

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE  
BOARD OF TRUSTEES

May 8, 2019  
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

\* \* \*

JOSEPH R. SCALERO,  
Village Clerk

DANIEL B. WHALEN,  
Supt. Of Buildings

\* \* \*

PATRICIA A. TAUBER, RPR  
Official Court Reporter

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VILLAGE OF MINEOLA  
2019 MAY 14 P 2:46

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: Good evening, ladies and  
6 gentlemen. We have a couple of hearings to go through  
7 this evening. Thank you for coming out.

8 Mr. Scalero?

9 MR. SCALERO: Yes, sir.

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

12 "Please take Notice that the Board of Trustees  
13 of the Incorporated Village of Mineola will hold a Public  
14 Hearing on Wednesday, May 8, 2019 at 6:30 p.m. at the  
15 Village Hall, 155 Washington Avenue, Mineola, New York  
16 11501, or at some other location to be hereafter  
17 designated by the Board of Trustees, in order to receive  
18 public comment upon the following:

19 "Application of Eric A. Bjorneby, RA, for a  
20 Special Use Permit pursuant to Chapter 550 of the Code of  
21 the Incorporated Village of Mineola, entitled 'Zoning',  
22 Section 550.12, entitled 'B-1 Districts', Subsection (B),  
23 entitled 'Special Uses', and Section 550.13, entitled  
24 'B-2 Districts', Subsection (A)(1), to establish an eye  
25 care facility with exam rooms upon the property known as

1 217 Mineola Boulevard, Mineola, New York, known and  
2 designated on the Nassau County Land and Tax Map as  
3 Section 9, Block 400, Lot 192."

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

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

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

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

18 "Dated April 3, 2019."

19 MAYOR STRAUSS: Thank you.

20 Mr. Whalen, report on mailings?

21 MR. WHALEN: Yes, sir. I have the Affidavit of  
22 Mailing and the radius map. It's been signed and  
23 notarized.

24 MAYOR STRAUSS: Thank you.

25 Mr. Gibbons?

1 MR. GIBBONS: Nassau County Planning Commission  
2 has recommended local determination and I'd ask for a  
3 resolution declaring this a Type II Action under SEQRA.

4 MAYOR STRAUSS: Motion?

5 MR. WALSH: Motion.

6 MR. PEREIRA: Second.

7 MAYOR STRAUSS: By Trustee Walsh. Second by  
8 Trustee Pereira.

9 All in favor?

10 MR. DURHAM: Aye.

11 MR. PEREIRA: Aye.

12 MR. CUSATO: Aye.

13 MR. WALSH: Aye.

14 MAYOR STRAUSS: Aye.

15 Opposed?

16 Carried.

17 Ladies and gentlemen, this will be the format  
18 for this evening's hearing: The applicant will make  
19 their presentation. There will be an interaction with  
20 the Board, and then we'll open it up for public comment  
21 and questions.

22 I ask anybody that's approaching the podium to  
23 please speak slowly and clearly for the reporter and  
24 state your name and affiliation and address.

25 Who is up? Sir?

1 MR. BJORNEBY: Good evening to the Board.

2 My name is Eric Bjorneby, architect, from EAB  
3 Architectural Designs, 4250 Veteran's Highway, Holbrook,  
4 New York 11741.

5 I'm the architect of record. We filed an  
6 application to change an existing occupancy of medical  
7 into an optical-medical office with retail in the front.

8 The project is on the corner of Lincoln and  
9 Mineola Boulevard. It's zoned B-2 business. The first  
10 floor is approximately 1,415 square feet and the basement  
11 is 621 square feet. About approximately 40 percent of  
12 the first floor will be used for retail. The rest of the  
13 space will be used for medical examinations, eye  
14 examinations. There's a small lab and it's pretty much  
15 all related to an optical store.

16 The majority of the work is the interior,  
17 partition work. And the building I believe was --  
18 there's an application from 1992 that had changed the  
19 occupancy to medical. So it's been medical use since  
20 1992. The proposed optical store is moving from an  
21 existing location at 145 Mineola Boulevard. So it's only  
22 moving a few blocks north.

23 The hours of operation will be from Tuesday  
24 through Thursday from 10:00 a.m. to 7:00 p.m., on  
25 Wednesdays and Fridays from 10:00 to 6:00, Saturday would

1 be 10:00 to 4:00, and they are closed Sundays and  
2 Mondays.

3 They expect to have three to four employees per  
4 day on average. Two of those employees take the Long  
5 Island Railroad, which is approximately six blocks away.  
6 The existing site has five on-site parking spaces as well  
7 as, beyond the corner, they have ample off-site parking.

8 And it's an optical-medical space, and there's  
9 no hazardous materials that will be disposed of on a  
10 regular basis.

11 MAYOR STRAUSS: OK. Thank you.

12 How many clients will there be at once?

13 If you could approach the podium and state your  
14 name, address and affiliation.

15 MS. NAPOLITANO: My name is Melania Napolitano.  
16 I'm the owner.

17 We see about -- we schedule patients every 20  
18 minutes. So we see about three patients an hour.

19 MAYOR STRAUSS: So you're moving to a bigger  
20 facility?

21 MS. NAPOLITANO: Yes.

22 MAYOR STRAUSS: Great. You're doing well.

23 MS. NAPOLITANO: Thank you.

24 MAYOR STRAUSS: And thanks for staying in  
25 Mineola.

1 MS. NAPOLITANO: No problem.

2 MAYOR STRAUSS: Deputy Mayor?

3 MR. PEREIRA: No. No questions, Mayor. This  
4 seems like a pretty straightforward application.

5 MAYOR STRAUSS: Trustee --

6 MR. PEREIRA: I only have one question.

7 The foot care is out, then. It's going to be  
8 only occupied by this new business.

9 MR. BJORNEBY: Correct.

10 MR. PEREIRA: OK. That's it.

11 THE COURT: Trustee Cusato?

12 MR. CUSATO: Yes.

13 So, was your office next to Kuck's Deli? Is  
14 that you?

15 MS. NAPOLITANO: Yes.

16 MR. CUSATO: OK. So you're moving, like, four  
17 blocks down?

18 MS. NAPOLITANO: Yes.

19 MR. CUSATO: OK. Thank you.

20 MAYOR STRAUSS: Trustee Durham?

21 MR. DURHAM: I have no questions.

22 MAYOR STRAUSS: Trustee Walsh?

23 MR. WALSH: Yes. This seems to be a good use  
24 for that area. I have no questions, Mayor. Thank you.

25 MAYOR STRAUSS: Great. Thank you.

1                   If you would sit down, sir, we'll open up for  
2 public comment. Don't go too far.

3                   Anybody in the first row? Second row? Third  
4 row? Fourth row? Fifth row?

5                   Yes, ma'am.

6                   MS. DAMATO: My name is Deborah Damato. I live  
7 at 205 Mineola Boulevard.

8                   And my question is, when there was the  
9 podiatrist in there, we had a very big problem at 205  
10 Mineola Boulevard exiting the back of our building  
11 because of all the traffic and the lack of parking spaces  
12 behind this new building. I don't know the address. So  
13 my concern is the same. How do I get out of my building  
14 so that I can get onto the street without having an  
15 accident? Because you've got the deli with trucks.  
16 You've got very limited spots. I think you will have  
17 only five. And there's no parking on the street. It's  
18 alternate parking. So that's my concern.

19                   MAYOR STRAUSS: So what would you suggest would  
20 be the answer for the parking?

21                   The cars that are currently preventing you from  
22 exiting the rear of 205 Mineola Boulevard, are they  
23 legally parked?

24                   MS. DAMATO: Not always.

25                   MAYOR STRAUSS: Have we reached out to law



1 enforcement, or. . .

2 MS. DAMATO: Many times.

3 MAYOR STRAUSS: -- or complained to us?

4 I haven't gotten a phone call from anybody in  
5 the building --

6 MS. DAMATO: You've gotten e-mails from me over  
7 the course of --

8 MAYOR STRAUSS: Which we addressed with the  
9 parking sign. Didn't we have an adjustment for the  
10 parking --

11 MS. DAMATO: Yes.

12 MAYOR STRAUSS: -- sign?

13 So that's been taken care of.

14 MS. DAMATO: Well the sign is there, but people  
15 still park there. And I called -- I think the guy's name  
16 is Lenny -- whenever I am frustrated enough because cars  
17 were parked there, even though the sign is there. And if  
18 you go closer to the building on both sides of the street  
19 there's still -- I guess my bottom line is: We need to  
20 enforce it. If there's no parking on Monday, Wednesday  
21 and Friday, then that's the only day cars, you know,  
22 should or shouldn't be there, and I don't feel that it is  
23 being enforced properly.

24 I'm very thrilled. I've been to your store. I  
25 had no idea that you were the person. And great for

1 Mineola, absolutely. But we need to make sure. When the  
2 podiatrist was there -- not to say it will be the same --  
3 but you had cars parked and then patients would park  
4 behind that. So it was a total traffic jam. And  
5 especially if there was a delivery truck at the same time  
6 making deliveries to the store. People like myself --  
7 who are retired, so I leave my house any time of day -- I  
8 couldn't get out. So that's my concern.

9 MAYOR STRAUSS: OK.

10 MS. DAMATO: And I hope -- I guess the message  
11 is -- the code enforcement does something.

12 MAYOR STRAUSS: Absolutely. Just so you know,  
13 ma'am, we hired a parking supervisor for the Village.  
14 We're increasing our parking enforcement team. So there  
15 will be more enforcement throughout the Village,  
16 downtown, Jericho Turnpike, side streets, and hopefully  
17 yours too, and we'll enforce the code that's there.  
18 Hopefully you'll get some relief.

19 MS. DAMATO: Yes. You know, I have to share a  
20 story because it really -- I was -- the Italian  
21 restaurant, I don't know the name of it, it's nearby your  
22 store.

23 MAYOR STRAUSS: Nick's?

24 MS. DAMATO: Nick's. OK.

25 I was waiting for the light at that

1 intersection of Mineola Boulevard and whatever that side  
2 street is and the code enforcer was coming off of Mineola  
3 Boulevard and the florist -- who is no longer there as  
4 far as I can tell -- parked where it said "no parking  
5 from here to corner". They parked, and the code enforcer  
6 and the Mineola florist guy waved. And I'm like, really?

7 That to me is just not the way it should be.  
8 So I leave that with you.

9 MAYOR STRAUSS: Thank you. Hopefully things  
10 will change, and we'll enforce the code. But appreciate  
11 your thoughts. Thank you.

12 Anybody else? Fifth row? Sixth row? Seventh  
13 row?

14 Mr. Bjorneby?

15 Any other comments from the Board?

16 MR. DURHAM: How long is the current eyeglass  
17 place been in business?

18 MS. NAPOLITANO: We've been there since 2010.

19 MR. DURHAM: And, Mr. Whalen, there's been no  
20 issues?

21 MR. WHALEN: No.

22 MR. CUSATO: So if this gets approved, how long  
23 is this transfer going to be? Like a month, two months?

24 MS. NAPOLITANO: For all the work we have to  
25 do, probably like six weeks.

1 MR. CUSATO: OK.

2 MAYOR STRAUSS: I'll entertain a motion to  
3 approve.

4 MR. CUSATO: I'll make that motion.

5 MAYOR STRAUSS: Motion by Trustee Cusato.  
6 Second?

7 MR. PEREIRA: Second.

8 MAYOR STRAUSS: By Trustee Pereira.  
9 Mr. Scalero, pole the Board.

10 MR. SCALERO: Yes, sir.

11 Trustee Durham?

12 MR. DURHAM: Yes.

13 MR. SCALERO: Trustee Pereira?

14 MR. PEREIRA: Yes.

15 MR. SCALERO: Trustee Cusato?

16 MR. CUSATO: Yes.

17 MR. SCALERO: Trustee Walsh?

18 MR. WALSH: Yes.

19 MR. SCALERO: Mayor Strauss?

20 MAYOR STRAUSS: Yes.

21 Congratulations. Thanks for staying in  
22 Mineola.

23 I ask that you stay in close contact with the  
24 Building Department. We have a sign program that's going  
25 on. We can put you in contact with the store signage

1 outside your building, and lighting.

2 MS. NAPOLITANO: I've been --

3 MAYOR STRAUSS: Tom Savino?

4 MS. NAPOLITANO: I've been in contact.

5 MAYOR STRAUSS: You probably have since you've  
6 been further down on Mineola Boulevard.

7 And reach out to the Chamber of Commerce.  
8 You'll probably find great networking there.

9 MS. NAPOLITANO: Oh, I'm a member of it.

10 MAYOR STRAUSS: Excellent. All right. Thank  
11 you very much. Congratulations.

12 MR. BJORNEBY: Thank you.

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1 MAYOR STRAUSS: Mr. Scalero, next.

2 MR. SCALERO: Yes, sir.

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, May 8, 2019 at 6:30 p.m. at the  
8 Village Hall, 155 Washington Avenue, Mineola, New York  
9 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 Regina Armand and Pierre Armand  
13 for a Special Use Permit pursuant to Chapter 550 of the  
14 Code of the Incorporated Village of Mineola, entitled  
15 'Zoning', Section 550.12, entitled 'B-1 Districts',  
16 Subsection (B), entitled 'Special Uses', to establish an  
17 aerial fitness gym upon the property known as 267 Horton  
18 Highway, Mineola, New York, known and designated on the  
19 Nassau County Land and Tax Map as Section 9, block 400,  
20 lot 123."

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 April 3, 2019."

11 MAYOR STRAUSS: Thank you.

12 Now, there's been some confusion on the address  
13 on the application, but there wasn't any confusion on the  
14 radius map requested by the county and the mailings. So  
15 it's actually 267 Horton Highway, not 267 Jericho  
16 Turnpike, but everybody that needs to have been notified  
17 has been notified. So we're going to continue with the  
18 hearing. So -- hold on. Sorry.

19 Mr. Whalen, report on mailings?

20 MR. WHALEN: Yes, Mayor. We're in possession  
21 of the radius map, as well as the Affidavit of Mailing.  
22 It's been signed and notarized.

23 MAYOR STRAUSS: Thank you, sir.

24 Mr. Gibbons?

25 MR. GIBBONS: Nassau County Planning Commission

1 has recommended a local determination and I'd ask for a  
2 motion under SEQRA declaring this a Type II Action.

3 MAYOR STRAUSS: All right. Thank you.

4 Motion?

5 MR. CUSATO: Motion.

6 MAYOR STRAUSS: Motion by Trustee Cusato.

7 Second?

8 MR. PEREIRA: Second.

9 MAYOR STRAUSS: Trustee Pereira.

10 All in favor?

11 MR. DURHAM: Aye.

12 MR. PEREIRA: Aye.

13 MR. CUSATO: Aye.

14 MR. WALSH: Aye.

15 MAYOR STRAUSS: Aye.

16 Any opposed?

17 Carried.

18 Again, this will be the format for this  
19 evening's meeting: The applicant will make their  
20 presentation. There will be an interaction with the  
21 Board, after which time we'll open it up to public  
22 comment.

23 I ask anybody coming to the podium to please  
24 speak clearly and slowly for the reporter, state your  
25 name, address and affiliation.



1                   You're up.

2                   MS. ARMAND: Thank you.

3                   Hi. How are you? My name is Regina Armand and  
4 I'm here with my business partner, Pierre, and we're  
5 looking to open our aerial dance and fitness studio in  
6 Mineola. My home address is 233-09 Neptune Avenue,  
7 Rosedale, New York 11434.

8                   So a little bit about me. I have a background  
9 in dance and fitness, and over the past eight years I've  
10 been studying, teaching and competing in aerial arts in  
11 Manhattan. More recently, over the past five years, I've  
12 been teaching out in Long Island and Queens.

13                   Basically, the number one question is: What is  
14 aerial art? So basically, aerial art is just a form of  
15 dance and fitness that takes place with equipment in the  
16 air. So it's like similar to Cirque du Soleil, if you  
17 think about the stuff hanging or the hoop, but just  
18 geared more towards the everyday person.

19                   So not only do we specialize in aerial arts,  
20 some of our other, like, popular classes include, like,  
21 yoga, zumba, handstands, dance classes, as well as  
22 flexibility classes.

23                   So we've found, like, a really great space in  
24 Mineola. And I'm happy to answer any other questions or  
25 concerns that you guys have.

1 MAYOR STRAUSS: All right. Thank you for  
2 choosing Mineola. We really appreciate it. Hopefully  
3 you'll be successful here and you'll find a home.

4 What are your hours of operation?

5 MS. ARMAND: Hours of operation will be Monday  
6 through Friday from 5:00 p.m. to 10:00 p.m., on Saturdays  
7 and Sundays it would be from 9:00 a.m. until 3:00 p.m.

8 MAYOR STRAUSS: You know you're going to fight  
9 with Jericho Terrace, right? Parking?

10 MS. ARMAND: We're hoping we could, like, you  
11 know, be in business with them. I feel like it would be  
12 a really good --

13 MAYOR STRAUSS: They're a great partner.

14 MS. ARMAND: Yes.

15 MR. WALSH: I'm sorry. I didn't hear on  
16 Saturday. What time on Saturday?

17 MS. ARMAND: Saturdays from 9:00 to 3:00 p.m.

18 MR. WALSH: Thank you.

19 MAYOR STRAUSS: How many staff will you have on  
20 hand?

21 MS. ARMAND: We will start up with six people  
22 on staff, including myself and my business partner.

23 MAYOR STRAUSS: Do you have a following? Do  
24 you have a core group already?

25 MS. ARMAND: Yes.

1 MAYOR STRAUSS: How big is that?

2 MS. ARMAND: It's about maybe anywhere from 20  
3 to 50 clients, loyal clients, who are based in Mineola as  
4 well as other surrounding areas.

5 MAYOR STRAUSS: Great.

6 Now, you're on Horton Highway attached to the  
7 Nude Furniture place on the corner.

8 MS. ARMAND: Yes.

9 MAYOR STRAUSS: How many spots behind that  
10 building do you have?

11 MS. ARMAND: So there's currently 30 spots  
12 behind there and it's shared between the tenants.  
13 Currently there are only two tenants, though. The  
14 furniture store is -- no one is there right now. But  
15 there are 30 spots. And then there's also parking on  
16 Jericho, as well as the side streets, and none of those  
17 are in front of any residential houses.

18 MAYOR STRAUSS: All right. OK.

19 Deputy Mayor?

20 MR. PEREIRA: Thank you.

21 And this is currently the photography place.

22 MS. ARMAND: Elegancia. So the --

23 MR. PEREIRA: Wedding party.

24 MS. ARMAND: Yes. It's like event planning.

25 MR. PEREIRA: Right. Right. And it used to be

1 the trophy place, for those that remember that.

2 Yes. This seems pretty -- again, a good use of  
3 that space. I have seen some of this stuff, and I've  
4 heard about it. It almost gives me pain just to think  
5 about it but, if people want to do it, that sounds good.

6 Music, this would be contained within the  
7 facility. And there is a business south of you and  
8 there's a business north of you. There are no residents  
9 abutting your property. So I don't think that would  
10 be -- but you're not going to have doors open --

11 MS. ARMAND: Yes.

12 MR. PEREIRA: -- and music blasting.

13 MS. ARMAND: Absolutely. Yes.

14 MR. PEREIRA: Now you said you have 20 to 50  
15 people who are followers, but they're not all going to  
16 show up at the same time.

17 MS. ARMAND: Exactly.

18 MR. PEREIRA: How many people per class  
19 traditionally?

20 MS. ARMAND: So traditionally we'll have three  
21 different rooms. In one room the max will be three  
22 clients. In the other room the max will be ten. And  
23 then in the last room the max would be ten as well. So  
24 at max we'll have 25 people in the building at once, and  
25 it could be as small as three people as well.

1 MR. PEREIRA: Right. That's ideally.

2 MS. ARMAND: Yes.

3 MR. PEREIRA: And we hope that happens for you.

4 MS. ARMAND: Thank you.

5 MR. PEREIRA: Yes. I don't see a problem with  
6 this.

7 Thanks, Mayor.

8 MAYOR STRAUSS: Trustee Cusato?

9 MR. CUSATO: Good evening.

10 MS. ARMAND: Hi.

11 MR. CUSATO: I have no problem with your  
12 request.

13 So, how does this differ from the normal marine  
14 barracks training? You know, the new stuff called  
15 marine --

16 MS. ARMAND: I'm not familiar with it.

17 MR. PEREIRA: I think he's talking about, like,  
18 cross-fit.

19 MS. ARMAND: Oh. Cross-fit. It's very  
20 similar. It ties over very nicely, except this one is  
21 done with equipment. With more of, like, cross-fit,  
22 they're very focused on, I feel like, more strength. But  
23 this is more like for fun and extracurricular and things  
24 like that. So it's similar but different.

25 MR. CUSATO: So you're hanging off the ceiling.

1 I mean, what --

2 MS. ARMAND: I actually brought -- you know,  
3 it's very good to see a visual representation. I did  
4 bring in some photos.

5 MR. CUSATO: Again, I have no -- I'm just  
6 trying to understand.

7 MS. ARMAND: No. Of course. Of course.  
8 That's why I brought this, just in case. So I brought  
9 some photos which anyone here can see as well. Is it OK  
10 if I just hand it to you guys?

11 MAYOR STRAUSS: Yes. Give it to Mr. Scalero.

12 MS. ARMAND: Some of them came out blurry. You  
13 can blame UPS for that one. But that's me and that's  
14 also my six year-old niece who I train in aerial arts as  
15 well. And then -- so it's just an idea of what you can  
16 see of pretty much what we do.

17 MR. CUSATO: All right. Thank you so much.

18 MS. ARMAND: You're welcome.

19 MR. CORBETT: And if the Board's OK, I'd like  
20 to make a motion to buy Mr. Cusato a membership.

21 MR. CUSATO: But I have vertigo issues. So. . .

22 MAYOR STRAUSS: You won't fall. You're tied up.  
23 Anything else, Mr. Cusato?

24 MR. CUSATO: I'm fine. Thank you.

25 MAYOR STRAUSS: Trustee Durham?

1 MR. DURHAM: Thank you.

2 So it's all non-weight related. So it's all  
3 stretching and with the aerial things with the --

4 MS. ARMAND: Yes, that's correct.

5 MR. DURHAM: So there's no weights. There's no  
6 banging of weights that would affect the neighborhood or  
7 anything like that?

8 MS. ARMAND: No, No banging.

9 MR. DURHAM: That's it.

10 MAYOR STRAUSS: Thank you.

11 Trustee Walsh?

12 MR. WALSH: Yes. Thank you.

13 Now, just a few questions. You are the owner  
14 of the business?

15 MS. ARMAND: Yes. Co-owner.

16 MR. WALSH: I was just going to say: What  
17 about this poor individual over here who hasn't gotten to  
18 say a word yet. He's a partner with you in the business,  
19 right?

20 MS. ARMAND: Yes, he is.

21 MR. WALSH: Pierre; is that correct?

22 MS. ARMAND: Yes.

23 MR. WALSH: Good luck, Pierre. I haven't heard  
24 a word. You're fine sitting there.

25 You know, you currently have a business now, is

1           that correct, or you don't have a business?

2                   MS. ARMAND: I do. Like, my -- I teach at  
3 other studios. So I don't currently have my own  
4 business, but I teach at other aerial studios where I --

5                   MR. WALSH: So you're a teacher and this is  
6 your first venture into a business.

7                   MS. ARMAND: Yes.

8                   MR. WALSH: You know, I certainly wish you luck  
9 because we sit here often, for years and years, and see  
10 people start businesses and -- this is different than  
11 I've seen before -- people sometimes invest a lot of  
12 their money and don't make it. You know. And I wish you  
13 luck, if the application is approved. And you know,  
14 sometimes it's because they're repetitive things. Yours  
15 seems to be a little different. If you have a following,  
16 you know, maybe you'll make it. I hope you do. I wish  
17 you luck.

18                   MS. ARMAND: Thank you so much.

19                   MAYOR STRAUSS: Anything else, ma'am?

20                   MS. ARMAND: No.

21                   MAYOR STRAUSS: You can have a seat. We'll  
22 open up to public comment.

23                           Anybody in the second row? Third row? Fourth  
24 row? Fifth row?

25                           Yes, ma'am.



1 MS. BENEDETTO: Good evening. My name is Linda  
2 Benedetto. I live at 241 Horton Highway, Mineola.

3 I like the idea of what you do. Sounds really  
4 cool and a fun thing.

5 My question is that I don't really -- my  
6 statement is that I don't really think it's a good  
7 location for it.

8 I've lived on -- I've been in my house for  
9 about 45 years, and it is a very busy street. We have  
10 Chaminade people coming -- I know during the day you  
11 won't be there. But we still have people visiting the  
12 hospital. Winthrop is at the end of my street, and  
13 there's a lot of traffic going there.

14 As it is, we have a very long red light and  
15 that builds up a lot of cars waiting to make left turns,  
16 right turns, or go straight, and sometimes they come down  
17 all the way to my house. I'm maybe the tenth house down,  
18 and they're lined up. And they start honking. They're  
19 making U-turns to try to not wait anymore for that red  
20 light to make turns around. And I don't think with  
21 people coming -- if you're going to have maybe 25 people  
22 in your class, possibly --

23 MAYOR STRAUSS: Ma'am, if you'd address us.

24 MS. BENEDETTO: Oh. I'm sorry.

25 MAYOR STRAUSS: That's OK.

1 MS. BENEDETTO: I'm sorry. I don't want her to  
2 think that I don't like what she's doing. I was trying  
3 to talk to her. OK.

4 But I'm concerned with the parking. If people  
5 will be coming off or being dropped off, I don't think  
6 there's going to be enough parking spots there in that  
7 lot there, and I don't think everyone who maybe would be  
8 dropping someone off will go into the lot. I think  
9 they're going to be stopping there, I think, to let their  
10 students or whoever the people are that they're driving  
11 get out. And already we sometimes have delivery trucks  
12 for the Nude Furniture that don't come into the lot, or  
13 stop there, or people picking up furniture from the Nude  
14 Furniture place --

15 There's a side door where you can take  
16 furniture. I bought things from them. So I know you can  
17 use their side door.

18 -- and they kind of stop there or will  
19 double-park there. And there are cars coming left -- I  
20 mean making a right turn or a left turn that can't even  
21 get into Horton Highway as it is.

22 I'm just concerned with more people coming to  
23 that area that are going to be stopping or waiting to  
24 pick up kids. I'm thinking of dance studios. I won't  
25 look at you anymore. I just think it will create more of

1 a problem there. That's my main concern.

2 Like I said before: I think it's a great idea,  
3 but maybe in a different spot. I don't think that's the  
4 kind of place that, with a lot of people coming and  
5 going, and cars, I don't think it should be there. I  
6 don't think it works. As you all know, we have a lot of  
7 problems already with Mineola and parking and traffic.  
8 So that's all.

9 MAYOR STRAUSS: It's a popular and busy place,  
10 Mineola.

11 MS. BENEDETTO: Yes, it is. It is. But we  
12 want to make it nice for the people who live there. And  
13 to have to come down my street or wait, having cars  
14 constantly in front of my street because somebody is  
15 blocking the way and cars can't get right or left onto  
16 Jericho, it isn't good. So I'm concerned with that.

17 MR. WALSH: Can I ask a question?

18 MAYOR STRAUSS: Yes.

19 MR. WALSH: I was just wondering -- I'm aware  
20 of the problem that you're talking about also. I drive  
21 down there every day. But do you find these problems to  
22 be during the day or at night? More so during the day,  
23 heavy traffic hours?

24 MS. BENEDETTO: On Saturday, with the weddings,  
25 yes.

1 MR. WALSH: But that's the problem of Jericho  
2 Terrace, not the other business. But what I'm trying to --

3 MS. BENEDETTO: But where would these people  
4 park, or where --

5 MR. WALSH: What I'm trying to say is that  
6 between 5:00 p.m. and 10:00 p.m. most of the stores in  
7 that area are closed.

8 MS. BENEDETTO: Yes.

9 MR. WALSH: So it's not like they're competing  
10 for parking with the stores in the area.

11 Now Jericho Terrace is a whole other kettle of  
12 fish, and that doesn't involve their application.

13 MS. BENEDETTO: On Saturday it would.

14 MR. WALSH: No. But Jericho Terrace is a  
15 separate situation. It brings traffic to the area.

16 MS. BENEDETTO: I'm not talking about Jericho  
17 Terrace.

18 MR. WALSH: I was just wondering if your  
19 problem was more so during the day than at night.

20 MS. BENEDETTO: Saturday.

21 MR. WALSH: No. No. Monday to Friday.

22 MS. BENEDETTO: Well she's only there on the  
23 evenings during the week, right? So that shouldn't be a  
24 big problem, but --

25 MR. WALSH: Because they come in at 5:00 at

1 night --

2 MS. BENEDETTO: I know.

3 MR. WALSH: -- to 10:00 at night.

4 MS. BENEDETTO: Yes.

5 MR. DURHAM: Saturdays they're done at 3:00.

6 MS. BENEDETTO: From when? 9:00 till --

7 MR. DURHAM: 9:00 to 3:00.

8 MS. BENEDETTO: Till 3:00.

9 MR. WALSH: 9:00 to 3:00 on Saturday.

10 MS. BENEDETTO: OK. I just --

11 MAYOR STRAUSS: No. No. We appreciate it. We  
12 appreciate your time, absolutely.

13 MR. WALSH: I'm just asking when you see it  
14 more.

15 MS. BENEDETTO: It is mostly during the day,  
16 but it does happen in the evening because the after  
17 school sports people are coming up Horton Highway to get  
18 out from different -- visiting schools, and our own local  
19 parents, they have to park somewhere for Chaminade, which  
20 I know is a big problem, and also for the Winthrop people  
21 come up my street to go home and it builds up cars  
22 because of that long red light. Maybe we can fix the  
23 light and it would be helpful, but I'm just concerned  
24 with the traffic up at the corner and not being able to  
25 turn right or left, come in, come out, and people parking

1 and honking in front of me house because they can't get  
2 to where they want to go. That's all.

3 MAYOR STRAUSS: All right. Thank you, ma'am.  
4 Appreciate it.

5 MS. BENEDETTO: OK. You're welcome.

6 MAYOR STRAUSS: Anybody else in the fifth row?

7 MS. GRASER: Good evening, gentlemen. My name  
8 is Jacqueline Graser. I live on 244 Horton Highway for  
9 45 years, and my main concern is the parking, the  
10 traffic, as Mrs. Benedetto explained. I agree with every  
11 bit of it.

12 Between the terrace, the furniture store, and  
13 now having two dance schools from Monday to Sunday? This  
14 is horrible. You cannot turn. They're delivering. You  
15 have to wait. Trucks. Traffic. Left. Right. Coming  
16 from Horton Highway down. The ambulances going to the  
17 hospital. It's unbelievable. It's too much traffic, too  
18 much congestion in that corner. Something has to be  
19 done.

20 I don't mind the school, but the parking.  
21 Where are they going to park? And the traffic and two  
22 schools from Monday to Sunday.

23 MAYOR STRAUSS: Ma'am, they have parking behind  
24 the building, and they have parking on Jericho Turnpike  
25 on both sides of Horton Highway.

1 MS. GRASER: They all come and park in front of  
2 my house, even halfway in my driveway on the side, on  
3 Jefferson. This is a constant parking lot there --

4 MAYOR STRAUSS: All right. Folks, if anybody  
5 is --

6 MS. GRASER: -- From Monday to Sunday.

7 MAYOR STRAUSS: -- if anybody is illegally  
8 parking anywhere, you need to notify the Police  
9 Department and have them respond.

10 MS. GRASER: But I do. I do.

11 MAYOR STRAUSS: OK. And I hope they come and  
12 they address the matter.

13 MS. GRASER: They don't even respect the sign.  
14 They park across the street like they don't care. Like  
15 today somebody got a ticket and I said: Good. At least  
16 somebody is doing something.

17 MAYOR STRAUSS: Right.

18 MS. GRASER: But with this now, two schools,  
19 and 15 -- I heard 50, I'm sometimes having trouble with  
20 my ears. I mean, where are they going to park? They  
21 cannot park --

22 MAYOR STRAUSS: What's the other school you're  
23 talking about?

24 MR. PEREIRA: What schools? What two schools?  
25 You're saying: Two schools. What two schools?

1 Are you talking about Chaminade?

2 That's not a school. It's a dance studio.

3 MS. GRASER: Aerial dance and fitness.

4 MR. PEREIRA: It's a studio. It's not a  
5 school.

6 MS. GRASER: OK. Well, studio, school.

7 MR. PEREIRA: And what's the other one? You're  
8 saying two schools. What's the other school? You're  
9 saying two schools, which two schools?

10 MS. GRASER: Aerial dance --

11 MR. PEREIRA: It's all one business.

12 MS. GRASER: -- and gym.

13 MR. PEREIRA: No gym.

14 MAYOR STRAUSS: It's the same thing. It's not  
15 a gym.

16 MR. PEREIRA: It's the same business.

17 MR. DURHAM: Same business.

18 MR. PEREIRA: It's the same business.

19 And if I may, for both you and Ms. Benedetto, I  
20 understand, you know -- and same thing with the previous  
21 hearing. This is an opportunity --

22 MS. GRASER: I mean, if they're going to stay  
23 away from our street and we're not going to have trouble  
24 with the parking and all, they can open two schools. The  
25 problem is the congestion, always, from Monday to Sunday.



1 You come home from Jericho Turnpike to make your street,  
2 cars on both sides. And this is going to happen. This  
3 is going to happen even worse now.

4 MR. WALSH: They're not open on Sunday.

5 MR. PEREIRA: Ma'am, may I say something? May  
6 I?

7 And I understand the frustration. Same thing  
8 with the last application. There's an application here  
9 for a business to open where a business existed for  
10 decades, right?

11 MS. GRASER: I know.

12 MR. PEREIRA: OK.

13 MS. GRASER: But --

14 MR. PEREIRA: Can I finish, please?

15 And I think -- because I've been here for over  
16 40 years as well -- I think that you would be  
17 hard-pressed to find a better business and better  
18 business hours to help your issues, rather than to  
19 complicate them. I think that these hours, 5:00 p.m. to  
20 10:00 p.m., actually are probably the most beneficial  
21 business operation that you could find to help you with  
22 that because it runs counter to the rest of the  
23 businesses when they are at their busiest.

24 This could be a doctor's office. This could be  
25 a law office. This could be any number of businesses as

1 of right. It used to be the trophy place, now it's a  
2 wedding planning place, which are open from 9:00 to 5:00  
3 Monday through Saturday. This is 5:00 p.m. when, as  
4 Ms. Benedetto says, most of the problems probably happen  
5 during the day and are over by 5:00 or 6:00.

6 Although Mrs. Armand said that, you know, she  
7 can fit ten here, and ten here, and three here, and six  
8 there, those would be under ideal conditions. I don't  
9 think, under the best circumstances, she's going to  
10 expect 30 cars to pull up in any one-hour period.

11 So those are issues that we will deal with in  
12 terms of code enforcement. And you as residents can, you  
13 know, inform us that these things are going on when  
14 people park illegally. And as the Mayor said, call the  
15 police every single time. But to punish a business that  
16 is trying to -- you know, this young woman and her  
17 partner here are investing their life's work into opening  
18 a business and we're bringing up issues that are really  
19 not part of their application, And they're really not  
20 exacerbating, in my opinion -- in my opinion -- the  
21 problems. I think, if anything, they probably can  
22 alleviate the problems somewhat because they are  
23 operating off hours. They are not operating during  
24 normal business hours. So those 30 spots in the back of  
25 the building will probably suffice, I think, in my

1 experience.

2 As Mr. Walsh mentioned before, you know, we  
3 have a lot of gyms and a lot of fitness facilities in  
4 this community. They don't all succeed. And I certainly  
5 hope that this one succeeds, as I hope they all do, but  
6 it's not as if this is going to be, you know, the next  
7 big thing where, you know -- and I don't mean to bust  
8 your bubble -- but, you know, we're not going to have  
9 thousands of cars. I think -- and one of the reasons why  
10 I was for it is because when I heard the business hours.  
11 I think that's great. That's after Chaminade is done.  
12 That's after the middle school is done. That's after a  
13 lot of people are out of work. It's before Jericho  
14 Terrace has their weddings, which would start at 7:00 or  
15 8:00, but then Jericho Terrace, the weddings, would end  
16 at 11:00 or 12:00. So these people would be out there  
17 sandwiched in between. I couldn't find a better idea.

18 Could you think of a better -- obviously the  
19 landlord is not going to keep the store open. So what  
20 would you suggest go there? What would you like to see  
21 there?

22 MS. GRASER: You said that this is a  
23 difference. Before the store was there for so many  
24 years. It's a store. People come, buy and go. This is  
25 something different. It's a school. It's going to be a

1 constant traffic. That's the difference.

2 MR. PEREIRA: OK. That's your opinion.

3 MAYOR STRAUSS: Thank you.

4 Anything else, ma'am?

5 MS. GRASER: No.

6 MAYOR STRAUSS: No? OK. Thank you.

7 Anybody else in the fifth row? Sixth row?  
8 Seventh row?

9 Ma'am, come on back up.

10 Any other comments from the Board?

11 MS. ARMAND: Yes. I would like to address the  
12 parking issue. That has been one of our main concerns.

13 MAYOR STRAUSS: Ma'am, talk to us.

14 MS. ARMAND: Sorry. That's been one of our  
15 main concerns. So we've been looking for a place for  
16 over a year now just because I had to check off some of  
17 our points, and the first one has been parking because,  
18 the same thing, we don't want our clients to be searching  
19 for parking. So this space was actually perfect for that  
20 because of the 30 spots. At max we'll have 25.

21 And what I've been doing for the past few weeks  
22 is I'll drive over here and I'll check what the parking  
23 is like. I've talked to both of the neighbors. Their  
24 business hours are done at 3:00. So the parking lot  
25 won't be occupied. And then, as I drive down Jericho

1 between the hours of 5:00 to 10:00 p.m., there's usually  
2 no one parked there at all on both sides of the street  
3 and on the side streets across from the building. So  
4 that's something that I've, like, thoroughly checked  
5 because it's also very important to us.

6 And we would definitely do our best to make  
7 sure that the clients don't park in front of any  
8 residential houses. So we definitely will want to work  
9 with the community and not against.

10 MAYOR STRAUSS: OK. Great. Thank you.

11 Any other comments from the Board?

12 MR. WALSH: Yes.

13 What percentage of your clients are going to be  
14 young people that may be dropped off by their parents and  
15 not have a car.

16 MS. ARMAND: So we think half of that, which I  
17 didn't address before, but about half --

18 MR. WALSH: Just speak a little slower.

19 MS. ARMAND: Oh. Yes. Sorry.

20 So of the 25 max that we could have in an ideal  
21 situation, about half of those would be drop-off  
22 students. So they wouldn't actually need to park a car  
23 or anything like that.

24 MR. WALSH: So a good percentage will be  
25 children, because I've seen that in the past. And you

1 know, in the past there was a hearing, going back quite  
2 some time, about a gas station that was a little ways  
3 down. And they did quite an extensive traffic study.  
4 And they saw that more than 90 percent of the people came  
5 off Jericho Turnpike and went back onto Jericho Turnpike.  
6 People were concerned that the neighborhood would be  
7 invaded by people making turns going through their  
8 neighborhood. And your location is immediately off  
9 Jericho Turnpike. So I think that, first of all, at  
10 night there's spaces. During the day the spaces are not  
11 open on Jericho Turnpike, but at night they are. And I  
12 think that the majority of your people will be coming off  
13 Jericho Turnpike and going back onto Jericho Turnpike,  
14 especially those dropping children off.

15 So, you know, I think the idea that the  
16 business is mostly at night is a positive for your  
17 application and for that immediate area, as opposed to  
18 another business that would be there during the congested  
19 time of day.

20 That's all. Thank you, Mayor.

21 MAYOR STRAUSS: Thank you.

22 MR. DURHAM: May I?

23 MAYOR STRAUSS: Yes, sir.

24 MR. DURHAM: Classes, how many classes? How  
25 long does a class run? How many classes do you have

1 scheduled? Do you have set-up time and break-down time  
2 during this 5:00 to 10:00, or do you have classes solid  
3 from 5:00 to 10:00?

4 MS. ARMAND: Each class is an hour, and from  
5 5:00 to 10:00 there will be about three classes that take  
6 place in each of the rooms. So about three classes  
7 between the hours of 5:00 to 10:00.

8 MR. DURHAM: So they're spaced out.

9 MS. ARMAND: They're spaced out. So there's 15  
10 minutes for clients to leave and then drive their cars  
11 away, and then there's another 15 minutes for other  
12 clients to come in, find parking and then get into class.

13 MR. DURHAM: So a half hour between classes.

14 MS. ARMAND: Yes.

15 MR. DURHAM: Thank you.

16 MAYOR STRAUSS: Thank you.

17 Anything else, ma'am?

18 MS. ARMAND: No.

19 MAYOR STRAUSS: Anything else from the Board?

20 I'll entertain a motion to approve.

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

22 THE COURT: Motion by Trustee Walsh.

23 MR. PEREIRA: Second.

24 MAYOR STRAUSS: Second by Trustee Pereira.

25 Mr. Scalero, poll the Board.

1 MR. SCALERO: Yes, sir.

2 Trustee Durham?

3 MR. DURHAM: Yes.

4 MR. SCALERO: Trustee Pereira?

5 MR. PEREIRA: Yes.

6 MR. SCALERO: Trustee Cusato?

7 MR. CUSATO: Yes.

8 MR. SCALERO: Trustee Walsh?

9 MR. WALSH: Yes.

10 MR. SCALERO: Mayor Strauss?

11 MAYOR STRAUSS: Yes.

12 Congratulations. Welcome to Mineola.

13 MS. ARMAND: Thank you.

14 MAYOR STRAUSS: Please, work with your people,  
15 your students, and make sure that they don't trample on  
16 the neighborhood. And also stay close with our Building  
17 Department when you do any kind of work inside. We have  
18 a sign program for the front of the building. And also,  
19 you might want to link up with the Chamber of Commerce  
20 also. Congratulations.

21 MS. ARMAND: Thank you so much.

22 MAYOR STRAUSS: Thank you.

23 \* \* \*

24

25



1 MAYOR STRAUSS: Mr. Scalero?

2 MR. SCALERO: Yes, sir.

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, May 8, 2019 at 6:30 p.m. at the  
8 Village Hall, 155 Washington Avenue, Mineola, New York  
9 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 Bohler Engineering NY, PLLC,  
13 for a Special Use Permit pursuant to Chapter 550 of the  
14 Code of the Incorporated Village of Mineola, entitled  
15 'Zoning', Section 550.12, entitled 'B-1 Districts',  
16 Subsection (B), entitled 'Special Uses', to establish a  
17 dialysis clinic upon the property known as 1 Jericho  
18 Turnpike, Mineola, New York, known and designated on the  
19 Nassau County Land and Tax Map as Section 9, Block 453,  
20 lots 444-446, 527-528."

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 April 9, 2019."

11 MAYOR STRAUSS: Thank you.

12 Mr. Whalen?

13 MR. WHALEN: Yes, Mayor.

14 I'm in position of the radius map and the  
15 Affidavit of Mailing, and they have been signed and  
16 notarized.

17 MAYOR STRAUSS: Thank you.

18 Mr. Gibbons?

19 MR. GIBBONS: Nassau County Planning Commission  
20 has recommended local determination and I would ask for a  
21 resolution declaring this a Type II action under SEQRA.

22 MAYOR STRAUSS: Thank you.

23 MR. DURHAM: Motion.

24 MAYOR STRAUSS: Motion by Trustee Durham.

25 Second?

1 MR. PEREIRA: Second.

2 MAYOR STRAUSS: By Trustee Pereira.

3 All in favor?

4 MR. DURHAM: Aye.

5 MR. PEREIRA: Aye.

6 MR. CUSATO: Aye.

7 MR. WALSH: Aye.

8 MAYOR STRAUSS: Aye.

9 Opposed?

10 Carried.

11 Again, the format will be that the applicant  
12 will make their presentation, members of the Board will  
13 ask any questions and make comments that we have, at  
14 which time we'll open it up to public comment.

15 I ask anyone that's approaching the podium to  
16 please speak clearly, slowly, so it can be accurately  
17 recorded by the stenographer. State your name, address  
18 and affiliation.

19 Ma'am, the floor is yours.

20 MS. DeLUCA: Good evening, Mayor and members of  
21 the Board.

22 My name is Kristin DeLuca, of Bohler  
23 Engineering, 2929 Expressway Drive North, Hauppauge, New  
24 York 11749. I'm here tonight on behalf of the operator,  
25 future hopefully tenant, if approved tonight, Fresenius

1 Medical Care North America.

2 We are requesting a Special Use Permit for a  
3 dialysis clinic located at 1 East Jericho Turnpike. It  
4 is the southwest corner of Jericho Turnpike and Roslyn  
5 Road. The property is currently zoned B-1, where a  
6 clinic is permitted by Special Use Permit from the Board  
7 of Trustees.

8 The applicant is proposing to reuse the  
9 existing building with interior alterations to convert  
10 the former Walgreen's retail space into the dialysis  
11 clinic. As such the building character, size, location,  
12 design and site layout has already been found appropriate  
13 and in harmony with the surrounding properties which are  
14 commercially zoned to the north, northeast and east of  
15 the subject lot. There are single-family residences to  
16 the south, southeast and west along Washington Avenue.  
17 Along Jericho Turnpike there's a single-family residence  
18 immediately to the west, followed by commercial  
19 properties to the west of that, all located within the  
20 B-1 zone.

21 The existing building has been vacant since  
22 2015, when Walgreens moved diagonally across Jericho  
23 Turnpike. And the proposed use is a community concept  
24 offering a medical service that is otherwise only  
25 available at Winthrop Hospital. It fulfills a need in

1 the community, and the operator has already been granted  
2 the "all contingencies met" letter from the New York  
3 State Department of Health to operate the dialysis clinic  
4 at this location.

5 The use is in conformance with the surrounding  
6 character and will not cause excessive traffic or  
7 assembly of vehicles or people. It will not provide any  
8 change to the prior use in terms of noise, light,  
9 vibration, odor or size, nor will it impair future  
10 development or values of the surrounding properties.

11 As I mentioned, the existing building will be  
12 remaining. So the size will not change. The parking lot  
13 will remain as is. The traffic access will not be  
14 causing any additional conflict in traffic.

15 The existing utilities that currently service  
16 the property will service the property for gas, electric,  
17 water, sewer, and on-site storm water disposal.

18 David Ohliger is here on behalf of Fresenius  
19 Medical Care, if you do have any questions. And if you  
20 have any questions for me, I'd be happy to answer them.

21 MAYOR STRAUSS: Thank you. Thank you for  
22 selecting Mineola.

23 Is this the first dialysis center that you'll  
24 be opening up? Is it your second? Do you have  
25 experience in the field?

1 MR. OHLIGER: My name is David Ohliger. I'm  
2 actually the Northeast Project Manager for Fresenius  
3 Medical Care. So I concentrate solely on the  
4 construction aspect of the clinic.

5 So this is going to be -- we have quite a few  
6 clinics in both Nassau and Suffolk slated, but this is  
7 the first clinic in Nassau that we've built in some time.

8 MAYOR STRAUSS: How many other clinics are  
9 there?

10 MR. OHLIGER: Altogether, in the New York metro  
11 area, there's approximately 50 Fresenius Medical Care  
12 clinics.

13 MAYOR STRAUSS: That's great.

14 What were the hours of operation?

15 MR. OHLIGER: These clinics typically take a  
16 while to ramp-up, both patient and staff. It usually  
17 takes almost two years before we're at capacity. We  
18 start dialyzing patients for the first couple of months  
19 just Mondays, Wednesdays, Fridays, between the hours of  
20 8:00 and 1:00 p.m. and then, as the need grows in the  
21 area, we add additional shifts.

22 MAYOR STRAUSS: Well, there's plenty of  
23 parking.

24 Deputy Mayor?

25 MR. PEREIRA: Thank you.

1                   Thank you very much, and I certainly like to  
2                   see that that building will be rehabilitated. And as far  
3                   as rehabilitation, since you're in the construction  
4                   end -- and not that this has anything to do with the  
5                   application or the approval -- what kinds of improvements  
6                   will you be doing to the property, the building, the  
7                   parking lot, if any.

8                   MR. OHLIGER: So the interior of the building,  
9                   obviously you're getting a full tenant fit-out to suit  
10                  our needs. And the entire facade will be painted, new  
11                  finishes. There will be some new windows, sliding door  
12                  assembly. It's going to look like a clinic.

13                  MR. PEREIRA: What about the lot? Will you  
14                  resurface the lot?

15                  MR. OHLIGER: The lot is getting a full  
16                  resurface.

17                  MR. PEREIRA: Resurfacing.

18                  And landscaping, I assume, will --

19                  MR. OHLIGER: Full landscaping.

20                  MR. PEREIRA: The sign on the corner, that sign  
21                  pole that's there now, will you be keeping that or will  
22                  you be --

23                  MS. OHLIGER: The monument sign will have  
24                  our -- will be branded.

25                  MR. PEREIRA: OK. And I'm glad that you're

1 coming to Mineola. I, unfortunately, am very familiar  
2 with dialysis. I have a close family member who's been  
3 on dialysis for several years, and I know that Winthrop  
4 is at near capacity and they have three shifts. And so I  
5 think it's good that patients have another choice in the  
6 vicinity.

7 Eventually how many chairs will you have?

8 MR. OHLIGER: This is a 19-plus-one facility,  
9 which means 19 in center stations, plus one separation  
10 room, which is a New York State Department of Health  
11 mandate. There will also be two home therapy suites  
12 where we train patients to perform home therapy, dialysis  
13 at home.

14 MR. PEREIRA: OK. And now, I know that there  
15 are some early morning shifts and midday shifts, and  
16 eventually those patients that are still healthy enough  
17 to work, you know, you can accommodate them in late  
18 afternoon, early evening, shifts as well. That's the  
19 goal eventually? You're saying Monday, Wednesday,  
20 Friday, at this point 8:00 to 1:00, but at other points  
21 then the second wave would come in and the third wave?

22 MR. OHLIGER: Yes.

23 MR. PEREIRA: So ideally, two years down the  
24 line, when you're at max, what would the hours of  
25 operation be then, give or take. You know, you're not



1 bound to it at this moment, but --

2 MR. OHLIGER: Yes. I can't -- you know, it  
3 really depends on, obviously, the operation of the clinic  
4 and the patient to staff ratio, but --

5 MR. PEREIRA: Because I know my mother-in-law  
6 goes at 4:00 in the morning.

7 MR. OHLIGER: Yes.

8 MR. PEREIRA: Right? And then I know that  
9 there are later ones. And that brings me to the next  
10 question about deliveries and taking out of medical waste  
11 or medical supplies. When would that happen? That's the  
12 thing that I'm more concerned about.

13 Obviously this is not going to produce any  
14 noise, or any smells, or any inconveniences --

15 MR. OHLIGER: No.

16 MR. PEREIRA: -- like that. The only  
17 inconvenience that I could see is if there are trucks  
18 backing up at 3:00 in the morning, beep, beep, you know,  
19 that kind of thing.

20 When would that be done and how often would  
21 that be done?

22 MR. OHLIGER: You know, in more of the borough  
23 areas of New York City we have to do more of those early  
24 type of deliveries and dropoffs just because of parking  
25 restrictions. But somewhere like this, where we have our

1 own separate building door and parking lot, I don't think  
2 we'd see that early morning activity.

3 MR. PEREIRA: OK. Excellent. Thank you.

4 MAYOR STRAUSS: Thank you.

5 Trustee Cusato?

6 MR. CUSATO: Thank you.

7 Good evening to both of you. I have no problem  
8 with your request. I have some questions.

9 So how long is the dialysis process? Is it,  
10 like, a three-hour thing? I mean, what's the process  
11 involved as far as time?

12 MR. OHLIGER: Typically a patient treatment is  
13 between three and four hours.

14 MR. CUSATO: OK. So do they normally get  
15 dropped off, or they park their -- are they able to drive  
16 home after they're process, or does someone drop them off  
17 and pick them up?

18 MR. OHLIGER: That depends on the severity of  
19 the patient's health.

20 MR. CUSATO: OK. Now, you indicate that you  
21 have 20 patient stations, and I might have missed what  
22 you said, but can you do 20 people at one time?

23 MR. OHLIGER: Yes.

24 MR. CUSATO: OK. So now, the front signage is  
25 going to say Forensic Care, or -- it's not going to say

1 Bohler Engineering? The signage on the building is going  
2 to show --

3 MR. OHLIGER: Fresenius Kidney Care.

4 MR. CUSATO: OK. Now, you stated that the  
5 building is going to stay pretty much what it looks like  
6 now, but I did notice that you're going to have some kind  
7 of opaque film on the inside of some windows?

8 MR. OHLIGER: Correct.

9 MR. CUSATO: Is that -- what is that film going  
10 to show?

11 MR. OHLIGER: It's basically just a UV coating.

12 MR. PEREIRA: For privacy.

13 MR. OHLIGER: Yes. It's going to screen. It  
14 serves two purposes. One is privacy and one is --

15 MR. CUSATO: It's for decoration, or not?

16 MR. OHLIGER: No.

17 MR. CUSATO: It's more privacy than decoration.

18 MR. OHLIGER: Well it's also UV coating. So it  
19 helps the solar in the building.

20 MR. CUSATO: OK. And I notice that you had a  
21 water treatment area. What does that mean, water  
22 treatment.

23 MS. OHLIGER: It's our water treatment  
24 equipment. We have a delegated room where all the water  
25 treatment equipment is installed.

1 MR. PEREIRA: To purify. The water has to be  
2 used -- sterile water has to be used for the --

3 MR. OHLIGER: Yes. It's a reverse osmosis  
4 process in dialysis.

5 MR. CUSATO: Again, I just have questions.  
6 Now, you have a basement in this building,  
7 correct?

8 MS. OHLIGER: We do.

9 MR. CUSATO: And that's just for storage or  
10 something?

11 MR. OHLIGER: We will have our own storage on  
12 the first floor. We really won't be using the cellar at  
13 all.

14 MR. CUSATO: OK. And I notice that you have a  
15 transformer room. Does that mean -- do you need a  
16 generator, some kind of backup generator?

17 I'm just concerned when the generator kicks in  
18 it may be too noisy for our residents.

19 MR. OHLIGER: There will be no generator at  
20 this facility, but there will be a generator connection  
21 box so, in case of an emergency, we can hook a generator  
22 up to the facility.

23 MR. CUSATO: So you'll bring something in?

24 MR. OHLIGER: Correct.

25 MR. CUSATO: And will that be a noisy thing for

1 our residents or a quiet thing?

2 MR. OHLIGER: Typically the generators that are  
3 used in New York are rated for the use and have a sound  
4 enclosure.

5 MR. CUSATO: All right. Thank you.

6 MAYOR STRAUSS: Thank you.

7 Trustee Durham?

8 MR. DURHAM: Thank you.

9 The patients coming, do you have a percentage  
10 at your other locations that come by ambulance or  
11 vehicles like that that have to stage on the property?

12 MR. OHLIGER: We do, but without knowing, you  
13 know -- that's a very -- that's as per area. So it would  
14 be hard to gauge that.

15 MR. DURHAM: Just from one of your other  
16 locations, just approximately the percentage of patients  
17 that come. . .

18 MR. OHLIGER: Unfortunately, I can't comment to  
19 that because I'm really on the construction end of  
20 things. So I'm not there for the day-to-day operations.

21 MR. DURHAM: Are you setting up -- in  
22 construction with the parking lot, are you setting up  
23 dedicated spots for ambulances and staging for the  
24 ambulances that will be delivering patients?

25 MR. OHLIGER: Handicapped parking.

1 MR. DURHAM: Handicapped parking. The  
2 ambulances would be staged in handicapped parking, or --

3 MR. OHLIGER: They could drop off in a  
4 handicapped parking spot, or they could pull right up to  
5 the front vestibule and drop off, depending on the  
6 severity of our patient.

7 MR. DURHAM: So it will be more like a drop-off  
8 service. They'll drop off. They won't stay around and. . .

9 MR. OHLIGER: No. The ambulance drop off is  
10 just a drop off, typical of a hospital situation.

11 MR. DURHAM: And you said the process time  
12 takes three to four hours. So with your initial 8:00  
13 a.m. to 1:00 p.m. Monday to Friday, the most you would be  
14 doing is 60 patients a week to start?

15 MR. PEREIRA: No. Most patients do go three  
16 days.

17 MR. DURHAM: Yes, but. . . OK.

18 So you're talking, then, it's 20 patients.  
19 You're gearing up to start with just 20 patients.

20 MR. OHLIGER: Yes. The process of that gear-up  
21 is slow because it has to go through the state and we  
22 have to get certified by the state. It starts with one  
23 patient. Then it slowly builds through the certification  
24 process.

25 MR. DURHAM: And approximate number of staff

1 that you would have on?

2 MR. OHLIGER: Again, it correlates with the  
3 patient -- with the patient, you know --

4 MR. DURHAM: To start.

5 MR. OHLIGER: -- services.

6 That's an operational question. I can't answer  
7 that question.

8 MR. DURHAM: Can you?

9 MS. DeLUCA: I don't know.

10 MR. OHLIGER: That's a state-mandated patient  
11 to staff ratio. At this point I'm not sure what it is.  
12 It could be three to one. It could be five to one. I  
13 don't keep current with that.

14 MR. DURHAM: OK. So then, staff parking.  
15 Where are you setting up -- your staff that's coming in,  
16 where are you setting up the staff parking?

17 MR. OHLIGER: Staff parking is within the same  
18 parking lot.

19 MR. DURHAM: Within the same parking lot. Will  
20 they be closer to Jericho Turnpike --

21 MS. OHLIGER: Correct. Our patients get the  
22 closer parking.

23 MR. DURHAM: All right.

24 MAYOR STRAUSS: Thank you.

25 Trustee Walsh?

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

2 Hello. Good evening.

3 Just so I understand, you are the civil  
4 engineer, is that correct, and you represent the company  
5 as the construction end of it?

6 MS. OHLIGER: Correct.

7 MR. WALSH: OK. How many such centers does  
8 your company own in this immediate area? I might have  
9 missed it.

10 MR. OHLIGER: Approximately --

11 MR. WALSH: You sound a little muffled.

12 MR. OHLIGER: Approximately 50.

13 MR. WALSH: Approximately 50.

14 MR. OHLIGER: Fifty, five-zero.

15 MR. WALSH: OK. How many of those are you in  
16 the position of being a tenant and how many are you in  
17 the position of being an owner of those properties?

18 Are you tenants more so than owners?

19 MR. OHLIGER: We are only tenants.

20 MR. PEREIRA: You are only tenants.

21 So you have no intention of buying the  
22 property.

23 MR. OHLIGER: None.

24 MR. WALSH: OK. Good.

25 And, you know, in the past -- I know I heard



1       you say that you're going to do the work and, you know,  
2       the driveway and everything, but in the past at that  
3       location we had had trouble with the previous tenant not  
4       always shoveling the snow, not always. . . you know. In  
5       the beginning, when they went in there, they made nice  
6       landscaping and then it just became a disaster, grass  
7       growing high.

8               Your company is in charge of the maintenance  
9       for the entire property?

10              MR. OHLIGER: The landlord is in charge of  
11       repaving the parking lot and he's in charge of the  
12       maintenance of the landscaping, as per our lease  
13       arrangement.

14              MR. WALSH: Is the landlord present here  
15       tonight?

16              MR. OHLIGER: He is not.

17              MR. WALSH: OK. Because its just the point  
18       that we did have trouble in the past with that location.  
19       It looked very sloppy. And also, that location was a  
20       major pharmacy-type of store. They didn't really have  
21       enough parking. It's kind of assured.

22              I think this is a good use of that property.  
23       And that's what we're here for. We're here for land use,  
24       not as -- what you can answer. I think that there's a  
25       great need for dialysis. I think that there's a great

1 need for people to have dialysis near where they live.  
2 And so I hope that your application is approved. I think  
3 it's a good use of the land, and that's what we're here  
4 for, land use.

5 Thank you very much.

6 MR. OHLIGER: Thank you.

7 MAYOR STRAUSS: Thank you, Trustee Walsh.

8 Any other comments from the Board?

9 MR. PEREIRA: My only question would be: If  
10 you get approved tonight, when do you see that this would  
11 all happen? Within the next six, eight, 12 months, 16  
12 months? When would you hope to kind of get the ball  
13 rolling and open?

14 MR. OHLIGER: Once we gain permits, our  
15 construction process is five months.

16 MR. PEREIRA: Great.

17 MR. CUSATO: I'm sorry, is what?

18 MR. PEREIRA: Five months.

19 MR. OHLIGER: Five months.

20 MAYOR STRAUSS: Thank you.

21 Any other comments?

22 Yes, ma'am.

23 MS. DeLUCA: Would I be able -- because I think  
24 what Trustee Durham was getting at, asking the number of  
25 employees and parking, was if the parking lot can handle.

1 And I want to put on record that there are 40 parking  
2 spaces available in that parking lot. So, even if it did  
3 happen to be a one to one ratio, which is not the case,  
4 there would be enough parking to have 20 employees and 20  
5 patients at a time. So, it will be less employees than  
6 that.

7 MAYOR STRAUSS: OK. Thank you.

8 MR. PEREIRA: Just to further explain it, most  
9 patients are dialyzed three times a week. So it's the  
10 same patient. It's not -- so when you're open Monday,  
11 Wednesday, Friday, and you're servicing 20 patients,  
12 you're not servicing 60 patients. You're really  
13 servicing the 20 patients three times. So it's the same  
14 patients.

15 In my experience, usually you have techs and  
16 you have nurses who put the patients on, and you may have  
17 a doctor who is on call on the premises. So it's usually  
18 two or three to one, if that.

19 And again, these things are mandated by the  
20 state and they're regulated by the Health Department and  
21 all of that. And those things, I'm sure, will all be  
22 taken care of, as they probably are in the other 50 that  
23 you own or that you operate.

24 MAYOR STRAUSS: Thank you.

25 Have a seat. We'll open it up for public

1 comment.

2 Anybody in the second row? Fourth row? Sixth  
3 row? Seventh row?

4 Come on back up.

5 Anything else you'd like to add?

6 MS. DeLUCA: No. That's it.

7 MAYOR STRAUSS: I'll entertain a motion to  
8 approve.

9 MR. PEREIRA: Motion.

10 MAYOR STRAUSS: Motion by Trustee Pereira.

11 MR. CUSATO: I'll second.

12 MAYOR STRAUSS: Second by Trustee Cusato.

13 Mr. Scalero, poll the Board.

14 MR. SCALERO: Yes, sir.

15 Trustee Durham?

16 MR. DURHAM: Yes.

17 MR. SCALERO: Trustee Pereira?

18 MR. PEREIRA: Yes.

19 MR. SCALERO: Trustee Cusato?

20 MR. CUSATO: Yes.

21 MR. SCALERO: Trustee Walsh?

22 MR. WALSH: Yes.

23 MR. SCALERO: Mayor Strauss?

24 MAYOR STRAUSS: Yes.

25 Congratulations. Welcome to Mineola. Thank

1       you for selecting Mineola. We are excited that finally  
2       something is getting in there and kind of rejuvenate that  
3       corner a little bit.

4               Please, again, as you heard me say with the  
5       other applicants this evening, stay close to our Building  
6       Department. You have plenty of customers, but reach out  
7       to the Chamber of Commerce. Maybe they'll even make a  
8       little splash for you, as we will with the other  
9       applicants that were approved tonight.

10              Congratulations.

11              MS. DeLUCA: Thank you very much.

12              MAYOR STRAUSS: Thank you very much.

13              MS. DeLUCA: Have a good night.

14              MAYOR STRAUSS: I'll entertain a motion to  
15       close the public hearings.

16              MR. WALSH: Motion.

17              MAYOR STRAUSS: Motion by Trustee Walsh.

18              MR. PEREIRA: Second.

19              MAYOR STRAUSS: Second by Trustee Pereira.

20              All in favor?

21              MR. DURHAM: Aye.

22              MR. PEREIRA: Aye.

23              MR. CUSATO: Aye.

24              MR. WALSH: Aye.

25              MAYOR STRAUSS: Aye.

Any opposed?

Carried.

\* \* \*

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

\* \* \*

  
PATRICIA A. TAUBER, RPR  
OFFICIAL COURT REPORTER

- Board of Trustees Hearing of 5/8/2019 -

I N D E X

SUBJECT

PAGE

Erik A. Bjorneby, RA  
217 Mineola Boulevard

2

Regina & Pierre Armand  
267 Horton Highway

14

Bohler Engineering NY, PLLC  
1 Jericho Turnpike

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\* \* \*