

1 INCORPORATED VILLAGE OF MINEOLA

2 HEARING OF THE

3 BOARD OF TRUSTEES

4 May 19 2021
5 6:30 o'clock p.m.

6 B e f o r e:

7 SCOTT P. STRAUSS,
8 Mayor,9 PAUL A. PEREIRA, (Via Zoom)
10 Deputy Mayor

11 PAUL S. CUSATO,

12 GEORGE R. DURHAM,

13 DENNIS J. WALSH,
14 Trustees.

15 * * *

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

18 * * *

19 JOSEPH R. SCALERO,
20 Village Clerk

21 * * *

22 KELLY CULEN
23 Official Court Reporter
24
25

1 MAYOR STRAUSS: We have two hearings this
2 evening. The first one is for a special use regarding
3 80 East Old Country Road.

4 Mr. Scalero.

5 MR. SCALERO: Yes. Notice of public hearing
6 Incorporated Village of Mineola. Please take notice
7 that the Board of Trustees of the Incorporated Village
8 of Mineola will hold a public hearing on Wednesday, May
9 19, 2021 at 6:30 p.m. at the Village Hall, 155
10 Washington Avenue, Mineola, New York 11501 or at some
11 other location hereinafter designated by the Board of
12 Trustees in order to receive public comments upon the
13 following:

14 Application of 80 East Old Country Road
15 L.L.C., for a special use permit pursuant to Chapter
16 550 of the Code of the Incorporated Village of Mineola,
17 entitled Zoning, Section 550-12 entitled B-1 Districts,
18 Subsection (B) entitled Special Uses and Section 550-13
19 entitled B-2 Districts Subsection (A) (1) to establish
20 a tutoring and learning facility upon the property
21 known as 80 East Old Country Road, Mineola, New York
22 known as designated on the Nassau County Land and Tax
23 Map Section 9, Block 298, Lots 152, 155.

24 The Village of Mineola does not discriminate
25 on the basis of handicapped status in administration or

1 access to or employment in its projects and activities.
2 Joseph R. Scalero has been directed to coordinate
3 compliance with non-discrimination requirements of the
4 Federal Revenue Sharing regulations. At this scheduled
5 meeting of the Board of Trustees, reserved decisions
6 from previous meetings, if any, may be acted upon by
7 the Board of Trustees.

8 At the aforesaid time and place, all
9 interested persons will be given an opportunity to be
10 heard.

11 By order of the Board of Trustees and the
12 Incorporated Village of Mineola, Joseph R. Scalero,
13 Village Clerk, dated April 22, 2021.

14 MAYOR STRAUSS: Thank you.

15 Mr. Whalen, supporting mailings?

16 MR. WHALEN: Yes, sir. We are in possession
17 of the affidavit of mailing notice. It has been signed
18 and notarized as is required.

19 MAYOR STRAUSS: Thank you, sir. Mr. Gibbons.

20 MR. GIBBONS: Nassau County Planning
21 Commission has recommended local determination, and I'd
22 ask for a SEQRA determination that this is a Type 2
23 action.

24 MAYOR STRAUSS: Entertain a motion?

25 TRUSTEE DURHAM: Motion.

1 TRUSTEE WALSH: Second.

2 MAYOR STRAUSS: Motion by Trustee Durham.

3 Seconded by Trustee Walsh. All in favor?

4 TRUSTEE DURHAM: Aye.

5 TRUSTEE CUSATO: Aye.

6 TRUSTEE WALSH: Aye.

7 DEPUTY MAYOR PEREIRA: Aye.

8 MAYOR STRAUSS: Opposed? Carried.

9 We have Deputy Mayor Pereira live-streaming
10 this evening. He's handling some family matters, so
11 welcome Deputy Mayor.

12 Okay, so the format for this evening's hearing
13 is going to be the applicant is going to make their
14 presentation. There will be an interaction from the
15 board, and then at such time we'll open up to public
16 comment. I ask that anybody approaching the podium to
17 please speak slowly, clearly, state your name, address
18 and affiliation, so it can be accurately recorded by
19 the reporter.

20 Folks, who's up?

21 You guys are up, 80 East Old Country Road,
22 come on down, you're the next contestant.

23 MR. MAN: Good evening.

24 MAYOR STRAUSS: How are you, sir? Come over
25 to the podium and state your name and present what you

1 want to present and we'll move along.

2 MR. YEGANEH: My name is Robert Yeganeh from
3 the Theory of Arts and Sciences, 153 South Broadway,
4 Hicksville, and we're putting in an application for a
5 permitted use for 80 East Old Country Road in Mineola
6 to bring a new location for learning and tutoring.

7 MAYOR STRAUSS: Okay, sir, what are your hours
8 of operation, and how many people are going to be in
9 the building? Talk to us about your operation.

10 MR. YEGANEH: So I would like to introduce --
11 I'm in charge of marketing and public
12 relations. Mr. Ankush Kumar is director of operations,
13 if you don't mind.

14 MAYOR STRAUSS: Absolutely.

15 MR. KUMAR: Thank you very much. So I'm
16 director of operations.

17 MAYOR STRAUSS: I'm okay with you not wearing
18 a mask. This way the court reporter can --

19 MR. KUMAR: I'm fully vaccinated.

20 MAYOR STRAUSS: Then feel free to do whatever
21 you want to do, and it's easier for us to hear and the
22 residents to hear and the court reporter to hear.

23 How are you, sir?

24 MR. KUMAR: Very well, how are you?

25 MAYOR STRAUSS: So far so good, but the night

1 just started.

2 MR. KUMAR: So we have a learning center and
3 we are open in the morning from 10 a.m. and our latest
4 hours of operation is 6:30 p.m.

5 MAYOR STRAUSS: Is that seven days a week?

6 MR. KUMAR: Five days a week.

7 MAYOR STRAUSS: Five days a week, okay.

8 Have you had experience in this type of
9 business before?

10 MR. KUMAR: Yes. So we've been doing this for
11 a couple of years. We had our first center in Deer
12 Park. We're all fully from Long Island. Our first
13 center opened in Deer Park about seven years ago, and
14 our next center has been in Hicksville for the last
15 five years. And we've been working with students from
16 kindergarten all the way up to college, helping the
17 students get into colleges, helping them apply for
18 financial aid and helping them establishing STEM
19 learning as far as school is concerned but also some of
20 the students who have diagnosed IEPs and will work with
21 their caregivers as well as our certified professionals
22 to give them classes that they sometimes can't get
23 access to in their school districts.

24 MAYOR STRAUSS: Okay. How many students do
25 you have planning at a time and --

1 We'll start with that one.

2 MR. KUMAR: Sure. So we have on average
3 anywhere from 20 to 30 students who are coming in for
4 classes and a similar session. Those students are in
5 small group classes so a single class would have
6 somewhere around four to five students and our timing
7 is varied over the course of a day.

8 MAYOR STRAUSS: How many staff will you have
9 on hand?

10 MR. KUMAR: On average we have somewhere
11 around four to five people in the building at all
12 times.

13 MAYOR STRAUSS: Deputy Mayor?

14 DEPUTY MAYOR PEREIRA: Thank you, Mayor. Good
15 evening Mr. Kumar, thank you so much. The only
16 question I have are you going to be occupying the space
17 that was formerly occupied by Curve Breakers, the
18 testing prep facility or the same building? Are you
19 occupying that space? Are they out of business?

20 MR. KUMAR: Yes, we are actually occupying the
21 same building that Curve Breakers.

22 DEPUTY MAYOR PEREIRA: You're going to be
23 replacing their space?

24 MR. KUMAR: Yes, we're going to be taking over
25 their space.

1 DEPUTY MAYOR PEREIRA: So, essentially, what
2 we're having is a similar use -- replacing a similar
3 use so since we approved that use years ago, this is
4 very consistent with the use that was approved there, I
5 certainly see no problem. I would just ask that
6 whatever conditions we put on to that prior use, which
7 I remember were minimal, that we put on to the approval
8 of this application.

9 But thank you for choosing Mineola and we hope
10 for success and good luck to you.

11 MR. KUMAR: Thank you.

12 MAYOR STRAUSS: Thank you.

13 Trustee Cusato?

14 TRUSTEE CUSATO: Thank you.

15 Did Mr. Pereira just mention the past uses?
16 So, okay, so that whole parking lot is basically yours,
17 right?

18 MR. KUMAR: Yes.

19 TRUSTEE CUSATO: You know what, I have no
20 problem here, but I just noticed that you've got a
21 proposed play area. When I'm thinking of a tutor
22 center, I'm thinking of junior and high school students
23 going to up their PSAT or SAT, so why would you have a
24 playground? Are you eventually going to do a day care
25 center here?

1 MR. KUMAR: It's not a day care center but we
2 do have a summer camp program.

3 TRUSTEE CUSATO: Say it again.

4 MR. KUMAR: It's not a day care center but we
5 do have a summer camp program.

6 TRUSTEE CUSATO: So why would you need a play
7 area? And, again, I have no issue with what you want
8 to do here.

9 MR. KUMAR: Absolutely.

10 TRUSTEE CUSATO: Why would you want a play
11 area for students that maybe in junior high or high
12 school? So just explain that philosophy.

13 MR. KUMAR: Sure. So that's a great question.
14 The reason that we have a play area in our application
15 is because throughout the year when schools are closed
16 we do have programs for working parents such as a
17 summer camp, and that summer camp is attended by
18 students from kindergarten all the way up to twelfth
19 grade. So are for the younger students that we have,
20 we don't want them inside the building the entire time.
21 We want them to learn and also get some outdoor time as
22 well in an area that's close to our building.

23 TRUSTEE CUSATO: So you could have young
24 children in your area like all afternoon?

25 MR. KUMAR: No, not all afternoon. We have

1 different sessions that the students attend. But in
2 one of our sessions, if we have very young students who
3 are coming in, they will have times when they are
4 learning and times when they are on break, which is
5 what the play area's for.

6 TRUSTEE CUSATO: Thank you. I'm done, thank
7 you.

8 MAYOR STRAUSS: Trustee Durham?

9 TRUSTEE DURHAM: No questions because I
10 believe it is the same use, and I think it's good.

11 MAYOR STRAUSS: Trustee Walsh?

12 TRUSTEE WALSH: Yes, thank you. How are you
13 today?

14 MR. KUMAR: Doing very well.

15 TRUSTEE WALSH: First of all, I'm glad it's
16 gone, but you raised quite a few eyebrows in my
17 neighborhood, and among other people, when you wrapped
18 the building --

19 That was your building, right?

20 MR. KUMAR: Yes.

21 TRUSTEE WALSH: You wrapped the building with
22 all of those advertisements. It covered two walls of
23 the entire building. What was the idea of that? I
24 know you wanted to advertise yourself, but did you
25 check with the buildings department or anybody before

1 you did that?

2 And I'll speak to whoever wants to speak.

3 MR. YEGANEH: So not to say that was the
4 correct way to do it, but it was really just to get
5 attention and it was really way overdone, and it was
6 brought to my attention, actually, by John at the
7 Building Department.

8 TRUSTEE WALSH: Yeah.

9 MR. YEGANEH: And I said what are you talking
10 about, and he said have you been there, and I said, no,
11 and I dropped everything, and I went over there and we
12 immediately took it down.

13 TRUSTEE WALSH: Because I live there, and many
14 of my neighbors -- some came to my house when I was
15 cutting my grass and they also called the Building
16 Department several times. And it was expensive because
17 they were cut proportionately to where the windows, so
18 somebody designed it, put it there and both walls were
19 covered from the ground up to the ceiling, so just I'm
20 glad that that's gone.

21 MR. YEGANEH: We wanted to be welcomed so we
22 got your attention, but we will definitely go by the
23 code of all the signage and we know exactly what they
24 are.

25 TRUSTEE WALSH: You will go through the

1 Building Department.

2 MR. YEGANEH: A hundred percent, of course.

3 TRUSTEE WALSH: How about food? Can I ask you
4 a little bit about the schedule, about the summer camp
5 you're talking about? Are you going to have food there
6 for young people, young children?

7 MR. YEGANEH: I'll let Mr. Kumar answer that.

8 MR. KUMAR: Sure. So we don't serve food on
9 the premises. All the food that is brought in by the
10 students so they will bring their own food. It is not
11 one that we provide or sell on premises.

12 TRUSTEE WALSH: Okay. Now, because I can see
13 20 to 30 students all year round, and you have a
14 parking lot and everything else, but my question is
15 about the summer camp. Are all the students that are
16 going to go to summer camp, it's going to be conducted
17 inside the building?

18 MR. KUMAR: Yes.

19 TRUSTEE WALSH: Nothing's going to be in the
20 parking lot next to the neighbors? You're not going to
21 have games out there or anything like that?

22 MR. KUMAR: We don't do any outside games or
23 anything, one, because it is an open area --

24 TRUSTEE WALSH: Well, there's a parking lot.

25 MR. KUMAR: Yeah, even in the parking lot.

1 Even in that play area that you have --

2 Do you have a question?

3 TRUSTEE WALSH: And I bring that up because in
4 the past there were other places like on Mineola
5 Boulevard and stuff where they were out at 5 o'clock in
6 the morning with a bullhorn directing, you know, and,
7 again, it's about a neighborly thing. You want to be
8 good neighbors, and your neighbors want you to be good
9 neighbors.

10 About how many children go to this summer
11 camp?

12 MR. KUMAR: Anywhere from about 30 to 35
13 students.

14 TRUSTEE WALSH: Thirty to 35, and how long is
15 the summer camp in hours per day?

16 MR. KUMAR: So we have different sizes.
17 Session one starts in the morning at 9 a.m. and we have
18 sessions as late as 5 p.m.

19 Just to clarify, the traffic and directing
20 people. We are drop off and leave them so students are
21 getting dropped off and parents are leaving. It's
22 usually a very, very quick process. They're not
23 waiting around. The building has key pad entry so only
24 students who are supposed to be there can easily get
25 inside, and we have staff members to make sure kids get

1 inside safe and move on.

2 We've been doing the summer camp in our other
3 areas and we never had a problem with blocking traffic
4 or no congestion in the area. We give very strict
5 directions to all of our parents.

6 TRUSTEE WALSH: It's part of your model, I get
7 it. I don't have a problem with it.

8 And what months, what's the time period in the
9 year that you have this summer camp?

10 MR. KUMAR: For the months of July and August.

11 TRUSTEE WALSH: Okay, I have no further
12 questions, thank you.

13 TRUSTEE CUSATO: May I?

14 MAYOR STRAUSS: Sure.

15 TRUSTEE CUSATO: So you said nothing will be
16 conducted outside, but you got a playground area so
17 that is outside, no?

18 MR. KUMAR: Yes.

19 TRUSTEE CUSATO: So what am I missing here?

20 MR. KUMAR: So when I'm saying that we're not
21 going to be outside, I just want to preface that that
22 I'm not including the play area. We're not going to
23 have anybody outside unless they're either in the play
24 area or if they're going to -- they're not going to be
25 in the parking lot. So they're only in the play area

1 if they're outside.

2 TRUSTEE CUSATO: But you can have kids
3 screaming and yelling and having a good time, right,
4 outside? And nothing wrong with that, but --

5 MR. KUMAR: But it is not in any sort of
6 quantity or area that would be disruptive. Because the
7 permit that we applied for is on the side of the
8 building that has no houses. It is strictly surrounded
9 by just a parking lot, and this play area is a small
10 area where you have, on average, five or six students
11 out at the same time. So it would never be 30 kids are
12 out in the parking lot making disruption, so it would
13 not be, you know, there will be no noise that would be
14 disrupting the nearby people.

15 TRUSTEE CUSATO: I forgot to ask you a
16 question before, so it's a two-story structure?

17 MR. KUMAR: Yes.

18 TRUSTEE CUSATO: According to your drawing,
19 you're going to utilize the entire two stories, right?

20 MR. KUMAR: Yes.

21 TRUSTEE CUSATO: All right, thank you.

22 TRUSTEE WALSH: And yeah, just so -- if I can
23 go on because I thought that my question just led to
24 the answer that you were gonna have nothing outside, so
25 you are gonna have some students outside.

1 MR. KUMAR: Yes.

2 TRUSTEE WALSH: And when you said the whole
3 area is surrounded by a parking lot, I mean there is a
4 parking lot behind the building and immediately next to
5 that parking lot is somebody's house, right?

6 MR. KUMAR: Yes. So there is a parking lot
7 behind the building, but there's somebody's house right
8 there. Actually, I went by to make sure that we're not
9 going to do anything that was disruptive in that area.
10 The permit that we have for the play area is not facing
11 the house. It's facing the other side. The side
12 that's away from the road.

13 TRUSTEE WALSH: Can you say that again, I'm
14 sorry, I missed that, I didn't follow.

15 MR. KUMAR: The permit we put down for the
16 play area, the play area is not on the side of the
17 building that's facing the house. It's on the side of
18 the building facing the other side of the parking lot.

19 TRUSTEE WALSH: I know that spot, okay, that's
20 all. Thank you.

21 MAYOR STRAUSS: Any other comments from the
22 board? Deputy Mayor?

23 DEPUTY MAYOR PEREIRA: No, comments, Mayor. I
24 think that given the location of this building on Old
25 Country Road there will probably be a lot more noise

1 coming from the traffic on Old Country Road than from a
2 handful of children in a parking lot. So, again, as we
3 approved the prior use, I think this is a good use of
4 that area. It's not going to be during nighttime
5 hours. It's not going to be overnight hours. It's not
6 going to be super early in the morning. It's not going
7 to be super late in the evening. I wish them well.

8 MAYOR STRAUSS: Thank you.

9 Gentlemen, anything else you would like to
10 present before we open up to public comment?

11 MR. KUMAR: The only thing I would like to say
12 we've been in about two communities, in Deer Park and
13 in Hicksville, and myself and Robert and all the people
14 who we work with we're from the area. I grew up in
15 Hicksville. I'm a local Long Islander. So for us to
16 spread out in the area of the Town of Mineola is a
17 really big honor for us. We want to make sure we have
18 a good impact on the community and we're very
19 responsive to the community.

20 MAYOR STRAUSS: Have a seat, stay close by.
21 We're going to open it up to public comment.

22 Again, I ask anybody approaching the podium
23 wishing to comment on this application state your name,
24 address and speak slowly and clearly so you can be
25 accurately recorded.

1 Anybody in the second row?

2 Third row?

3 Fourth row?

4 Fifth row? Yes, ma'am.

5 MRS. CLANCY: My name is Clancy, Mrs. Clancy,
6 11 Juniper Avenue. I'm the lady that owns the house
7 next door. Um, I don't know if they need a permit, I
8 don't know, but they have been jackhammering the
9 basement for the last three days. Don't they need a
10 permit? I needed a permit to put up an extension. I
11 don't see any permit on the window.

12 And if it's going to be like what they said, I
13 really -- there's -- I had no idea. I thought this was
14 an SAT prep class. I had no idea there was -- when
15 this was advertised that they're going to have a
16 playground in the parking lot. Where? Where's the
17 specs for this? Are they going to surround it with a
18 fence? I have a dog. The dog is going to bark all
19 damn day. This is a neighborhood. We have a lot of
20 kids in the neighborhood.

21 You might think it's fantastic, but you don't
22 live in my house. So I need an explanation about what
23 is going on.

24 Now, this drop-off, are they gonna line up on
25 Juniper Avenue? Are they gonna line up on Geranium?

1 Are they gonna line up on Old Country Road? Where's
2 the entrance and the exit to this place?

3 If they're gonna put a playground on the side
4 of the house like you describe, what is -- where is the
5 pickup? What's gonna happen? Where's the close off?
6 My dog is gonna bark all damn day and annoy my
7 neighbors.

8 I don't understand how this can be so easy for
9 the Board to get through. It's huge. The parking that
10 we have now, the existing parking is terrible. We have
11 these people coming in for the restaurant, parking in
12 front of my driveway constantly. Why do you think it's
13 okay? Why do you think Eric's Bistro is okay? Eric's
14 Bistro shares the parking lot for their patrons park in
15 there, and you allowed that, which is fine; they don't
16 park in front of my house, but they do park in front of
17 my house, they do, and they park in front of my
18 driveway, and they get -- and I get annoyed, and I tell
19 them so and I walk into that restaurant, and I tell
20 them to move the car and he ignores me. But that's
21 another deal.

22 This is another thing. He has people coming
23 in all for lunch. They park in that parking lot. Are
24 they going to be allowed to park in the parking lot?
25 What's going on here? Why is it so easy for all of you

1 to agree to this when you don't even --

2 MAYOR STRAUSS: Ma'am.

3 MRS. CLANCY: I wasn't even shown the specs,
4 and they're working on the project right now? Do they
5 have permits? I would really like to know.

6 MAYOR STRAUSS: Nobody said this is easy and
7 nobody approved anything.

8 MRS. CLANCY: Well, it sounded like everybody
9 loved it.

10 MAYOR STRAUSS: Okay, thank you. Anybody else
11 in the fifth row? Yes, sir.

12 MR. McPARTLAND: My name is Bruce McPartland,
13 24 Juniper Avenue.

14 Gentlemen, I would just like to reiterate that
15 this is Old Country Road, dropping kids off on Old
16 Country Road. You got the giant Palma Houses now. You
17 got a very congested street. There will be a parking
18 problem. There has been a parking problem on Juniper
19 Avenue for quite a while. I'm against it. I'm against
20 them unless we have some kind of a guarantee that
21 there's valet parking or maybe they can use another
22 portion of the other building that's now vacant.

23 I really, like Wendy, I'm shocked that you're
24 just, yeah, it's fine, it sounds good. There are some
25 concerns on Juniper Avenue and Old Country Road when it

1 comes to parking and congestion, especially when you
2 deal with kids.

3 The gentlemen here sitting acts in good-faith.
4 Saturday, when they were putting up those posters,
5 obviously, they didn't get approval from the Village.
6 They didn't check to see what the regulations were for
7 the Village.

8 I don't believe you own the building, do you?

9 MAYOR STRAUSS: Sir, direct your questions to
10 us. We'll ask that question.

11 MR. McPARTLAND: I'm assuming they don't own
12 the building because, if they did, they wouldn't have
13 put over a hundred holes in the brick and the mortar.
14 They shattered the bricks and they busted up the
15 mortar. I think if I was the owner of that building, I
16 would be a little ticked. I wonder who is going to fix
17 the building now. I wouldn't say that was in
18 good-faith to the neighborhood.

19 Wendy's got a point. There's been a problem
20 over there with parking. Especially when you have kids
21 involved. I have no idea what this variance is.
22 Again, you're gonna look the other way on the variance.

23 MAYOR STRAUSS: What do you mean look the
24 other way on variance?

25 MR. YEGANEH: Well, we have to get a variance

1 in order for them to have a five story building on Old
2 Country Road. And now we got seven, eight, and that's
3 okay.

4 MAYOR STRAUSS: That has nothing to do with
5 this.

6 MR. McPARTLAND: I know it doesn't, but I'm
7 saying the letter that I received said there was a
8 meeting about the variance to this building.

9 MAYOR STRAUSS: Special use. We're going to
10 approve the special use permit.

11 MR. McPARTLAND: It is not a variance?

12 MAYOR STRAUSS: No.

13 MR. McPARTLAND: My mistake.

14 MAYOR STRAUSS: No problem.

15 MR. McPARTLAND: Okay. So I would like to
16 support Wendy and say there are some concerns in the
17 neighborhood. We talked about a couple of other people
18 as far as parking, the noise and, again, it's always
19 been a problem with the parking on Juniper Avenue. I
20 think special use, this is the wrong use.

21 MAYOR STRAUSS: Can I ask you what would be a
22 good use? If this is a wrong use, what would be a good
23 use?

24 MR. McPARTLAND: I thought the lawyer that was
25 there before was fine, the law office. That's what

1 originally all along there there used to be all law
2 offices.

3 MAYOR STRAUSS: Unfortunately, we can't tell
4 people that they can or can't come in here. We can't
5 say it's only for lawyers, it's only for accountants.
6 That's not what we're allowed to do. So when we hear
7 what the applicant --

8 MR. McPARTLAND: I don't think it is a good
9 idea to drop kids off on a street that doesn't even
10 permit parking on a main road. Mr. Pereira, I don't
11 know if you've been down Old Country Road the last
12 couple of years, but the congestion is quite something.
13 Is there any -- obviously, you haven't looked into this
14 as far as drop off and pickup, they're gonna be all
15 lined up and down Juniper Avenue picking up their kids.

16 MAYOR STRAUSS: Well, we'll have that question
17 answered.

18 MR. McPARTLAND: Okay, thank you.

19 MAYOR STRAUSS: Thank you, sir.

20 Anyone else from the sixth row, fifth row?
21 Yes, ma'am.

22 MS. BOLAND: Good evening, I'm Claire Boland,
23 and I live at 28 Juniper Avenue and I just wanted to
24 mention that we raised our children in our home, and
25 I've always taught them you never cross the street at

1 Old Country Road and Juniper Avenue. You walk halfway
2 down the block and then you cross the street because
3 the cars turn on to the block so fast. The mail truck
4 is parked right there. Sometimes you can't see around
5 it and it's very, very dangerous. Cars want to get in
6 so fast. They want to zoom in and now we're talking
7 about a drop off situation.

8 I mean, I'm all for tutoring, but I just feel
9 like that parking lot doesn't hold that many cars and
10 now you want to take part of it and build a little
11 small playground but I don't understand if it's that
12 many people and it's going to be going on all day long
13 until 6:30 at night, and you're saying you only have
14 four or five staff that are on. Who's going to monitor
15 the playground? Who's going to be the traffic control
16 person? I don't really believe that this is as --
17 gonna be as well run and as workable as we're led to
18 believe. Thank you.

19 MAYOR STRAUSS: All right, thank you, ma'am.
20 Anybody else in the sixth row? Seventh row? Yes,
21 ma'am.

22 MS. OKRENG: Laura Okreng, O K R E N G, 27
23 Geranium Avenue. When I first heard about this, it was
24 a tutoring facility, that's what it was put down to,
25 which is fine. No need for a playground, no need for

1 anything like that. Come, tutor, pick up, great.

2 I worked for ten years in childcare from six
3 years old all the way up to twelve years old before and
4 after school program. We built a new building
5 including playground, parking lot, everything. All
6 right, lots of concerns when it comes to a playground
7 right next to Old Country Road. I don't know what the
8 specs are or what the safety is. That fence has got a
9 walkthrough. So what are the specs to protect the kids
10 in case there is a car that comes through? That is one
11 big, big issue.

12 We were even off the road, but because our
13 playground was so many feet, we had to have barriers
14 built up from the parking lot. I don't know how you
15 would put barriers on Old Country Road for this and on
16 the other side.

17 When you're talking about a playground, what
18 type of equipment are you talking about? What type of
19 groundwork are you talking about? Staffing is a major
20 issue. If they're only going to have four to five
21 people, that may not go with the ratios allowed for the
22 age groups they're talking about. All right, you
23 cannot have four to five people for 20 to 30 people,
24 that just does not work. Nassau County has specific
25 guidelines when it comes to camps, especially with

1 younger children, all right? All of those little
2 details should be looked at. And if you only have four
3 to five people and 30 kids ranging in whatever ages and
4 you have five kids out on the playground, you need at
5 least two people. God forbid, one of those children
6 get hurt, somebody has to take care and somebody has to
7 watch. So there's a bunch of concerns.

8 There's no parking on Geranium from 8 a.m. to
9 6 p.m. Parents will not be able to park there and walk
10 across. Are they going to put a barrier also between
11 that parking lot and the other building so this way
12 parents can't park, and Eric's can't use it? I don't
13 know. Again, and everybody up and down Geranium,
14 people come up and down all the time, and if there's
15 gonna be a lot of parked cars, are they going to be
16 staggered?

17 I know when I worked in childcare we had
18 sometimes 30 people come in at the same time to drop
19 off their kids. Sometimes a second parent came in
20 because something was forgotten. You know, it's lot of
21 people dropping off at the same time unless it's
22 staggered where it won't go all the way down
23 Geranium -- I mean Juniper.

24 That's all I have to say.

25 MAYOR STRAUSS: Thank you very much,

1 appreciate it. Anyone else wishing to make comments on
2 the application? Yes, ma'am.

3 MRS. BUTTACOLI: My name is Katherine
4 Buttacoli, I'm at 35 Holly, I've been there for over
5 fifty years. It's an eight block area. There's only
6 one way into the area, and it's the same way out. It's
7 always been kids in that area, and they all know,
8 whether they live on Holly, Juniper or anyplace,
9 they're told not to go past the parking lot as they
10 were growing up.

11 This is not the place for that, people --
12 these people want to come in. We don't need the
13 traffic. I have no traffic during the day on my block
14 from 10 to 4, and there's still a lot of traffic
15 because you have to get to the other end of the eight
16 blocks, and it's dangerous, and you want to put kids
17 there and a play ground. That's not the place. So I
18 don't believe this is really the place for your
19 business.

20 MAYOR STRAUSS: Thank you, ma'am. Anyone else
21 wishing to make comment? Yes, sir.

22 MR. BOLAND: My name is Kevin, Kevin Boland.
23 I live at 28 Juniper Avenue. That is on the other side
24 of the street where this tutoring facility will be.
25 It's about five houses down from that facility, and

1 what I would like to talk about is congestion on
2 Juniper Avenue, and I would like to ask when this
3 gentleman has driven down Juniper Avenue to say that
4 there is no problem with putting this facility in
5 there.

6 The reason I say that is I worked in -- I
7 worked in Melville, and I would come home at night, and
8 I would make that turn on to Juniper Avenue. I can't
9 tell you how many times I hit the brakes for somebody
10 coming out of that parking lot. There is a problem of
11 congestion. Juniper Avenue, when you have one car
12 coming down and one car heading south and one car
13 heading north, one has to pull over so that the other
14 one can really pass by because there are cars on both
15 sides of the street, and I know that's not unusual for
16 Mineola, but everybody knows that Long Island you have
17 a lot of cars. There is a lot of congestion on Juniper
18 Avenue.

19 Now I would like to point out one other thing,
20 okay? There's an office building on the corner of
21 Juniper Avenue. The parking lot, they have one-way
22 restriction because they know that it causes problems
23 if cars come out of that parking lot. This is directly
24 across the street from where you are putting that
25 facility.

1 I am really opposed to this. It's gonna make
2 my life a lot more harder to egress my own street, and
3 that's why I'm opposed to it.

4 MAYOR STRAUSS: Thank you.

5 Anyone else wishing to make a comment?

6 Okay, gentlemen, come on back up. So you
7 heard the residents, and can you explain about the
8 parking scenario, what's gonna happen? Do you have
9 total rights to the parking lot? Have you worked out
10 anything with Eric's Bistro? Are you aware they park
11 in there? Just go through that a little bit.

12 MR. KUMAR: I also want to thank a lot of the
13 residents for their concerns they are bringing up.
14 When we were looking to open a center originally, one
15 of the reasons that we wanted to have our own parking
16 space was specifically for safety as well as
17 convenience and to make sure that it doesn't get in the
18 way of any of the other people who are living there
19 especially.

20 One of the main things that I wanted to
21 address was when people are doing drop-offs, the reason
22 that we wanted to have that back parking lot was to
23 make sure that it's not congested in front of people's
24 houses. There's enough room in that parking lot, above
25 twenty cars in that parking lot, and people will be

1 able to pull in, do their drop-off and also leave
2 without having to park in front of the houses that are
3 on Juniper Avenue.

4 To help facilitate to make it even faster for
5 people to do drop-offs, we have two entrances that
6 we're using for drop-offs. There's a back entrance
7 where the parking lot is and also a front entrance to
8 the building. It's all there to make sure there is no
9 congestion.

10 The second thing is we don't have -- it is not
11 like a public mall or a shopping center or things like
12 that. We don't have that many cars coming in to do
13 drop-offs. If we have a summer camp, where we have 25,
14 35 kids or students, it's staggered over the course of
15 a day. We don't have a time where there's 35 kids
16 coming in, getting dropped off, lining up on Juniper
17 Avenue. Instead all of the cars will be in the parking
18 lot without causing any disruption to the people who
19 are there currently.

20 As far as the playground issue, I think it's
21 just a misnomer. We're not trying to create an open
22 playground. It is going to have a full fence around it
23 because our primary concern when kids are outside is
24 safety.

25 The playground is not accessible from the

1 outside; it's only accessible through the building, and
2 the people who will be outside on the playground will
3 be in such small groups and under constant supervision
4 by our staff members, and it's not there so that people
5 can just go into the playground from somewhere else.
6 That's why we have a high fence coming in over there as
7 well.

8 MAYOR STRAUSS: Let's stick with the
9 playground for a second. There was issues with members
10 of the audience. Can you please talk about the size of
11 the playground right now, what's going to be in the
12 playground, what is the makeup of the ground.

13 MR. KUMAR: Absolutely. The playground
14 currently that we have in the process is very small.
15 It's not a large playground. It only takes up about
16 three car spaces or so. Three or four car spaces, it
17 takes up, but it is just a small area which will have
18 sides and safe for students and some outdoor equipment
19 that they will be able to do some sort of activity. A
20 lot of the activity we want kids to be able to do will
21 be something along the lines of safe area outside doing
22 jumping jacks, maybe have some outside group time, but
23 it doesn't have swings; it doesn't have monkey bars.
24 It is not that type of playground. We're not trying to
25 make that outside either. It's only there for short

1 periods of time so kids can get some outdoor activity
2 and not be kept during the camp inside the building
3 during the entire time.

4 MAYOR STRAUSS: Will there be people dropping
5 off on Old Country Road or are you going to have that
6 strictly in the back or picking up?

7 MR. KUMAR: That's a good question.

8 So as far as Old Country Road goes, I don't
9 know if there's a -- on front of the road there's a
10 free drop-off area. I believe there's a small area for
11 parking. We're going to tell everybody that they have
12 to do it at the back parking lot. They have to pull
13 in, park and drop kids off so it doesn't cause an issue
14 for people living on Juniper Avenue.

15 MAYOR STRAUSS: One of the residents mentioned
16 about valet parking. Are you going to address that at
17 all?

18 MR. KUMAR: We're not doing valet parking.

19 MAYOR STRAUSS: There will probably be no need
20 for it because they're dropping off and not staying?

21 MR. KUMAR: Exactly. Plus, valet parking, a
22 lot of times -- the drop-off that we have is very, very
23 quick. It's something that parents just make sure the
24 kids get out of the car and into the building and they
25 leave right away. It doesn't take a very long -- very

1 much amount of time.

2 MAYOR STRAUSS: Do you own the building?

3 MR. KUMAR: TM Learning Center does not.

4 MAYOR STRAUSS: You do not own the building,
5 okay.

6 Who's going to be monitoring the playground
7 with the children in it? Do you have one people, two
8 people? Is it going to be -- because there are
9 requirements as to ratio, student to adult ratio.

10 MR. KUMAR: We follow all the Nassau County
11 requirements for our class sizes, so if we're having
12 students inside of our classes going into the
13 playground, the same class sizes that we have tutors or
14 teachers who are working with them are the ones
15 supervising them in the play area. There's never a
16 time where our class sizes become larger than the play
17 area. We have only small class sizes because it is a
18 tutoring center and that same small class size stays
19 inside the play area as well.

20 On top of that, there's never a time where all
21 the kids are going into the play area. It has
22 staggered use because it's so small, so you're not over
23 kids in there at the same time. It's they're only
24 there for short activities.

25 MAYOR STRAUSS: Let's stick with the

1 playground for a second. What type of barriers will be
2 surrounding the playground to ensure that should a car
3 have some sort of issue that it won't injure any of the
4 children?

5 MR. YEGANEH: The architects and the engineers
6 are right now, before we apply for the building permit,
7 are drawing that up. So there will be plenty of
8 structures blocking any incidents or accidents, so
9 that's being looked at very carefully.

10 And I would like to address something else,
11 your Honor. You know, I think the whole phrase of the
12 word playground is what people are struggling with.
13 This is not a playground. This does not fall under
14 playground category when we go apply for permits. This
15 is a small area, like Mr. Kumar mentioned. It's about
16 three and a half parking spots of just a break area and
17 certain activities. You know, people hear playground,
18 and they think all sorts of different crazy things.
19 This is not that.

20 And the other thing I wanted to address was I
21 hear a major concern about congestion and parking. We
22 don't need parking. We don't use parking. Parking is
23 not an issue. We have more parking than we need. So
24 no one's going to be parking in front of anybody's
25 house. And as far as congestion goes, they will pull

1 into the parking lot and they pull out. It has no
2 affect on the rest of Juniper. We're sitting right on
3 the corner. So and obviously we cannot address any
4 dogs barking or if somebody gets a gorilla the next
5 day, you know, making noises because they see kids
6 coming and going. Some of them are legitimate, you
7 know, reasons for coming up to the podium, but some
8 really aren't to try to go against this use.

9 MAYOR STRAUSS: Well, that's your opinion.

10 MR. YEGANEH: Of course, we're all here for
11 our opinions.

12 MAYOR STRAUSS: Absolutely.

13 Anything else you would like to address?

14 MR. YEGANEH: Well, we can't wait to have the
15 opportunity to serve the community. It's a much needed
16 use. It's a very, very, very extremely welcomed use by
17 what we have seen based on social media and our
18 community outreach, and we're here to serve the kids of
19 the community.

20 MAYOR STRAUSS: Any other comments from the
21 Board?

22 TRUSTEE DURHAM: Just when you mentioned the
23 play area, is it just going to have like a picnic table
24 out there, or is it going to have swings or slides?

25 MR. YEGANEH: No, no. There's not enough room

1 to do anything like that. That's not our business
2 model.

3 TRUSTEE DURHAM: So it is just like a picnic
4 table out there so they can go out there?

5 MR. YEGANEH: Just to break the day up and
6 give them some outside fresh air time which, you know,
7 parents like that, kids need that so they're not in all
8 day. And like I said, it's not like we're going to
9 have 35, you know, loud, you know, obnoxious kids out
10 there. They go, I think, what, six or eight at a time?

11 MR. KUMAR: Not even.

12 MR. YEGANEH: Not even six or eight at a time.

13 TRUSTEE DURHAM: You said class sizes are four
14 to five?

15 MR. YEGANEH: Yeah, four to five at a time.
16 Saying, maximum, maybe eight at a time.

17 MAYOR STRAUSS: Any other comments from the
18 Board?

19 TRUSTEE WALSH: Yeah, Mayor, if you don't mind
20 a few questions from the audience. First of all, which
21 is it, six to eight or four to five?

22 MR. YEGANEH: It's four to five in our
23 existing model.

24 TRUSTEE WALSH: Somebody asked what kind --
25 are you going to have like rubber mats on the floor

1 there or anything else or just asphalt? In the place
2 area.

3 MR. YEGANEH: In the play area? Yeah, we will
4 probably have mats down on the ground.

5 TRUSTEE WALSH: Okay. Another question from
6 the audience is have you been using a jackhammer over
7 there in the basement over the past several days or
8 have you been doing any work there in the past several
9 days?

10 MR. YEGANEH: The only work we've been doing
11 was some floor work and some ceiling work. What kind
12 of noises are they generated? I don't know, but we
13 know exactly what we're allowed to do and not allowed
14 to do until we get our permits in place.

15 TRUSTEE WALSH: When you say you're doing
16 floor work, you mean like a floating floor?

17 MR. YEGANEH: No.

18 TRUSTEE WALSH: Hold on, hold on. I'm just
19 trying to learn from you, that's what we're here for,
20 because somebody said they heard a jackhammer. I
21 didn't hear a jackhammer, but I'm not living next door.
22 This person lives next door.

23 What kind of flooring work are you doing? Are
24 you breaking up cement? Are you just throwing
25 something down to an existing? What kind of flooring

1 work are you doing?

2 MR. YEGANEH: We're lifting up the existing
3 floor that was there.

4 TRUSTEE WALSH: What is that material?

5 MR. YEGANEH: Carpeting.

6 TRUSTEE WALSH: Okay, carpeting. You're
7 lifting up carpeting, and what are you putting in that
8 place, more carpeting?

9 MR. YEGANEH: We're replacing it with some
10 cushion. Some more cushion, special for our use.

11 TRUSTEE WALSH: What kind of ceiling work are
12 you doing?

13 MR. YEGANEH: Just tile work. The only cement
14 work that was done --

15 TRUSTEE WALSH: Yeah.

16 MR. YEGANEH: -- was one wall in the basement
17 that had to come down, and that's all we did.

18 TRUSTEE WALSH: When did that occur?

19 MR. YEGANEH: Um, I believe it was this past
20 Friday.

21 TRUSTEE WALSH: Okay, so you weren't just
22 doing -- so there was a block wall that was removed; is
23 that correct?

24 MR. YEGANEH: Yeah, but there was no
25 jackhammer needed.

1 TRUSTEE WALSH: But there was a block wall
2 which is different than flooring.

3 MR. YEGANEH: One wall.

4 TRUSTEE WALSH: Listen, I'm just trying to
5 make the point that somebody said they heard it. They
6 either heard it or they didn't hear it and apparently
7 they did hear it. I don't know if you had -- that's up
8 to the Building Department. I don't know if you had
9 the go-ahead from the landlord or the Building
10 Department or whatever, but somebody did hear it.

11 MR. YEGANEH: Both of them and the Building
12 Department said you can do some minor work in there
13 that you don't need a permit for.

14 TRUSTEE WALSH: That's fine. Now, I do --

15 You know, I understand that, you know, that
16 you have a parking lot in the back, and I know the area
17 very well because, like I said, I live a few blocks
18 away. But what -- but everything always comes down to
19 enforcement, so if -- how many people -- how many
20 students -- what's the maximum number of students
21 you're gonna have at one time? Twenty?

22 MR. YEGANEH: On drop-offs?

23 TRUSTEE WALSH: No, no. How many students in
24 a class for an hour or however long the class is? Is
25 it an hour, two hours? Yes, please come up.

1 MR. KUMAR: One of the things I wanted to
2 clarify we have multiple classes going on of small
3 groups. So at a single time you would have somewhere
4 around four to five classes going on and each class can
5 have anywhere -- some of them are one-on-one classes,
6 so when I say we have four to five classes going on,
7 they can have four to five students inside. That
8 doesn't mean every class has four to five students.

9 TRUSTEE WALSH: So would you say in a one hour
10 period of time you will have twenty students?

11 MR. KUMAR: Yeah.

12 TRUSTEE WALSH: And the neighbors' concerns --
13 and you're gonna have to enforce it if the application
14 is passed -- but the neighbors' concerns are that when
15 a class is over, that all the parents come at the same
16 time to pick up their kids, which they will, right?
17 And people don't want them sitting on the street,
18 Geranium or Juniper, rather. And, you know, unless you
19 are serious about enforcing that, people do what they
20 want to do, and if it's easier for them to pull up in
21 front of somebody's house, they're gonna do that.
22 Human nature, they are gonna do what's easier for them.
23 So what is your plan to control people from lining up
24 on Geranium or Juniper?

25 MR. KUMAR: So there are a couple of things

1 that we have done to make sure that, again, it is not a
2 problem for people who are in the neighborhood. That's
3 specifically why we chose a building to begin with that
4 has so much free parking. Now, we don't use much of
5 that parking ourselves, and when the parents are coming
6 and doing drop-offs, they're not waiting for the child;
7 they're dropping off and then they're leaving, so that
8 parking lot largely remains empty.

9 MAYOR STRAUSS: How about picking up after
10 class?

11 MR. KUMAR: Even if they're picking up after
12 class, because we have two places where you can do the
13 pickup, it's usually a lot faster, the pickup, but even
14 imagine on our off days where everybody is picking up
15 in the back, the parking lot is big enough where they
16 don't have to disrupt any the houses on Juniper. They
17 can go into the parking lot, do the pickup and then
18 leave right on to Old Country Road.

19 TRUSTEE WALSH: What is your plan to enforce
20 that?

21 MR. KUMAR: There are a couple of things we
22 can do to make sure everybody knows this is policy.
23 What we have done in our other locations, because both
24 locations we have right now are also on a main road,
25 one of our locations doesn't have a back parking so we

1 had to address this there as well. Not only do we have
2 to let parents know what they are doing at signup, but
3 when they signup, they get a welcome package. And in
4 the welcome package there will be information not to
5 park in this one area. So they know not to park in
6 this one area.

7 TRUSTEE WALSH: Okay. In that welcome
8 package, will it be a letter saying that, you know,
9 that you can park in that parking lot or that you must
10 park in that parking lot?

11 And the reason why I ask this is because these
12 people make a valid point. I know the street well, and
13 I could see if there's 20 kids, that parents lineup
14 waiting to pick up their kids. Dropping off is
15 dropping off. They drop off and go, but, waiting,
16 sometimes they come ten minutes early, they come five
17 minutes early, people know each other, they talk, and
18 we want to keep it off the street. The neighbors want
19 to keep it off the street. So in this packet, can you
20 say that they must pickup and drop off in the parking
21 lot?

22 MR. KUMAR: I think that Juniper has that --
23 do you want to address that?

24 MR. YEGANEH: Yeah, let me address that for a
25 moment, if you would. None of these parents really

1 like their kids to walk out a classroom, walk down the
2 sidewalk, across the street to go into a car, so you
3 have to understand --

4 TRUSTEE WALSH: Not across the street, and I
5 do understand, believe me, I do understand. I'm not
6 confused about that.

7 MR. YEGANEH: Good.

8 TRUSTEE WALSH: What you're not understanding
9 is some people will park on the street and the kids
10 come out and they get in the car.

11 MR. YEGANEH: I understand completely.

12 TRUSTEE WALSH: You have to control that.

13 MR. YEGANEH: But as you know, nobody can
14 control that. People do what they want.

15 TRUSTEE WALSH: Right.

16 MR. YEGANEH: However, our parking lot is
17 large enough where they can come in, pull in park and
18 wait for their kids to go picked up, and they can park
19 around the building. Why would they park down the
20 street?

21 TRUSTEE WALSH: I don't know why.

22 MR. YEGANEH: I don't know either.

23 TRUSTEE WALSH: But they may, and what I was
24 asking the other fella and, you know, is that you put
25 in your instructions to the parents that they must pick

1 up and drop off inside the parking lot and not park on
2 the street?

3 MR. YEGANEH: Absolutely, absolutely. We can
4 make it --

5 Look, we also have to let them know we're
6 neighborhood friendly, and, for that reason, we like
7 you to abide by these rules or regulations. You have
8 to drop off and pickup in the parking lot.

9 TRUSTEE WALSH: Okay.

10 MAYOR STRAUSS: Any other comments from the
11 board?

12 TRUSTEE DURHAM: Yes. Question: Time between
13 classes from class start to the next -- when class ends
14 to the next class starting, is there a half hour buffer
15 or something like that or is it right at the same time
16 so you can have people picking up and dropping off at
17 the same time? Is there a half hour buffer alleviating
18 traffic?

19 MR. KUMAR: Our classes are scheduled all
20 across the day, so we have times where, you know, there
21 are very few times where we have all of the kids at
22 once getting dropped off. Even when we have a summer
23 camp running, we have about 30 kids, even then not
24 everyone is being dropped off at the same time. So
25 there's never much of an overlap. The only time we

1 have a big overlap is when we have sometimes private
2 classes going on, we have maybe one or two kids
3 leaving, and then two more kids coming in at the same
4 time, but besides that, there's not much overlap.

5 TRUSTEE DURHAM: So when a class ends and a
6 new class starts, whatever, for that teacher --

7 MR. KUMAR: Yeah, one of the students coming
8 in as the next student for that teacher --

9 TRUSTEE DURHAM: All of the classes don't
10 start at the same time?

11 MR. KUMAR: No.

12 TRUSTEE DURHAM: The classes are staggered?

13 MR. KUMAR: Yes.

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

16 TRUSTEE WALSH: No.

17 MAYOR STRAUSS: Gentlemen anything else?

18 MR. YEGANEH: Thank you for the opportunity.

19 MR. KUMAR: Thank you so much.

20 MAYOR STRAUSS: I'll entertain a motion to
21 close the hearing, reserve decision.

22 TRUSTEE CUSATO: Motion.

23 MAYOR STRAUSS: Motion by Trustee Cusato.

24 All in favor?

25 TRUSTEE DURHAM: Aye.

1 TRUSTEE CUSATO: Aye.

2 TRUSTEE WALSH: Aye.

3 DEPUTY MAYOR PEREIRA: Aye.

4 MAYOR STRAUSS: Opposed? Carried.

5 Ladies and gentlemen, thank you very much for
6 coming out this evening.

7 * * * * *

8 MAYOR STRAUSS: Folks, this is the next what
9 we're going to do now have a continuation of NYU
10 Langone's site plan review hearing. You guys can take
11 off if you want.

12 MR. YEGANEH: Thank you very much.

13 MAYOR STRAUSS: You're very welcome.

14 This is a continuation of NYU Langone site
15 plan hearing regarding construction of the new visitor
16 parking garage.

17 Mr. Gibbons.

18 MR. GIBBONS: Mayor, since the last hearing
19 the Nassau County Planning Commission has gotten back
20 to us and recommended local determination. They also
21 provided a letter that I'll read into the record, dated
22 May 7, 2021.

23 Please be advised that the above-referenced
24 case was before the Nassau County Planning Commission
25 at the meeting on May 6th, 2021. The Planning

1 Commission issued a local determination, see enclosed
2 resolution. However, the Commission did express its
3 concern relative to the potential parking problems that
4 may be encountered during the period of construction of
5 the new visitors' parking garage.

6 It is the Commission's understanding that the
7 hospital plans to demolish the existing visitors'
8 parking garage prior to the completion of the new
9 visitors' parking garage. While the hospital has
10 provided a plan to mitigate the impacts of the project
11 on parking during the construction period, the Planning
12 Commission feels that it is in the best interest of the
13 Village and in the -- and the hospital to maintain the
14 existing visitors' parking garage until the new
15 facility is completed and ready for use.

16 On another matter, the Planning Commission is
17 aware that the hospital representatives have met with
18 the Mineola Fire Department on the matter of fire
19 safety at the new parking garage and the sprinklers and
20 the other fire suppression measures will be
21 implemented. However, the Commission inquired as to
22 whether the fire department has a preplan to address
23 car fires in the new garage. If not, such a plan
24 should be prepared.

25 Sincerely, Martin Katz.

1 Thank you.

2 MAYOR STRAUSS: Thank you.

3 All right, we're gonna have NYU come up to the
4 podium and present their presentation. Again, I ask
5 anybody approaching the podium to please state your
6 name, your address, your affiliation for the court
7 reporter. Speak slowly and clearly.

8 MR. SAHN: Good evening, Mayor, Deputy Mayor
9 members of the board, Mr. Gibbons, Mr. Sclera, our
10 pleasure to appear again on this application on behalf
11 of NYU Langone. As indicated, this is a continuation,
12 and to my left is Daniel Winkleman who the board
13 recalls from the last hearing. Mr. Winkleman is from
14 BHB Engineering, and with his help he is going to put a
15 couple of boards on display that we will refer to
16 during the course of the continuation.

17 Let me also indicate that the representatives
18 of the hospital are, again, present this evening in the
19 hearing room as are representatives of the
20 architectural team and representatives of BHB
21 Engineering.

22 We're very pleased to continue the hearing.
23 As we indicated at the last hearing in April, we feel
24 this is a significant benefit that the new garage
25 provide newer parking for the hospital and staff, and

1 be a terrific benefit to the community because of the
2 increase in parking.

3 Mr. Gibbons made reference to the resolution
4 of local determination issued by the Nassau County
5 Planning Commission as well as the letter from Martin
6 Katz. Along with Mr. Winkleman, I was able to attend
7 the Planning Commission meeting when the matter was
8 discussed and participate with the Commissioners on the
9 application. And I think the Board is aware that
10 subsequent to the Planning Commission meeting, I
11 submitted a letter dated May 11th, that I hope is part
12 of the record before the Board this evening, in which I
13 indicated that the hospital was amending its
14 application to the extent that it is not asking at this
15 time to demolish the existing garage before the new
16 garage is constructed and operational. We were aware
17 of the comments and the discussion that we had the last
18 hearing with the Board and, also, cognizant of the
19 discussions with the Nassau County Planning Commission,
20 and the hospital representatives on their own had
21 discussed this prior to the Planning Commission meeting
22 and we feel that it is very appropriate to amend the
23 application in this fashion.

24 As I indicated in my letter, if ever there
25 comes a time when there may be appropriate arrangements

1 that we can suggest to the board that might allow the
2 garage to be demolished, we certainly would hope to
3 bring those to the Board, but as of now, as we appear
4 before you, we would like to consider the application
5 to be amended to the extent that we are not asking for
6 the garage to be demolished before the new one is
7 opened. So I would like to make that point clearly to
8 the Board.

9 Hopefully with that amendment, then a lot of
10 the discussion items that we had last hearing
11 concerning traffic are no longer relevant to the
12 consideration this evening and we don't anticipate
13 discussing those any further.

14 I would also like to mention that we took into
15 account some of the comments that were made from the
16 public and members of the Board concerning the cueing
17 that would be provided for the new garage, and, as a
18 result, Mr. Winkleman and the architects prepared the
19 plan that is on display, and I believe the Board has a
20 copy of this showing that the cueing would be both from
21 First Street and from Third Avenue as we previously
22 discussed in April.

23 The intention of this plan is that the
24 entrance from First would be visitor only to be
25 controlled by the hospital through its arrangements

1 with its own staff, and that on Third, the entrance
2 would be visitor and staff entrance.

3 We also looked at the cueing into the garage.

4 And Mr. Winkleman is gonna put up a second
5 board for display.

6 And in this Board it shows that between the
7 two entrances into the garage, there would be a total
8 cueing of eighteen cars. And that compares in a
9 favorable way to the existing cueing of fourteen cars.
10 So under the plan -- under this plan, there would
11 actually be more cueing into the garage through the two
12 entrances for better traffic flow and control than we
13 think we have at the present time.

14 I also want to mention that there was some
15 discussion about the employees of the PRB building.
16 Those employees have now been decanted off campus. The
17 building is vacant. It is actually ready for an
18 asbestos abatement survey. But all of those employees
19 are either at a facility on Zeckendorf Boulevard or at
20 131 Mineola. So that building is now vacant and ready
21 for demolition if the Board approves the application.

22 In essence, we think that we've addressed the
23 various issues that were raised, and, for the most
24 part, since the discussion in April centered around the
25 traffic mitigation measures that were proposed if the

1 existing garage was to be demolished, much of that
2 discussion -- that discussion is not relevant any
3 longer, and we're hopeful that based on the amendment
4 that we've proposed and this cueing plan, that the
5 Board would now look favorably on the application.

6 I have our team available for any questions
7 and comments, and we look forward to addressing those.

8 MAYOR STRAUSS: All right, thank you. Deputy
9 Mayor?

10 DEPUTY MAYOR PEREIRA: Thank you, Mayor. I
11 thank Mr. Sahn that the hospital came to the logical
12 conclusion of what I think we also and the Nassau
13 County Planning Commission saw and also hopeful that in
14 the future if while you are building this, if our
15 Harrison Avenue garage is available, that can also be
16 an overflow kind of situation, but I think that that is
17 a good move and I think it's certainly in the right
18 direction.

19 But I will hold off on any questions or
20 comments beyond that to hear from the residents. Thank
21 you to you, Mr. Sahn, for hearing us and reconsidering
22 your position on that and coming back with this new, at
23 least in that regard. I still have some questions
24 about the cueing, but I'll save them for later. Thank
25 you.

1 MR. SAHN: Thank you.

2 MAYOR STRAUSS: Trustee Cusato?

3 TRUSTEE CUSATO: Thank you, Mayor. I want to
4 thank NYU Langone for listening to us and making the
5 right decision, thank you so much.

6 MR. SAHN: Thank you.

7 MAYOR STRAUSS: Trustee Durham?

8 TRUSTEE DURHAM: Thank you. I do want to
9 thank you for listening and adjusting the traffic
10 patterns, and I do like it that you have the staff
11 coming through on Second Street to the entrance and the
12 front entrance is strictly visitor which would cut down
13 the traffic on First Street.

14 I do have questions, if approved, when will
15 your start date be?

16 MR. SAHN: Well, I don't know that I have an
17 exact date. I can speak to our team on that.

18 TRUSTEE DURHAM: I'm just looking one month
19 out, two months out, five months, six months, a year?

20 MR. SAHN: No, much sooner than six months or
21 a year. The first step, as I mentioned is to do an
22 asbestos abatement survey of the existing building and
23 the NYU people are ready to do that now and, hopefully,
24 with that behind us, we can then get the demolition
25 permit, and I think the intention is to start very

1 promptly. As promptly as we can after that.

2 TRUSTEE DURHAM: Because I would look for no
3 road closures until Willis Avenue is opened so that the
4 traffic can divert through the Village because I think
5 that area, if you're closing First Street for any
6 construction with that and Mineola Boulevard I think it
7 can be a disaster. It's already heavy duty with
8 traffic right now because everybody is using Mineola
9 Boulevard because Willis Avenue is closed and everyone
10 comes down Second Street. So are you going to need
11 road closures of First Street in the beginning?

12 MR. SAHN: I don't know, Trustee Durham, that
13 we've ascertained when Willis will be open or what
14 exactly will be needed. I know that we have discussed
15 among ourselves that all construction activities and
16 road closures or road directional signs will have to be
17 coordinated with the superintendent of the Building
18 Department and that's the intention of the design team
19 to do that.

20 So, as I stand here tonight, I can't give you
21 a specific on that, but we are committed to working
22 with the Village Building Department to mitigate any
23 traffic from the existing closures and coordinate our
24 construction activities with the Building Department.

25 TRUSTEE DURHAM: Mayor, the next question is

1 aesthetics. I just want to know if this is going to be
2 approved with the aesthetics as it is, or does it go to
3 another Board for the aesthetics? Because I think the
4 white look in the picture does not match the area.
5 Everything around it is brick, and I think it could be
6 a major eyesore to the neighborhood.

7 MAYOR STRAUSS: That sits with us.

8 TRUSTEE DURHAM: That sits with us.

9 MAYOR STRAUSS: And I had the same comment.
10 What's the building going to look like for us?

11 MR. SAHN: I would very much like to report
12 that I have a definitive answer this evening. The
13 white, as Melissa Starco mentioned at the hearing, was
14 a conceptual design to show the bulk and the
15 characteristic of the building. The building materials
16 have not yet been finalized. That's in process, as you
17 can imagine, given such a structure, but the commitment
18 is to work with the Village and pick out materials that
19 relate to the area and are consistent with good design,
20 so I can't give you a commitment on exactly what
21 materials will be used at the final construction, but
22 we would consult with the Village going forward on that
23 and be aware of the Board's comments.

24 TRUSTEE DURHAM: Question, I know you said
25 it's going to be a green roof; will there be a heliport

1 landing spot on the roof like the other parking garage
2 has?

3 MR. SAHN: No.

4 TRUSTEE DURHAM: Because I can tell you, as a
5 ten-year-old boy scout 47 years ago, I was there for
6 the grand opening of the parking garage when they had
7 the first helicopter land, and the design of the
8 garage, when they took the lift off the stretcher, the
9 stretcher didn't fit in the elevator, and they had to
10 take it and walk down the ramp with a stretcher, and
11 the County Exec, boy scouts and everybody was all there
12 to witness it, so I think the engineers need to make
13 sure the elevators hold stretchers if there's going to
14 be any stretchers going through?

15 MR. SAHN: No stretchers. I'm getting a very
16 clear answer and I can give that to the Board
17 definitively, no stretchers, no helipad on the roof of
18 the garage.

19 TRUSTEE DURHAM: Okay, I have no further
20 questions.

21 MAYOR STRAUSS: Trustee Walsh?

22 TRUSTEE WALSH: Yes, thank you, Mayor.

23 How are you? Welcome back.

24 MR. SAHN: Thank you, Trustee Walsh.

25 TRUSTEE WALSH: First of all, just to

1 follow-up a little bit on what Mr. Durham just said,
2 you know, I don't know how many years ago it was, but
3 it was several years ago that the Intermodal Center was
4 built, and the MTA agreed to make the facade, the
5 outside, go along with the look of the Mineola
6 Boulevard brick and such, and now the new parking
7 garage that was built by the third Tricargo project
8 also has that brick look, you know, so if there are
9 already existing models, I hope that the hospital
10 understands that that's what the Village would like,
11 okay?

12 So just as a suggestion, you know, because if
13 you look at the Intermodal Center, they complied with
14 what the Board at the time asked for and as well as the
15 new parking garage on Harrison so just as an idea. I
16 thought I would follow-up on that.

17 I'm glad that you changed your model and said
18 that you want to build a garage, but what you did say
19 in that statement is with the understanding, with the
20 Board's understanding, that we reserve the right to
21 come back and ask to tear down the second garage
22 while -- before the garage -- tear down the existing
23 garage before the garage that's being built is
24 operational.

25 And it's not you, it's your clients, but I

1 would like your clients, I'm not sure who is a client
2 here, but I'm sure people in the front row, I would
3 like your clients to understand that the answer was no
4 at the last hearing, and the answer is gonna be no
5 going forward. So asking to reserve the right to come
6 back and ask if we can tear this down in the middle,
7 it's not gonna fly, so just so your clients understand,
8 you know, it's just --

9 Nassau County also agreed, Nassau County
10 Planning Board, it's not a good idea.

11 I don't know who came up with that idea in the
12 beginning, and one of my questions, just out of
13 curiosity, is what is the need for tearing that other
14 garage down so fast? Because what's gonna go in that
15 spot? And I know you're not talking about it tonight,
16 but something is gonna go in that spot, and it's not
17 going to be the generator that was asked for permission
18 about eight years ago to put a generator in there.
19 That's off the table. So something's gonna go in
20 there, and you don't have to get into that tonight, but
21 just understand that no matter who sits up here on this
22 Board, the people of the Village of Mineola do not want
23 your clients to tear down the existing garage before
24 the new garage is operational.

25 And that's all, thank you.

1 MR. SAHN: Thank you, Trustee. We're all here
2 and listening intently, I can assure you.

3 TRUSTEE WALSH: I just wanted to make that
4 clear.

5 MR. SAHN: Thank you.

6 TRUSTEE DURHAM: When you do come back, please
7 make sure that the traffic study has the change of
8 shifts, has all access points of hospital employees
9 with the change of shift time because the traffic study
10 does not have that that you provided us and it was done
11 in the middle of July, and I think the traffic study
12 should be done in April or May or September or October
13 when school is in full bloom, so I think that's a
14 definite thing when you come back -- if you come back
15 that should definitely be part of your model and plan.

16 MR. SAHN: Thank you, and Mr. Winkleman is
17 gonna make a note of that. That's a good point.

18 MAYOR STRAUSS: Any other comments from the
19 Board?

20 Mr. Sahn, you can have a seat.

21 We'll open up to public comment.

22 MR. SAHN: Thank you, Mayor.

23 MAYOR STRAUSS: Anybody in the first row
24 wishing to make comment? Second row? Third row?
25 Fourth row? Fifth row? Sixth row? Seventh row?

1 Mr. Sahn, don't go anywhere.

2 Anybody at all wishing to make comment?

3 Okay, any other comments from the Board?

4 TRUSTEE DURHAM: I'm just wondering with the
5 aesthetics and stuff whether we have to take on that?
6 Because I know they had mentioned that it is a green
7 roof, but I didn't see anywhere in the design where the
8 water runoff, where the dry wells, where any of that
9 stuff is going to be put on the property. Because you
10 have to take -- capture rain and take it on the
11 property. I did not see that on any of the plans. How
12 is that set up for the area? Where is the water going?

13 MR. SAHN: I think we can answer that
14 question.

15 Give your name and address.

16 MS. SARKO: Good evening, my name is Melissa
17 Sarko, S A R K O, with Ennead Architect with an office
18 at One World Trade Center.

19 The storm water system for the building will
20 include a significant below-ground storm water
21 retention system. I'm going to point to it on the
22 board which is right outside of the footprint of the
23 garage. It's fairly sizable, and will take all of the
24 runoff for the site and will be captured in that
25 location.

1 TRUSTEE DURHAM: So during the construction of
2 that, the front of the hospital will be closed?

3 MS. SARKO: No.

4 TRUSTEE DURHAM: Because you just pointed to
5 the front hue.

6 MS. SARKO: There will be -- the site fence,
7 actually, will start at the location of the drop-off,
8 so just inside that site fence there's space for that
9 storm retention system and then the hole will be dug
10 for the garage itself.

11 TRUSTEE DURHAM: And the aesthetics, is the
12 white agreeable to go away?

13 MS. SARKO: I think as Mr. Sahn noted the
14 drawings that we showed previously were fairly
15 conceptual and didn't really reflect accurately the
16 materials that will ultimately be selected.

17 MAYOR STRAUSS: Okay. Mr. Gibbons, anything
18 else?

19 MR. GIBBONS: Just regarding the issue of
20 aesthetics and that's a good question. If you remember
21 from the last hearing, the Planning Board had referred
22 the matter to this Board for its consideration where
23 normally the Planning Board would take on that issue.
24 So in the event that this Board is going to reserve
25 decision tonight and maybe put it on for a decision

1 next month, either those details can be worked out in
2 that period of time and incorporated into your
3 decision. If not, they have to go back to the Zoning
4 Board for them to deal with the issue of character of
5 the area and, as Trustee Walsh pointed out, the
6 character of the area is the brick construction, that
7 Board could deal with it. But if NYU is not ready at
8 that time, we could then, by resolution, refer it back
9 to the ARB who originally would have had jurisdiction
10 over the architectural elements.

11 But your point is well taken and it will not
12 be lost.

13 TRUSTEE DURHAM: Okay.

14 MR. GIBBONS: I would like to address SEQRA.
15 When we opened the public hearing last month and dealt
16 with the issue of special use permit, we're required by
17 state law to review its environmental effects, and in
18 conjunction with that, you all got a big binder last
19 month that was prepared by BHB which went through all
20 the possible environmental effects. BHB also included
21 as Appendix A, I believe, Part 1 of the Environmental
22 Assessment Form that they were required to prepare.

23 These materials allowed the Board to prepare
24 Parts 2 and 3 to make a determination of whether or not
25 you would have a positive declaration that there is a

1 significant negative environmental impact or a negative
2 declaration. And based upon these materials, I would
3 suggest to you that a negative declaration is
4 appropriate. And I've prepared one and I would like to
5 read it into the record.

6 SEQRA negative declaration, Village of
7 Mineola, Village Board of Trustees, 155 Washington
8 Avenue, Mineola, New York 11501, May 19, 2021. This
9 negative declaration is issued pursuant to 6 NYCRR Part
10 617 of the State Environment Quality Review Act. The
11 Village of Mineola Board of Trustees as lead agency has
12 determined, subsequent to review of the Environmental
13 Assessment Form Parts 1, 2 and 3, consideration of
14 other relevant factors and review of 6 NYCRR Part 617
15 that the proposed action described below will not have
16 a potential significant adverse environmental affect on
17 the environment.

18 Title of action, application for a final site
19 plan review and approval pursuant to Chapter 198 of the
20 Code of the Incorporated Village of Mineola. SEQRA
21 status unlisted action. Location, 259 First Street,
22 Mineola New York.

23 Description of action, application for final
24 site plan review and approval pursuant to Chapter 198
25 of the Code of the Incorporated Village of Mineola

entitled Architectural and Site Plan Review Section 196 subsection entitled Final Site Review and Approval for:

1. The construction of a new visitor parking garage at Third Avenue and Third Street with three below grade levels and five above grade levels;

2. Demolition of the existing visitors' garage that Mr. Sahn described which would be upon completion and operation of the new garage;

3. The demolition of the existing professional residence building; and

4. Other parking and access improvements within the NYU Langone Hospital campus located at the property known as 259 First Street, Mineola, New York.

Reasons supporting this determination, No. 1, the proposed action has been evaluated in accordance with the criteria for determining significance as contained in SEQRA 6 NYCRR Part 617.7 Subdivision C and has been evaluated through review of the following materials:

Environmental Assessment Form Parts 1, 2 and 3; expanded environmental assessment prepared by BHB Engineers Surveying Landscape Architecture Geology, P.C.; the Village's Comprehensive Master Plan; the Village's zoning map; Nassau County Planning Commission resolution 10424 of 2001 adopted on May 6, 2021; the

1 public hearing transcripts and exhibits and all
2 documents that form the record of this application.

3 Number 2, the proposed action is not expected
4 to cause any significant adverse environmental impacts.
5 Criteria for determining significance are specifically
6 evaluated as follows with respect to this action:

7 A, proposed action will not result in
8 significant impacts on land, geological features,
9 surface water, ground water, air, plants and animals,
10 agricultural resources, aesthetic resources, historic
11 and archeological resources, open space and recreation,
12 critical environmental areas, transportation, energy,
13 noise, odor, and light or human health.

14 B, the proposed action is consistent with
15 community plans and the community character.

16 C, the proposed action will not result in
17 significant impacts on a significant habitat area,
18 substantial adverse impacts on a threatened or
19 endangered species of animal or plant or the habitat of
20 such species or other significant adverse impacts to
21 natural resources.

22 D, the proposed action will not cause
23 impairment of the character or quality of important
24 historical archeological, architectural or aesthetic
25 resources.

1 E, the proposed action will not cause a major
2 change in the use of either quality or type of energy
3 resources consumed.

4 F, the proposed action will not cause a change
5 or significant adverse impact to agricultural lands,
6 open space, or recreational resources.

7 And, by the way, those are taken right out of
8 the State Quality Review Act. I didn't come up with
9 those myself.

10 3. The Board of Trustees finds the
11 documentation prepared is complete and in addressing
12 the potential adverse environmental impacts related to
13 the proposed action and no significant adverse
14 environmental impacts have been identified.

15 As a result, a negative declaration is
16 determined to be appropriate for this action.

17 If you indulge me one document further, I now
18 have a resolution supporting that negative declaration.

19 Whereas the Incorporated Village of Mineola
20 Board of Trustees has before it an application by NYU
21 Langone Health for a final site plan review and
22 approval pursuant to Chapter 198 of the Code of the
23 Incorporated Village of Mineola entitled Architectural
24 and Site Plan Review Section 198-6 entitled Final Site
25 Review and Approval For the Construction of a New

1 Visitor Parking Garage at Third Avenue and First Street
2 With Three Below Grade Levels and Five Above Grade
3 Levels.

4 2. The demolition of the existing visitors'
5 garage.

6 3. The demolition of the existing
7 professional residence building.

8 4. Other parking and access improvements
9 within the NYU Langone Hospital campus located at the
10 property known as 259 First Street, Mineola, New York,
11 whereas proposed action is unlisted -- is an unlisted
12 action under the State Quality Environmental Review Act
13 and, whereas, the Board of Trustees has reviewed the
14 provisions of SEQRA as related to the proposed action
15 including the review of the information contained in
16 the SEQRA documentation consisting of Parts 1, 2 and 3
17 of the Environmental Assessment Form and other
18 information in the record with respect to the proposed
19 action and, whereas, the potential impacts and the
20 magnitude and importance of potential impacts and
21 benefits have been considered by the Board of Trustees,
22 and a recommendation for the adoption of a negative
23 declaration has been made as the proposed action will
24 not have the a significant adverse environmental
25 impact.

Now, therefore, be it resolved, that the proposed action will not have a significant environmental adverse environmental impact;

And be it further resolved that the Board of Trustees hereby adopts the SEQRA negative declaration pursuant to State Environmental Quality Review Act.

And if I could have that motion made, and then I'll stop talking.

TRUSTEE WALSH: Can you repeat that?

MAYOR STRAUSS: I'll entertain a motion.

TRUSTEE WALSH: Motion.

MAYOR STRAUSS: Motion by Trustee Walsh.

TRUSTEE CUSATO: I'll second it.

MAYOR STRAUSS: Seconded by Trustee Cusato.

All in favor?

TRUSTEE DURHAM: Aye.

TRUSTEE CUSATO: Aye.

TRUSTEE WALSH: Aye.

DEPUTY MAYOR PEREIRA: Aye.

MAYOR STRAUSS: Any opposed? Carried.

Thank you, Mr. Gibbons.

I'll entertain a motion to close and reserve the hearing.

TRUSTEE CUSATO: Motion.

MAYOR STRAUSS: Motion by Trustee Cusato.

TRUSTEE WALSH: Second.

MAYOR STRAUSS: Second by Trustee Walsh.

All in favor?

TRUSTEE DURHAM: Aye.

TRUSTEE CUSATO: Aye.

TRUSTEE WALSH: Aye.

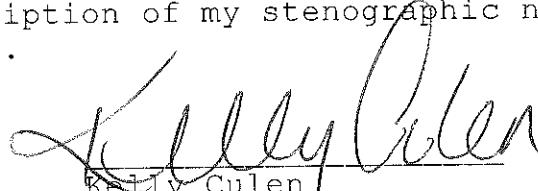
DEPUTY MAYOR PEREIRA: Aye.

MAYOR STRAUSS: Opposed? Carried.

Thank you, sir, thank you very much, folks.

* * * * *

I hereby certify that the foregoing is a true and accurate transcription of my stenographic notes in the captioned matter.


Kelly Cullen
Official Court Reporter