
2 bay, they got a letter. It would be labeled with a  
3 letter. So --

4 MAYOR STRAUSS: We'll take a look at it.

5 As I mentioned, the place looks like the Wild  
6 West. I'm not sure what's happening there.

7 MR. RODRIGUES: Thank you.

8 MAYOR STRAUSS: And it should be a lot cleaner  
9 than it is, that's for sure.

10 Anybody in the first row wishing to make  
11 comment? Second row? Third row? Fourth row? Fifth  
12 row? Sixth row?

13 Yes, sir. If you would come to the podium,  
14 sir.

15 MR. PALUMBO: Hello. How are you doing,  
16 everybody? My name is Lou Palumbo. I have an address at  
17 100 Windsor Avenue. We're right across the street.

18 My only concern is that, with all the  
19 businesses that they're running over there, there's a lot  
20 of vehicles that are parked on the street. We don't even  
21 have room to park our own cars when we come to work  
22 because all these businesses that park in the back, they  
23 leave their cars and then they go all over, wherever they  
24 work, off to the side.

25 So my concern is with the parking. If we add

1 any more cars or any more businesses there there are  
2 going to be even more cars on that property. As you  
3 know, there's plenty of businesses already there with  
4 cars. So the area is already congested with cars.

5 Where are we going to put all these cars? We  
6 can't even park our own cars in the street. Sometimes,  
7 you know, I have to put it in my lot because there's no  
8 place in the front of my own property. And that's one of  
9 my concerns.

10 MAYOR STRAUSS: OK.

11 MR. PALUMBO: OK? Thank you.

12 MAYOR STRAUSS: Thank you, sir.

13 MR. RODRIGUES: May I say something?

14 MAYOR STRAUSS: No, sir.

15 MR. PEREIRA: In a second.

16 MAYOR STRAUSS: In a second.

17 Anybody else in the fifth row? Sixth row?  
18 Seventh row?

19 Sir.

20 MR. RODRIGUES: As far as the parking concern,  
21 I think our parking space is in compliance.

22 As far as Mr. Palumbo, he has parked on the top  
23 of the sidewalk for 20 years. It's not one, not two,  
24 about eight, ten cars park on top of the sidewalk for 20  
25 years.

1 Thank you.

2 MAYOR STRAUSS: Thank you.

3 Any other comments from the Board?

4 MR. PEREIRA: Yes. I have a question for the  
5 applicant.

6 MR. KOUTSOUMBIS: Yes.

7 MR. PEREIRA: And you may have answered this,  
8 and I may have missed it. So I apologize.

9 How many employees?

10 MR. KOUTSOUMBIS: Total, the owner plus one  
11 employee.

12 MR. PEREIRA: So two employees.

13 MR. KOUTSOUMBIS: Two employees.

14 MR. PEREIRA: OK. And I presume that they are  
15 going to drive there.

16 MR. KOUTSOUMBIS: Yes.

17 MR. PEREIRA: Drive themselves.

18 And they are obviously going to park on the  
19 property.

20 MR. KOUTSOUMBIS: They're going to park in  
21 their lease area. It's the fenced in area. The 1,600  
22 square feet outdoor space, which is allocated for this  
23 business.

24 MR. PEREIRA: OK. And I certainly understand  
25 Mr. Palumbo's concern. And I think it's probably

1 everybody's responsibility on that block. As the Mayor  
2 has mentioned, it's not just one business that may be  
3 offending. I just think this is, for me, looking at this  
4 and looking at the site plan, without having -- it's very  
5 confusing. And as the applicant you are kind of getting  
6 caught up in the middle of something that doesn't really  
7 pertain to you.

8 MR. KOUTSOUMBIS: I mean, it seems like a lot  
9 of this discussion has to do with other things going on  
10 and not the particular, you know, space at hand.

11 MR. PEREIRA: I understand that. But I think  
12 until we get -- for me, until we get some answers or some  
13 clarification, it's going to be difficult for us. So  
14 although I commend Mr. Zhang for opening the business,  
15 and I want him to be successful, we also have to do it in  
16 a responsible way. And unfortunately you're getting  
17 caught up in a situation that is much bigger than your  
18 application. But nonetheless, we have a responsibility  
19 to address welfare, to address safety, to address all  
20 kinds of issues without jumping the gun and permitting  
21 you the use. So there are still some questions that are --

22 MR. KOUTSOUMBIS: May I speak to the landlord  
23 privately?

24 MR. PEREIRA: Well, when we finish.

25 MAYOR STRAUSS: When we're done with the

1 hearing you can certainly do that.

2 MR. WALSH: Can I ask a question?

3 Maybe this is for Mr. Rodrigues.

4 What's the total number of square feet on that  
5 property? Do you know?

6 MR. RODRIGUES: 76,000 square feet.

7 MR. WALSH: Thank you.

8 MR. PEREIRA: Is that outside? Inside?  
9 Everything?

10 MR. RODRIGUES: Yes. Altogether.

11 MR. PEREIRA: Altogether.

12 MR. RODRIGUES: Yes, sir.

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

15 MR. DURHAM: Mr. Zhang, where are you currently  
16 working from? Coming to this area, do you have a  
17 clientele list that you already have? Because you said  
18 you're not going to be open to the public driving up.  
19 You're making appointments. So I just want you to just  
20 go into where you were working, where you came from, and  
21 where your clientele is basically from.

22 MR. ZHANG: OK. I started working in a shop in  
23 Flushing, Queens. All the customers from Queens and Long  
24 Island. So I have a little bit of both.

25 MR. DURHAM: So you had a current shop that

1           you're working at, or whatever. So --

2                   MR. ZHANG: I quit it last --

3                   MR. DURHAM: You left to venture out on your  
4           own. OK. I understand that.

5                   MR. ZHANG: Yes.

6                   MR. DURHAM: So you have a clientele list from  
7           that that you built up --

8                   MR. ZHANG: Yes, over the years.

9                   MR. DURHAM: -- over the years. So you have a  
10          following for people that you have that you know and  
11          stuff like that.

12                  MR. ZHANG: Yes.

13                  MR. DURHAM: OK.

14                  MR. PEREIRA: Mr. Zhang, you're going to be  
15          predominantly doing what kind of work, engine repair?

16                  MR. ZHANG: General repairs.

17                  MR. PEREIRA: General repairs. This is not --

18                  MR. ZHANG: Not a specific field. Just general  
19          repairs. Not anything particular.

20                  MR. PEREIRA: And all kinds of cars?

21                  MR. ZHANG: Yes.

22                  MR. PEREIRA: Imports.

23                  What do you plan your hours of operation to be  
24          and how many days a week?

25                  MR. ZHANG: 9:00 to 5:00 from Monday to Friday

1 and Saturday hopefully 9:00 to 1:00.

2 MR. PEREIRA: And closed on Sunday.

3 MR. ZHANG: Yes.

4 MR. PEREIRA: Correct. You're not going to be  
5 souping up, you know, Hondas to be race cars or anything  
6 like that.

7 MR. ZHANG: No. Nothing like that.

8 MR. PEREIRA: You're just a straightforward --

9 MR. ZHANG: Straightforward.

10 MR. PEREIRA: -- automotive repair. Somebody's  
11 got a problem, they go to you, and that's it.

12 MR. ZHANG: That's correct.

13 MR. PEREIRA: It's not going to be into the  
14 night doing all kinds of --

15 MR. ZHANG: No.

16 MR. PEREIRA: -- things.

17 OK. Thank you. I wish you luck.

18 MR. ZHANG: Thank you.

19 MR. WALSH: Mayor, one more?

20 THE COURT: Yes, sir.

21 MR. WALSH: Hello. How are you, sir?

22 I didn't really follow that. Is this the first  
23 business venture for you, or did you own another  
24 business?

25 MR. ZHANG: This is the first.

1 MR. WALSH: OK. Thank you.

2 And the last business was in Flushing, Queens?

3 MR. ZHANG: Yes. That is correct.

4 MR. WALSH: Can you tell me the address of that  
5 business.

6 MR. ZHANG: That is 46-08 --

7 MR. WALSH: You have to speak up a little bit.  
8 I don't hear well.

9 MR. ZHANG: I'm sorry. The address is 46-08  
10 Kissena Boulevard.

11 MR. WALSH: 46 what?

12 MR. ZHANG: 46-08 Kissena Boulevard.

13 MR. WALSH: Kissena Boulevard.

14 All right. Thank you.

15 MAYOR STRAUSS: Thank you.

16 I think because of the questions involved, not  
17 so much from your entity, Mr. Zhang, but for the building  
18 itself and the property around it that you're going to be  
19 part of, or looking to be a part of, I think that the  
20 prudent thing for us to do would be to adjourn the  
21 hearing to the next hearing date so that Mr. Whelan's  
22 department can do an adequate investigation and make sure  
23 that the rest of the building conforms to what we need it  
24 to conform to in our code. Is that sufficient time,  
25 Mr. Whalen, to March 9th, if we adjourn?



1 MR. WHALEN: Yes.

2 MAYOR STRAUSS: So I'd like to make a motion to  
3 adjourn the hearing to March 9th.

4 MR. WALSH: Motion.

5 MAYOR STRAUSS: Motion by Trustee Walsh.

6 MR. CUSATO: Second.

7 MAYOR STRAUSS: Second by Trustee Cusato.

8 All in favor?

9 MR. DURHAM: Aye.

10 MR. PEREIRA: Aye.

11 MR. CUSATO: Aye.

12 MR. WALSH: Aye.

13 MAYOR STRAUSS: Aye.

14 Any opposed?

15 Carried.

16 Thank you very much, gentlemen.

17 I'll entertain a motion to close -- we'll leave  
18 it as it is. OK. Thank you very much, ladies and  
19 gentlemen. Have a good evening.

20

\* \* \*

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

24

\* \* \*

25

  
PATRICIA A. TAUBER, RPR  
OFFICIAL COURT REPORTER

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