

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE
BOARD OF TRUSTEES

June 10, 2015
6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,
Mayor

PAUL S. CUSATO,

GEORGE R. DURHAM,

DENNIS J. WALSH,
Trustees.

* * *

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

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DANIEL WHALEN
Superintendent of Buildings

JOSEPH R. SCALERO
Village Clerk

* * *

PATRICIA A. TAUBER, RPR
Official Court Reporter

INC VILLAGE OF MINEOLA

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

5 MAYOR STRAUSS: Evening, ladies and gentlemen.

6 Deputy Mayor Pereira is going to be unable to
7 attend tonight. He has a family obligation he needs to
8 take care of.

9 Mr. Scalero.

10 MR. SCALERO: "Legal Notice, Public Hearing,
11 Incorporated 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, June 10, 2015 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 Brandon Nurnberger for a
20 Special Use Permit pursuant to Chapter 550 of the Code of
21 the Incorporated Village of Mineola, entitled 'Zoning',
22 Section 550.16, entitled 'M Districts', Subsection (A),
23 for the purpose of establishing a personal training and
24 fitness center upon the property known as 63 East Second
25 Street, Mineola, New York, known and designated on the

1 Nassau County Land and Tax Map as Section 9, Block 437,
2 Lots 454, 471.

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

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

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

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

17 "Dated May 13, 2015."

18 MAYOR STRAUSS: Thank you, Mr. Scalero.

19 Mr. Whalen, report on mailings?

20 MR. WHALEN: Yes, sir. I have the requisite
21 affidavit of mailing, signed and notarized. There were
22 91 certified mailings, 68 were returned and none went
23 unclaimed.

24 MAYOR STRAUSS: Thank you.

25 Mr. Trentacoste, anything?

1 MR. TRENTACOSTE: No, Mayor. The Village is in
2 order to hear this application this evening. All
3 requisite notices will be forwarded to Nassau County.

4 MAYOR STRAUSS: OK. Great.

5 Tonight there will be a hearing. The way we do
6 this is that the applicant will approach the podium,
7 present its application, call its witnesses, will
8 interact with the Board, and then we'll open up to public
9 comment.

10 I ask anybody that's approaching the podium to
11 please speak clearly, state your name, your address, your
12 affiliation, if you need to, and speak slowly for the
13 court reporter.

14 Gentlemen?

15 MR. NURNBERGER: Good evening, gentlemen.

16 Do you guys, first off, mind if I come up and
17 hand you some documents?

18 MAYOR STRAUSS: Thank you. Give them to
19 Mr. Scalero.

20 MR. NURNBERGER: So Mayor, Board Members, and
21 on behalf of my business partner, Eric and I, we'd like
22 to thank you for being here tonight.

23 My name is Brandon Nurnberger. I currently
24 live at 152 St. Paul's Road North, in Hempstead, zip code
25 11550.

1 I'm the co-owner, along with my partner, as I
2 mentioned, of Relentless Strength and Performance. We
3 are a niche strength conditioning facility. We're in our
4 first year of operation. Our mission is to provide
5 coaching of the highest quality in small group and
6 private settings while promoting a fun, safe and
7 educational environment for our members.

8 Since this will be our first year in operation
9 and our first foray as business owners, I'd like to begin
10 explaining a little bit about Eric and myself. I
11 received my bachelors degree in kinesiology from SUNY
12 Cortland. Eric received his bachelors degree in exercise
13 science from Queens College. Together we have well over
14 a decade of experience coaching a wide array of
15 individuals, from children to busy housewives, high
16 school athletes, as well as elite level athletes,
17 strength athletes. Actually, we ourselves are athletes
18 as well. Eric is a competitive power lifter. I played
19 college football and I currently compete in amateur
20 Strongman.

21 As coaches we've coached in a number of
22 settings, including commercial gyms, powerlifting gyms,
23 crossfit gyms and studios. I, myself, was actually a
24 personal coach at Healthtrax here in Garden City for
25 three years. I recently decided to part ways permanently

1 just to pursue this venture with my partner Eric. We met
2 as a result of training together at a gym in Farmingdale
3 close to three years ago. We quickly developed a
4 tremendous amount of respect for each other, both
5 professionally and personally, just by talking and
6 exchanging knowledge and everything like that.

7 Knowing our dreams, both of us, was one day to
8 own our own facility, we thought going into business
9 together was the right decision for us. On top of that,
10 we think Mineola is by far the perfect town for our
11 business. We both live locally. Eric is in West
12 Hempstead. I'm here, just on the border of Garden City.
13 So we're deeply rooted in the community, myself
14 especially because of my three years at Healthtrax.

15 Mineola is also centrally located on the
16 island. It makes it very convenient for all of our
17 clients. We have a lot of people who travel from as far
18 as Suffolk County, east, and from the city, actually
19 west. So we have a lot of people who actually seek us
20 out specifically.

21 Regardless of the clientele we hope to serve,
22 it's mostly young athletes, or we're hoping to serve
23 mostly young athletes from the ages of 9 to 22. I,
24 coming from a commercial gym, have a lot of general
25 population. So we're going to work general population as

1 well. And then, of course, strength for athletes
2 specifically powerlifting and strongman, since that's
3 what we do.

4 Since we hope to occupy a very specific niche,
5 we provide a very specific service. So how we do things,
6 just to give you a little bit better idea, in terms of
7 our hours of operation, we do 60-minute sessions by
8 appointment only. Our hours are pretty much, for the
9 most part, off of primary business hours. It's not
10 you're 9:00 to 5:00. So usually our sessions on weekdays
11 would be anywhere from 6:00 to 9:00 or 10:00 a.m. We
12 haven't figured it out yet because we're not in business.
13 And then anywhere from 5:00 to 9:00 p.m. typically.
14 Saturdays, we're hoping maybe to open one or two,
15 anywhere from 9:00 to 11:00 a.m.

16 We also offer private training, which is
17 literally just a one-on-one client and coach. And that's
18 going to vary depending on their schedules and our
19 schedules. So we can't speak upon that just yet.

20 MR. WALSH: I'm sorry. What time did you say
21 on Saturday? I'm sorry.

22 MR. NURNBERGER: Around 9:00 to 11:00 a.m. We
23 haven't -- we have to kind of vet our members and see
24 what they want. But we don't want to be there too late
25 on a Saturday, so usually earlier.

1 MR. WALSH: Thank you.

2 MR. NURNBERGER: So speaking more along those
3 lines, our max occupancy, since we are providing a very
4 specific service and we want it to be as personalized as
5 possible, we're guaranteeing our members -- this is part
6 of our service -- guaranteeing no more than six people
7 per session. It is a very small space. It's only about
8 1,500 square feet. So we don't want to get crowded and
9 we don't want to dilute the product. But the average
10 session has maybe four members.

11 Other than that, as far as parking goes, I'm
12 sure you're familiar with the property. There's a large
13 lot shared by all four businesses. Five now that I was
14 just told about. There's a signage company just adjacent
15 to us that, as far as I've seen has -- and they're very
16 nice people. I speak to them all the time -- has one or
17 two cars in there, maybe, and they're usually right in
18 front of their space. There's a furniture restoration
19 company just behind us, and it's usually just the owner's
20 cars are there. They have no -- neither of those
21 businesses have clients coming in or out. So it's just
22 their two cars right in front of their space. So that
23 really leaves -- as we actually just mentioned, there was
24 one other space being rented out to a law firm or
25 something or other that I guess is going to be used for

1 storage, just for documents and things of that nature.
2 So that really just leaves 5T Fencers and ourselves. So
3 our landlord hasn't designated any spots to each business
4 just yet because we just haven't had the need for it.
5 We're not in business yet. They are in business. They
6 just started. But as we've come to know them just a
7 little bit going through this whole process, we've had a
8 lot of conversation with Viviana and Jonathan. They're
9 wonderful people. They run a fantastic business. Since
10 their business is solely after 3:00 p.m., along with the
11 fact that their business is mostly dropoffs, we've come
12 to the conclusion that there's really no problem at all
13 with parking, especially because most of our hours of
14 operation are kind of the same deal. It's really after
15 3:00 to 4:00 p.m., and then really early in the morning
16 because we work with a lot of people who work. And a
17 long those same lines, we also have a lot of dropoffs,
18 especially in that 3:00 to 4:00 p.m. kind of margin,
19 because that's when our kids can get -- they come right
20 from school, parents drop them off, and they leave.

21 So just in case our landlord does, you know,
22 decide to relegate parking, we're all new businesses in
23 there. So we're trying to figure everything out still.
24 I provided pictures in that hand out there of four
25 parking spaces just in front of our space if need be. We

1 measured them out. Just to give you a better idea, each
2 space is 9 feet wide and between 18 and 20 feet long. So
3 I believe that, from all our conversations with our
4 landlord with the businesses that are surrounding us
5 currently, there's really -- I mean, we haven't had any
6 problem with overflow whatsoever. And they've been --
7 Viviana and Jonathan -- have been very, very courteous
8 about it. They've said as we come through, obviously
9 they're not going to be there until 3:00 p.m., so we're
10 free to use their spots. Technically they're not
11 anybody's spots just yet, we're sharing, but we're free
12 to use their spots. They're, of course, free to use our
13 spots. So I really don't see any problems in that
14 regard.

15 So if there's any other questions at this point
16 I'd be happy to answer them. I don't know if I covered
17 everything.

18 MAYOR STRAUSS: Mr. Nurnberger, thank you very
19 much for selecting Mineola. Greatly appreciate it and
20 your presentation seems to be thorough.

21 MR. NURNBERGER: Thank you.

22 MAYOR STRAUSS: I do have a question, if we can
23 go back to the parking for a second.

24 Is parking part of your lease? Did they
25 designate how many spots?

1 I know you said you're still working it out,
2 but as part of the lease are you awarded three spots,
3 four spots, five spots?

4 MR. NURNBERGER: Well it hasn't been relegated
5 yet to each in the lease specifically. It says that
6 there are parking spaces. If it's so -- if he determines
7 it necessary, then he will relegate parking to each. But
8 he has said before, just in conversation, that if it came
9 to it that it would have to be split up then it would
10 just obviously be whatever spaces are in front of those
11 buildings.

12 So if you would take a look at the pictures, we
13 have two right in front that are completely -- they're on
14 the end of the line of where the fencing club would be.
15 And then two on the back side of the building.

16 MAYOR STRAUSS: OK. What kind of staff, how
17 many staff will you have?

18 MR. NURNBERGER: Just Eric and myself.

19 MAYOR STRAUSS: Just two.

20 MR. NURNBERGER: Mm hmm.

21 MAYOR STRAUSS: Did you do any kind of changes
22 to the inside of the building?

23 MR. NURNBERGER: No. Nothing permanently. No.

24 MAYOR STRAUSS: When you say "nothing
25 permanently".

1 MR. NURNBERGER: No. I mean, we might have to
2 bolt a certain piece of equipment to the wall maybe like
3 a bar mount or something along those lines but we're not
4 changing any walls or putting anything in, at least
5 currently at this point.

6 MAYOR STRAUSS: Signage exterior to the
7 building?

8 MR. NURNBERGER: Nothing big. Like I said,
9 people seek us out. So -- and in that area anyway
10 there's no real foot traffic. So there's nothing really
11 needed, no big sign that has to go on the outside. Just
12 a simple arrow with, you know, our tiny little logo on it
13 on the outside fence will do.

14 MAYOR STRAUSS: Mr. Cusato.

15 MR. CUSATO: Thank you.

16 Good evening, sir.

17 MR. NURNBERGER: Good evening.

18 MR. CUSATO: The building, 65, right next door,
19 the bay doors, are they part of that building or your
20 building?

21 There's two bay doors. The garage doors.

22 MR. NURNBERGER: The ones that you see in the
23 picture right there, those are both of my doors.

24 MR. CUSATO: No. The one off of Second Street.
25 When you're on Second street looking at your front door,

1 on the east side there are two garage doors in between
2 both buildings.

3 MR. NURNBERGER: That wouldn't be -- my
4 building is in the back of those buildings.

5 MR. CUSATO: OK.

6 MR. NURNBERGER: Yes. It's very small. That's
7 the fencing club and then the front of the signage
8 company.

9 MR. CUSATO: OK. So if I want to enter into
10 your building I have to go around the back.

11 MR. NURNBERGER: Correct.

12 MR. CUSATO: OK. So I guess the parking lot on
13 the west side, both buildings are using that one parking
14 lot, right?

15 MR. NURNBERGER: Yes. Correct.

16 MR. CUSATO: And you mentioned you might have
17 some kind of signage. You were saying just a --

18 MR. NURNBERGER: Maybe just one sign on the
19 outside fence, because we have a sliding gate that
20 closes.

21 MR. CUSATO: OK.

22 MR. NURNBERGER: One probably just on the
23 outside there. One of the companies in there already has
24 just their address on there. So we might just put it
25 right under there.

1 MR. CUSATO: And just for the point of
2 information here it says between ages nine and 22. Did
3 you say you may go past that or not?

4 MR. NURNBERGER: Yes. Of course. Well, I
5 mean, specifically --

6 MR. CUSATO: Do I have a chance of getting in?

7 MR. NURNBERGER: Absolutely. Absolutely.
8 Actually in all honesty working in -- I'm not sure if you
9 guys are familiar with Healthtrax at Garden City.
10 Primarily you would be the age group that I work with,
11 actually, for the most part.

12 So coming from a competitive background, I'm
13 trying to wean myself away from that just a little bit.
14 But the fact of the matter is that we want to help as
15 many people as we possibly can. So we're really open to
16 taking anybody.

17 MR. CUSATO: OK. Thank you.

18 Thank you, Mayor.

19 MR. NURNBERGER: Thank you.

20 MAYOR STRAUSS: Thank you.

21 Mr. Durham?

22 MR. DURHAM: I just want to know what type of
23 equipment are you looking to put in. Is it weights, or
24 is it training with like the tires and different things?
25 What kind of gym are you setting up?

1 MR. NURNBERGER: We will have some tires.
2 Again, I compete in Strongman. I have nobody currently
3 who also competes in Strongman. Just me and one other,
4 my training partner. But we will have those type of
5 things. Mostly all freeweights, pretty much. No
6 machines like you would see in a commercial gym. So
7 Spotrack, barbells, plates, things like that.

8 MR. DURHAM: And it's all specific training to
9 the athlete to the sport?

10 MR. NURNBERGER: Absolutely. Yes.

11 MR. DURHAM: OK. And now, your building,
12 there's no diagram of the building itself, whatever. I'm
13 just saying, you have public bathrooms, you have
14 bathrooms that you're guests can use and stuff while
15 there?

16 MR. NURNBERGER: As of now -- we're not in
17 business as of now officially. So we're still getting a
18 bathroom put in because we have been in this process now,
19 I think, for a couple of months. And we were waiting for
20 this hearing, really. But I think all the architectural
21 plans are in. I think they just settled everything with
22 the permits for the work that has to be done to put one
23 bathroom in. I'm pretty sure that's it, because it's a
24 brand new space. He's never leased it out before. So
25 he's just put that dividing wall, I'm pretty sure, last

1 year. So the bathroom is not in yet. We will not start
2 working until the bathroom is in officially.

3 MR. DURHAM: You've said you've already
4 submitted that the to the Building Department, the plans
5 and stuff?

6 MR. NURNBERGER: In our lease actually that's
7 the landlord's work. So he's taking care of that.

8 MR. DURHAM: OK. I have no further questions.
9 Thank you.

10 MAYOR STRAUSS: Mr. Walsh?

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

12 Good evening. How are you? Thank you for
13 coming out.

14 MR. NURNBERGER: Of course. Thank you.

15 MR. WALSH: What about in the summertime when
16 schools are closed? Do you have anything different lined
17 up for the summertime, you know, to get customers in?

18 MR. NURNBERGER: We may. We may. We're not
19 the type of facility that's going to run your typical
20 12-week transformations or anything like that. But we've
21 certainly opened it up, the option, to offer some sort of
22 special offer to college athletes coming back, or kids
23 who are off from school. Things of that nature. Yes.

24 MR. WALSH: And you still have six people,
25 maximum of six people per session.

1 MR. NURNBERGER: Yes, sir.

2 MR. WALSH: Just an odd question but, you know,
3 I see there's several different businesses in there and I
4 know the area over there. Who plows that? The snow,
5 does the owner plow all that?

6 MR. NURNBERGER: He does. Garbage, yes.

7 MR. WALSH: How about music? Are you going to
8 have any music inside and, if so, is it going to be
9 contained inside the building?

10 MR. NURNBERGER: We will. We will. Yes. And
11 like I said, we've become actually very close to Viviana
12 and Jonathan. We've also been very close -- any time
13 that I'm there just scoping the place out they've been
14 nice and everybody around there has been nice enough to
15 let us their bathrooms because we don't have one yet.

16 So yes. We will have music. The walls are
17 very thick. And I've said a million times to each of
18 them, if at any point in time in the future, if it gets
19 too loud, please let us now. But they have their beeping
20 going on in their stores and we can't hear a thing. next
21 to us has giant machines grinding all day and we can't
22 hear a thing.

23 MR. WALSH: Just because immediately behind
24 you, on the other side of the railroad tracks is the
25 backyard of Albertson Place, and you're very close. So

1 you have to contain your noise inside.

2 MR. NURNBERGER: Of course.

3 MAYOR STRAUSS: The other partner -- he's doing
4 all the talking. You didn't want to have anything to say
5 here?

6 MR. NURNBERGER: I like talking.

7 MR. WALSH: I see that. Thank you.

8 Just as a curiosity, how much will you charge?
9 What's your fee?

10 MR. NURNBERGER: Well that's actually a funny
11 story. I think we kind of low-balled ourselves. We do
12 have some mentors in the industry who are kind of guiding
13 us around all of this. So it's going to be a membership
14 base for the most part. It's not including personal
15 training. So our members for the group training,
16 anywhere from 175 to 250 a month, around those, that's
17 depending on how many times a week they want to train.
18 And that's basically -- we're looking into raising those
19 as the time comes because, again, we're providing such an
20 individual service. So we think we kind of low-balled
21 ourselves on that. But that's where we're going to start
22 so we can build our business.

23 MR. WALSH: OK. Are there sprinkler systems
24 inside this building and do you have an alarm?

25 MR. NURNBERGER: There is none. There are

1 neither of those.

2 MR. WALSH: No alarm. No sprinkler system.

3 MR. NURNBERGER: No alarm. No sprinkler
4 system.

5 MR. WALSH: Just my last question is: Were
6 either one of you in business before?

7 MR. NURNBERGER: No.

8 MR. WALSH: You've never been in business.
9 This is your first venture.

10 MR. NURNBERGER: Yes.

11 MR. WALSH: OK. Thank you. Good luck.

12 MR. NURNBERGER: Thank you.

13 MAYOR STRAUSS: Trustee Durham mentioned about
14 some of the weights and things that you are going to do
15 particular to any specific sport or activity.

16 Is there going to be any kind of training
17 outside of the building? Are you going to be dragging
18 sleds and chains up and down the street?

19 MR. NURNBERGER: We would like to. We do have
20 a nice strip of turf that we're hoping to put down, or
21 carpet, inside if need be.

22 Again, we are guests there. So we're not, of
23 course, going to step on anybody else's toes. I
24 believe -- I would hope to try it out, for instance. And
25 then if anybody, you know, has a problem, then of course

1 we would address it and just bring everything inside.
2 But . . .

3 MAYOR STRAUSS: OK.

4 MR. DURHAM: In the parking lot or -- in the
5 parking lot is where you're talking about, right?

6 MR. NURNBERGER: Yes. We have a very small
7 strip right where those parking lots were. So if ever
8 they were open and it was nice out, we might pull the
9 sled out there every once in a while or something, but
10 that's -- we do have plenty of room inside to pull a
11 sled. So . . .

12 MAYOR STRAUSS: OK. Anything else, sir?

13 MR. NURNBERGER: That's it.

14 MAYOR STRAUSS: Any other comments from the
15 Board.

16 MR. TRENTACOSTE: Just to clarify one thing,
17 Mayor.

18 So you have no objection to having your entire
19 operation self-contained within the building?

20 MR. NURNBERGER: No. Not at all.

21 MR. TRENTACOSTE: Thank you.

22 MAYOR STRAUSS: Sir, if you can have a seat.
23 We'll open up to public comment. I ask that if there are
24 any questions from the public that you write them down
25 and at the end of the public comment session come back up

1 and answer those questions.

2 MR. NURNBERGER: Beautiful. Thank you.

3 MAYOR STRAUSS: All right. Thank you.

4 Anybody in the first row wishing to speak?

5 Second row? Third row? Fourth row? Fifth row? Sixth
6 row? Seventh row?

7 Mr. Nurnberger.

8 Any other comments from the Board?

9 Mr. Trentacoste, anything?

10 MR. TRENTACOSTE: No, Mayor.

11 At this time if the Board is inclined to have a
12 SEQRA designation designating this an unlisted action
13 with negative declaration.

14 MAYOR STRAUSS: Motion?

15 MR. WALSH: Motion.

16 MR. CUSATO: Second.

17 MAYOR STRAUSS: All in favor.

18 MR. DURHAM: Aye.

19 MR. CUSATO: Aye.

20 MR. WALSH: Aye.

21 MAYOR STRAUSS: Aye.

22 Any opposed?

23 Carried.

24 OK. Gentlemen, I'll entertain a motion to
25 approve.

1 MR. WALSH: I'll move. Motion.

2 MAYOR STRAUSS: Motion made by Trustee Walsh.

3 Do I have a second?

4 MR. CUSATO: I'll second.

5 MAYOR STRAUSS: Second by Trustee Cusato.

6 Mr. Scalero.

7 MR. SCALERO: Yes.

8 Trustee Durham?

9 MR. DURHAM: Yes.

10 MR. SCALERO: Trustee Cusato?

11 MR. CUSATO: Yes.

12 MR. SCALERO: Trustee Walsh?

13 MR. WALSH: Yes.

14 MR. SCALERO: Mayor Strauss?

15 MAYOR STRAUSS: Yes.

16 Congratulations, sir.

17 MR. NURNBERGER: Thank you, sir.

18 MAYOR STRAUSS: Welcome to Mineola.

19 I ask that any alterations that you do relating
20 to the building, whether they be installation of
21 equipment or signage, exterior to the building or
22 bathrooms, reach out to our Building Department. We want
23 to make sure everything is done the right way.

24 MR. NURNBERGER: Absolutely.

25 MAYOR STRAUSS: Congratulations. Welcome to

1 the Village of Mineola.

2 MR. WALSH: Consider joining of Chamber of
3 Commerce too.

4 MR. NURNBERGER: Absolutely. Thank you.

5 MAYOR STRAUSS: Thank you, sir.

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MAYOR STRAUSS: Mr. Scalero.

MR. SCALERO: Yes.

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

"Please take Notice that the Board of Trustees of the Incorporated Village of Mineola will hold a Public Hearing on Wednesday, June 10, 2015 at 6:30 p.m. at the Village Hall, 155 Washington Avenue, Mineola, New York 11501, or at some other location to be hereafter designated by the Board of Trustees, in order to receive public comment upon the following:

"Application of Jose Lazo for a Special Use Permit pursuant to Chapter 550 of the Code of the Incorporated Village of Mineola, entitled 'Zoning', Section 550.12, entitled 'B-1 Districts', Subsection (B), entitled 'Special Uses', for the purpose of establishing a convenience store with dry groceries, beverages, cold food, frozen food, beer, cigarettes, lotto, money transfer, long distance calling and international shipping services upon the property known as 283 Willis Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 322, Lots 212-213.

"The Village of Mineola does not discriminate

1 on the basis of handicapped status in administration or
2 access to or employment in its projects and activities.
3 Joseph R. Scalero has been directed to coordinate
4 compliance with non-discrimination requirements of the
5 Federal Revenue Sharing regulations.

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8 any, may be acted upon by the Board of Trustees.

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

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

14 "Dated May 3, 2015."

15 MAYOR STRAUSS: Thank you, Mr. Scalero.

16 Mr. Whalen, report on mailings?

17 MR. WHALEN: Mayor, we have the Affidavit of
18 Mailing signed and notarized. There were 89 mailed, 55
19 were returned and none went unclaimed.

20 MAYOR STRAUSS: Thank you.

21 Mr. Trentacoste, anything?

22 MR. TRENTACOSTE: No, Mayor. The Board may
23 proceed.

24 MAYOR STRAUSS: Again, we'll ask the applicant
25 to approach the podium. Please speak clearly, state your

1 name, address and present your application.

2 MR. KOUTZOUMBIS: I would like to submit these
3 documents.

4 Good evening, Members of the Board. My name is
5 Dean Koutzoumbis. I'm an expediter. I'm located at 121
6 Newbridge Road in Hicksville. I am here tonight with
7 Jose Lazo and his associate Victor Vialejo (phonetic).
8 They're the owners of the proposed convenience store
9 located at 283 Wills Avenue.

10 This is going to be a proposed second location.
11 The first location is in Port Washington and has been in
12 existence for over ten years.

13 In the package I distributed there are some
14 photos of the existing location in Port Washington to
15 give you an idea of what the new location will look like.
16 It's going to be very similar. The newer one is larger.
17 It's about 1,500 square feet. It's about double the size
18 of the one in Port Washington.

19 In the convenience store they're going to be
20 selling household items, dry groceries, beverages, beer,
21 soda, coffee, frozen food. They're also going to be able
22 to do money transferring, sort of like a Western Union
23 type of transferring money, long distance calling and
24 international shipping.

25 The store will be laid out with a cashier in

1 the front with like a service counter and they'll also be
2 able to make cold sandwiches on the site. There will be
3 no cooking on site. There won't be any hot foods. And
4 there won't be any seating on the site.

5 Garbage will be disposed of daily in the
6 mornings and, from their current location, they figure
7 one to two bags of garbage per day. This location may
8 generate an additional bag just based on their extra
9 size. I contacted sanitation. They said Monday through
10 Friday they pick up in the mornings, they pick up the
11 garbage.

12 The site has 31 available parking stalls to the
13 entire building, which they can utilize those stalls.
14 Currently, though, the building is only occupied by one
15 tenant. So there is a potential for more tenants to come
16 in. They will be the second tenant in the building, as
17 there's a total of four spaces, and one of them is
18 occupied, three are vacant. They're taking the one. So
19 it will be two vacant spaces.

20 This type of business is geared to local
21 community. It's within walking distance to shops, homes
22 and apartments. We're hoping to get, you know, a lot of
23 immediate local people that will be able to walk to this
24 store. In addition, you use the parking lot when
25 necessary.

1 In the rear of the store there will also be
2 three phone booths which will be used for pay per minute
3 long distance calling. And also, twice a week they offer
4 shipping where a customer can bring a package and they'll
5 ship it, you know, long distance, out of the country.

6 The hours of operation will be from 8:00 a.m.
7 to 11:00 p.m. seven days. It may close early on Sundays,
8 if needed.

9 MR. WALSH: Say it again. 8:00 a.m. till what?

10 MR. KOUTZOUMBIS: 8:00 till 11:00.

11 MAYOR STRAUSS: Anything else?

12 MR. KOUTZOUMBIS: That will conclude my
13 presentation.

14 MAYOR STRAUSS: Can you state your name again?

15 MR. KOUTZOUMBIS: My name is Dean Koutzoumbis.

16 MAYOR STRAUSS: Thank you, Mr. Koutzoumbis. I
17 have a couple of questions.

18 You're going to be selling beer out of there,
19 you said?

20 MR. KOUTZOUMBIS: Yes.

21 MAYOR STRAUSS: I'm assuming you're going to
22 have licenses for that and --

23 MR. KOUTZOUMBIS: Yes. They've already applied
24 with the State Liquor Authority, and as well as there's
25 other licensing as well, too, for cigarettes and also for

1 agricultural products, I believe milk and eggs, anything
2 that's, you know, sold out of a refrigerator.

3 MAYOR STRAUSS: Explain the long distance
4 calling concept to me.

5 MR. KOUTZOUMBIS: OK. The history here is
6 prior to this this was a dress shop. The prior CO -- I
7 looked up in the Building Department -- had it as a dress
8 shop. The dress shop left in the back three changing
9 rooms. Those rooms now are going to be utilized by the
10 applicants, or the owners of this shop. They're going to
11 have phones set up in there with I believe also the
12 option of video calling as well. Where for a
13 pay-per-minute a customer could walk in, use the phones
14 to call their family members or their friends overseas.

15 MAYOR STRAUSS: Why wouldn't somebody use a
16 cell phone or a house phone?

17 MR. KOUTZOUMBIS: I believe this is geared for
18 people who don't have those amenities at home.

19 MAYOR STRAUSS: The parking, you said there's
20 31 spots in the rear of the building?

21 MR. KOUTZOUMBIS: Yes.

22 MAYOR STRAUSS: How many are allotted to you?

23 MR. KOUTZOUMBIS: It is shared parking for the
24 entire building. I'm unclear how many are allotted to
25 him. I would believe their share, based on the square

1 footage, it's normally the case -- the building, like I
2 said, right now is only -- it's a total -- I counted four
3 tenancies and only one is occupied. The shower door,
4 glass door place on the corner of Willis and Jericho
5 Turnpike.

6 MAYOR STRAUSS: You said the garbage is going
7 to be picked up Monday to Friday. What are you going to
8 do with the garbage on the weekends?

9 MR. KOUTZOUMBIS: The garbage they generate,
10 they told me, is mostly boxes from when deliveries come.
11 I would assume they would, you know, not schedule
12 deliveries on the weekends and any garbage, minimal, that
13 would gathered on the weekends would be stored inside
14 until Monday morning.

15 MAYOR STRAUSS: Is it going to be able to be
16 refrigerated, if you have food that spoils? You said
17 you're going to be slicing meat.

18 MR. LAZO: No.

19 MR. KOUTZOUMBIS: I think the owner should
20 answer questions about --

21 THE COURT: Come on up, sir.

22 MR. LAZO: My name is Jose Lazo. I'm the
23 people at 283 Willis Avenue. The name of the business is
24 AZUY2 Service.

25 The point is I answer the questions --

1 MAYOR STRAUSS: Sir, hold on one second.
2 What's the address where you live?

3 MR. LAZO: I live in Port Washington.

4 So I try to open a second location here in
5 Mineola. The address is 283 Willis Avenue.

6 So the place is no try to sell meat, no cook
7 hot food, only for dry groceries and frozen stuff -- I no
8 have too many frozen stuff. I mention because there's a
9 lot of people, Spanish people, they ask for the corn,
10 something frozen, like beans.

11 THE COURT: Sir, if you could speak closer to
12 the microphone.

13 MR. LAZO: Fresh beans and green beans.
14 Something like that. Not too many frozen.

15 MAYOR STRAUSS: I was under the impression
16 you're going to be making sandwiches and things.

17 MR. LAZO: The sandwich, if the peoples asking,
18 maybe I make like a cold cut. But no really because most
19 things like money wire transfers and shipping package and
20 that's it.

21 MAYOR STRAUSS: So your primarily looking to
22 sell beer, cigarettes, money transfers and long distance
23 packages and calling?

24 MR. LAZO: Yes. Phone calls I can more clear.
25 The phone calls is because the customer come in, try to

1 make money transfers to their families, and then go and
2 then call the family. They give, like, the reference
3 number for the transactions. That's only.

4 MAYOR STRAUSS: OK. Mr. Cusato?

5 MR. CUSATO: Yes. If I have a box, why would I
6 go to your place and not the post office? What's my
7 advantage?

8 MR. LAZO: I'm sorry. The shipping, I can say,
9 is going international, for example, Ecuador, Peru, South
10 America. It's more packages eight pounds, four pounds.
11 It's like a courier.

12 MR. CUSATO: But doesn't the post office do
13 that as well, or UPS or something?

14 MR. LAZO: But I do it because I have another
15 store for the couriers, not for the UPS, because the
16 peoples they don't want to do like that. They say they
17 lose the package. But there's not too many. Mostly it's
18 for the money wire transfers.

19 MAYOR STRAUSS: UPS and Fed Ex will lose
20 packages, but you won't?

21 MR. LAZO: No.

22 MAYOR STRAUSS: No. Good. That's good.

23 MR. CUSATO: OK. I have a question regarding
24 the selling of beer. I don't know, maybe, sir, you can . . .

25 MR. KOUTZOUMBIS: Yes.

1 MR. CUSATO: So I can walk into the store and
2 get a can of beer and walk out?

3 MR. KOUTZOUMBIS: You can buy a can of beer,
4 you can buy, you know, a six-pack, a case of beer. You
5 can not drink it on premises. You obviously can't drink
6 it till you get to home or . . .

7 MR. CUSATO: OK. So now I have this vision of
8 this big trailer parked in front of your store unloading
9 X amount of cases of beer right on Willis Avenue blocking
10 a lane right on the corner. That's probably going to
11 happen, correct?

12 MR. KOUTZOUMBIS: Willis Avenue, there is no
13 street parking on Willis Avenue.

14 MR. CUSATO: So where is this
15 tractor-trailer going --

16 MR. KOUTZOUMBIS: They'll have to park in the
17 parking lot and unload, and there is a back --

18 MR. CUSATO: They're not going to do that.
19 He's not going to pull a tractor-trailer -- then he's
20 going to have to back out. So there's going to be a
21 problem blocking one of the lanes on Willis Avenue.

22 MAYOR STRAUSS: Is there a back entrance to the
23 store?

24 MR. KOUTZOUMBIS: There is a back entrance to
25 the parking lot. Yes. It's not for customers, really.

1 Their access in and out. Deliveries can be made through
2 the back.

3 MR. CUSATO: But this, you know, I'm telling
4 you this tractor-trailer is not going to pull in the
5 back.

6 So you're saying there could be four different
7 businesses in this building here?

8 MR. KOUTZOUMBIS: I counted. There's one
9 vacant, which used to be some kind of a foot spa. The
10 corner one is the glass door manufacturer.

11 MR. CUSATO: Right.

12 MR. KOUTZOUMBIS: Their store and then next to
13 them is one other vacant space on Willis Avenue.

14 MR. CUSATO: OK. That's --

15 MR. KOUTZOUMBIS: But your statement with the
16 tractor-trailer, I mean, that goes for any deliveries
17 that comes to any business.

18 MR. CUSATO: I agree.

19 MR. KOUTZOUMBIS: -- Not just a beer truck.

20 MR. CUSATO: But you're basically on the
21 corner, and then you have a bus stop there as well. I
22 could just see a major, major traffic issue.

23 MR. KOUTZOUMBIS: You know, that could be any
24 business, whether it's --

25 MR. CUSATO: Yes. But you're on a corner.

1 That's what bothers me. I think you're way back, but
2 you're on the corner. That's what bothers me. Cars are
3 going to swing around and then there's probably going to
4 be the traffic light, the cameras on Willis Avenue,
5 people are going to get clipped for going around and that
6 just all bothers me.

7 MR. KOUTZOUMBIS: Would it satisfy you if we
8 arranged to have deliveries scheduled during off hours
9 or --

10 MR. CUSATO: Well that would help. That would
11 help. But I just don't know if that's --

12 MR. KOUTZOUMBIS: I understand your
13 perspective. I've driven in traffic behind trucks
14 loading and unloading. But that's common everywhere.
15 This is a retail space and whether it's this business or,
16 you know, a pizza shop, a deli.

17 MR. CUSATO: No. I understand. I understand.
18 But what bothers me, like I said, is the fact that it's
19 on a corner. If you were maybe two blocks back, yes. It
20 happens all the time. I understand that.

21 MR. KOUTZOUMBIS: OK.

22 MR. CUSATO: Thank you.

23 MAYOR STRAUSS: Mr. Durham?

24 MR. DURHAM: The photos you provided us with
25 the other store, you can clearly see the deli counter

1 with the meat slicers and stuff like that set up and you
2 said you were going to mimic this store and look like
3 that other store. So I would say that he's going to put
4 in a deli counter.

5 MR. KOUTZOUMBIS: Yes. There's a refrigerated
6 case there where they could keep the meat, that's up by
7 the cashier.

8 MR. DURHAM: So then there will be produce
9 waste that you're going to have to take and keep
10 refrigerated somewhere on your property until, like on
11 the weekends if they cut anything or something like that,
12 that's got to be taken care of. It can't be put out on
13 the street. So is there some sort of setup --

14 MR. KOUTZOUMBIS: We can make arrangements.

15 MR. DURHAM: Do you have a basement or --

16 MR. KOUTZOUMBIS: We can definitely have -- the
17 store is large enough to provide for at least a
18 refrigerated case for garbage if it's deemed necessary.

19 MR. DURHAM: Now, do you have a basement? Do
20 you have access to the basement?

21 MR. KOUTZOUMBIS: I don't believe so.

22 MR. LAZO: Yes. We have.

23 MR. DURHAM: So you're going to use the
24 basement as strictly storage?

25 MR. LAZO: Yes.

1 MAYOR STRAUSS: Sir, if you're going to speak,
2 please come up to the podium.

3 MR. KOUTZOUMBIS: I apologize. I'm not
4 familiar with the basement space.

5 MAYOR STRAUSS: It's OK. Mr. Lazo can come up
6 and speak.

7 MR. LAZO: Yes. We have a small basement.

8 MAYOR STRAUSS: You have a full basement?

9 MR. LAZO: No. Half basement.

10 MAYOR STRAUSS: You have access to the basement
11 for storage.

12 MR. LAZO: I have access to the basement. Yes.

13 MR. DURHAM: Do you have any idea -- taking
14 your other store, you're times of deliveries that you
15 have at your other stores for your supplies, what are
16 they and how are they set up? Is it multiple trucks? Is
17 it one truck delivering the majority of your supplies?
18 How do those deliveries come to your current store right
19 now?

20 MR. LAZO: Most things in my store is I bought
21 personally. I go to the store and I buy, and then I
22 bring in my truck. So the peoples most of the time small
23 trucks to deliver.

24 MR. DURHAM: So you go to COSTCO or BJ's and
25 stuff like that and buy in bulk and then put it in the

1 store?

2 MR. LAZO: Yes. Put in my truck and bring to
3 the store.

4 MR. DURHAM: And then resell.

5 MR. LAZO: Yes. So I do the same way to the
6 beer too so the truck don't close the Main Street because
7 I bought it myself. I go to restaurant depot and buy the
8 beer.

9 (Off the record discussion ensued among the
10 Mayor and Board Members.)

11 MR. DURHAM: Now, I see the freezers. Is there
12 ice cream or other stuff like that in the freezers that
13 you have there? Do you have like . . .

14 MR. LAZO: Yes. I have ice cream, but I have
15 another long one. I don't know the name. It's only for
16 the kids, something like that. But I don't have too many
17 ice cream.

18 MR. DURHAM: And you said you applied -- you're
19 going to apply for Lotto. I see you have ATMs. And then
20 you said the phone cards?

21 MR. LAZO: Yes. I say the phone card because
22 the people buy the cards to make the calling for their
23 family. They use those phone cards so they don't pay too
24 many minutes.

25 MR. DURHAM: International.

1 MR. LAZO: It's prepaid.

2 MR. DURHAM: Prepaid international calling.

3 MR. LAZO: Yes.

4 MR. DURHAM: And then they would take those
5 phone cards to the booths that you set up in the back,
6 or --

7 MR. LAZO: It's not a lot of people to do that
8 because it's like doing a promotion to go for the family
9 and give reference number only.

10 MR. DURHAM: I have no further questions.

11 MAYOR STRAUSS: Thank you.

12 Mr. Walsh?

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

14 Good evening. Let me speak to the tall
15 gentleman first, and you can stay at the podium. You
16 know, you said that the money transfers are similar to
17 Federal Express, correct?

18 MR. KOUTZOUMBIS: Money transfers are similar
19 to Western Union.

20 MR. WALSH: You said they're like Western
21 Union, but aren't they more like Transfast or UNO?

22 I see that that the applicant has a briefcase
23 that says UNO on it. Is that the company that you're
24 going to use to do money transfers?

25 MR. LAZO: I'm sorry. I no --

1 MR. WALSH: Your briefcase says UNO. There's a
2 company that's called UNO that transfers money. If I
3 want to send \$1,000 to Istanbul, Turkey, I go into a
4 store that has UNO or Transfast. I give them \$1,000 plus
5 a fee, and then they can pick that money up in Istanbul.
6 Is that the type of service that you provide?

7 MR. LAZO: Yes.

8 MR. WALSH: Do you use UNO?

9 MR. LAZO: Yes.

10 MR. WALSH: You do.

11 MR. LAZO: Yes.

12 MR. WALSH: So you don't use these other
13 companies. You use UNO, right?

14 MR. LAZO: Yes.

15 MR. WALSH: OK. Thank you.

16 Why sell beer? Do you also sell beer in Port
17 Washington?

18 MR. LAZO: Yes. I do. Because the peoples
19 come in to make the money transfer. Sometimes they have
20 -- they like it, take it. They no like it, they don't
21 take it.

22 MR. WALSH: Well we all know that if you like
23 it you take it, if you don't -- you sell beer in Port
24 Washington, correct?

25 Just answer my questions. You sell beer in

1 Port Washington, correct?

2 MR. LAZO: Yes. I do.

3 MR. WALSH: You just said that you go to
4 restaurant depot and you pick up beer in your own truck
5 and you bring it. There won't be any need for --

6 MR. LAZO: Yes.

7 MR. WALSH: I don't believe you're allowed to
8 do that. I don't believe you're allowed to pick up beer
9 or alcohol at a place like that --

10 MR. LAZO: Alcohol I don't. Only beer.

11 MR. WALSH: Wait. Please.

12 I don't believe you're allowed to pick up beer
13 or alcohol at a place like restaurant depot and then
14 resell it out of your store. I believe that, for tax
15 purposes, you have to go a company like Charmer, or
16 something else like that, that registers the alcohol that
17 you buy. Are you aware of that?

18 MR. LAZO: No do that over there because, like
19 I said, there's not too many sell a lot of beer.

20 MR. WALSH: If you sell one can, it doesn't
21 matter.

22 MR. LAZO: But this I apply to restaurant depot
23 and they -- I buy over there a few cases only.

24 MR. WALSH: I believe you can buy food, but I
25 don't think you can sell alcohol that way. I think that

1 you -- I may be wrong. I believe you're in violation
2 when you do that.

3 MR. KOUTZOUMBIS: Excuse me. Sir, may I?

4 MR. WALSH: Yes. Please.

5 MR. KOUTZOUMBIS: I am familiar with
6 restaurant --

7 MAYOR STRAUSS: Speak into the microphone.

8 MR. KOUTZOUMBIS: I am familiar with restaurant
9 depot and beer. I'm involved with my church and we use
10 restaurant depot often.

11 To buy beer at Restaurant Depot you need to
12 have a license by the state and have a reseller's license
13 to sell it at their.

14 MR. WALSH: OK. So he does that.

15 MR. KOUTZOUMBIS: Like my church, for example,
16 cannot buy beer at restaurant depot because -- we buy for
17 the church functions and that's it. To buy beer we'd
18 have to get from a distributor or from, you know, a
19 retail outlet. But if he's licensed by the State Liquor
20 Authority, he can purchase beer.

21 MR. WALSH: OK. Thank you. We'll look into
22 that.

23 I see many shelves inside the store. I looked
24 inside. There's several shelves. And you said you're
25 going to put a few canned goods in there. You're going

1 to be really stocking these shelves. There will be a lot
2 of items, right?

3 MR. KOUTZOUMBIS: It will be, you know, snacks,
4 coffee, products for the home.

5 MR. WALSH: Dry products.

6 MR. KOUTZOUMBIS: Dry products.

7 MR. WALSH: OK.

8 MR. KOUTZOUMBIS: I mean, similar to the store
9 in Port Washington, just larger. I can envision it. You
10 know he started putting the shelves in the store, some
11 refrigerators to the store. It's not fully set up yet.

12 MR. WALSH: OK. Let me ask you the next
13 question.

14 You have a temporary sign out there already,
15 outside your store; is that correct?

16 MR. KOUTZOUMBIS: Yes.

17 MR. WALSH: I saw it. It's there.

18 Did they have to apply for a temporary license
19 to put a sign up like that?

20 MR. WHALEN: Yes.

21 MR. WALSH: Did you apply for a license? Did
22 you apply with the Village?

23 MR. LAZO: Yes.

24 MR. WALSH: And you have that application to
25 put up a temporary sign?

1 MR. LAZO: Yes.

2 MR. WHALEN: We have an application. There's
3 no permit for any sign.

4 MR. WALSH: OK. So you have no permit for that
5 sign that you put up there.

6 About deliveries and Mr. Cusato's position, I
7 also agree. There's a bus stop very close to there.
8 There's parking spots that are always taken. So anybody
9 who is going to deliver -- and it may not be a beer truck
10 to deliver beer -- but if it's any kind of big truck
11 they're going to double park and there is a right-hand
12 turn lane there and it just seems that it's going to
13 cause a little bit of traffic problem in my perspective.
14 That's how I see it.

15 And another problem that I'm going to see here
16 is that, you know, you can regulate what happens inside
17 your store, but you can't regulate what happens outside
18 your store. So if you're selling beer to go, and people
19 are probably going to go there and hang around, what's to
20 stop people from standing around outside your store and
21 drinking beer?

22 MR. KOUTZOUMBIS: Selling beer at convenience
23 stores, 7-Elevens, gas stations, is common throughout the
24 area. There's really, you know, nothing stopping anybody
25 from drinking it outside the store, other than, you know,

1 fear of either police, you know, the code enforcement.

2 MR. WALSH: But we do have a few locations in
3 Mineola where stores -- I don't know if they have money
4 transfers, but similar to that, and people stand around
5 outside those stores and drink beer, and we don't want to
6 see that occur. I would need to have -- I would like to
7 have the owner give us a guaranty that he's going to
8 stand outside and make sure that people don't stand in
9 front of your store drinking beer.

10 MR. LAZO: So, the beer, nobody drink outside.
11 Only take it home. Because if people I see outside, I
12 get a violation because you no supposed to drink outside.
13 I no send beers to drink outside or inside, but the
14 license covers only to take out.

15 MR. WALSH: Do you also use the company called
16 Transfast to transfer money?

17 MR. LAZO: Yes.

18 MR. WALSH: You do. So you use Transfast and
19 UNO. Do you use any other companies to transfer money?

20 MR. LAZO: Yes. MoneyGram and Western Union.

21 MR. WALSH: MoneyGram and what?

22 MR. LAZO: Western Union.

23 MR. WALSH: Which one do you use the most, UNO?

24 MR. LAZO: The most I use MoneyGram.

25 MR. WALSH: MoneyGram. OK.

1 I have no other questions. Thank you, Mayor.

2 MAYOR STRAUSS: Thank you, Mr. Walsh.

3 Anything else, gentlemen? Anything else, sir?

4 MR. KOUTZOUMBIS: No.

5 MAYOR STRAUSS: Great. I'm going to open up to
6 public comment right now. If you gentlemen can have a
7 seat.

8 Again, I ask anybody wishing to approach the
9 podium to speak clearly, state your name and your address
10 for the reporter.

11 And, gentlemen, if there's any questions that
12 are asked, please record the questions and at the end of
13 the public comment we'll ask those questions to be
14 answered by you.

15 Anybody in the first row wishing to speak?
16 Second row?

17 Yes, sir.

18 MR. GONSALVES: Can I say?

19 MAYOR STRAUSS: Yes, sir. Please come to the
20 podium.

21 MR. GONSALVES: My name is Emanuel Gonsalves.
22 I am the landlord of Mineola Food Market and I was the
23 owner of Mineola Deli and Grocery right around the
24 corner. My question is.

25 MAYOR STRAUSS: Sir. Hold on one second. The

1 stenographer didn't hear what you said. You're the owner
2 of what?

3 MR. GONSALVES: My name is Emanuel Gonsalves.
4 And I am the landlord of Mineola Foods at 269 Willis
5 Avenue.

6 And my question is: We have Mineola Foods
7 right here. We have two buildings 200 feet down here.
8 We have 7-Eleven right around the corner. We have
9 Ardito's in the middle of the block. Do we need anything
10 else? I don't think so.

11 And then I have another question is: I didn't
12 get any information about this meeting when usually I get
13 a registered mail, and this time I didn't get anything.
14 My tenant just told me that there was a meeting,
15 otherwise I wouldn't know about any meeting.

16 MAYOR STRAUSS: We have an affidavit that the
17 mailings went out and we can check to see if he's got his
18 or --

19 MR. WHALEN: He can stop by the office and
20 we'll look over the mailing list.

21 MAYOR STRAUSS: Mr. Gonsalves, if you want to
22 stop by our Building Department at any time, you can look
23 at the file to see if it went out. We have an affidavit
24 from them saying all the mailings went out.

25 MR. GONSALVES: OK. You know, I have a hearing

1 difficulty. I was supposed to have my son here, but
2 couldn't be here, but next time I will have him here in
3 my place.

4 MAYOR STRAUSS: OK. Thank you, sir.

5 MR. GONSALVES: Thank you very much.

6 MAYOR STRAUSS: Thank you for your time.

7 Mr. Gonsalves, just so you know, we have the
8 mailing list in front of us and you're on the list.

9 MR. CUSATO: Your address is on the list.

10 MAYOR STRAUSS: We'll show it to you later.

11 MR. GONSALVES: Somebody give me this. That's
12 why I know. Somebody give me this. Otherwise I wouldn't
13 know about it.

14 MAYOR STRAUSS: OK. All right.

15 MR. WALSH: Thank you.

16 MAYOR STRAUSS: Thank you, sir.

17 MR. GONSALVES: Thank you.

18 MAYOR STRAUSS: Anybody in the second row?
19 Yes, sir.

20 MR. YU: Good evening, Members the Board. My
21 name is David Yu, and I'm speaking on behalf of my dad.
22 He is the owner of the aforementioned grocery store on
23 269 Willis Avenue, Mineola Food Market. The man who just
24 spoke, he's the landlord. He was the previous owner of
25 the store and then we took over about eight years ago.

1 We've been operating the food market for about eight
2 years now.

3 Just listening -- I was listening to their
4 proposal. And some of the things I noticed is that,
5 other than the long distance calling and the shipping
6 that they're offering, I mean, the convenience store
7 aspect of it is something that we already provide and
8 we're 269 Willis. We're literally like about a block
9 away. You know, they listed like phone cards, sodas,
10 frozen goods, cold sandwiches. Like, we make cold
11 sandwiches. We have, like, household goods, like
12 cleaning supplies and other stuff to use around the
13 house. We even have a butcher in the back for fresh
14 meat. So I mean, other than the long distance calling
15 and shipping, like, we already provide those and it's not
16 just us. You know there's a 7-Eleven. Europa Deli
17 Mineola Deli, that's all within blocks of the proposed
18 location that they want to open up another convenience
19 store. And they don't really provide anything like that
20 unique that all these other stores that I just mentioned
21 don't provide already.

22 And I also want to mention, you know, for the
23 last eight years we've been operating this food market
24 seven days a week. We're open Monday through Saturday
25 6:30 a.m. to 8:00 o'clock p.m. every day. We haven't

1 closed a single day for the last eight years. And on
2 Sundays we're open from 6:30 a.m. to 3:00 p.m. So it's
3 not like there are times where we're closed and the
4 community needs a different place to go to get
5 necessities.

6 And they mentioned they're walking distance.
7 But, you know, whoever they're walking distance to, we're
8 right there walking distance because we're literally a
9 block away from them.

10 And yes, I just want to say, you know, just the
11 last, like, eight years since we took over this food
12 market in this community it's actually -- because of the
13 recession, like, the business has been rough and it's
14 been tough for my parents, you know, working seven days a
15 week just to get by. And you know we're just -- like now
16 we're starting to recover a little bit. And it's just, I
17 mean, opening up another convenience store in this area,
18 when we already have so many options, is just going to be
19 devastating, not just for our business but for the other
20 businesses in the area. And I just want to just ask the
21 Board to just reconsider granting this request for
22 another convenience store. I just don't think it's
23 necessary in this area right now.

24 MAYOR STRAUSS: Thank you, Mr. Yu.

25 We deal with the land use. We don't deal with

1 the business sense. So whether it's a good business
2 decision on Mr. Lazo's part or not, that's up to him
3 whether it's -- personally, I'd look to put it in another
4 spot where there aren't already locations such as
5 yourselves. That's his decision.

6 Thank you, Mr. Yu.

7 MR. YU: Thank you.

8 MAYOR STRAUSS: Anyone else in the second row?
9 Third row? Anyone in the third row? Third row? Fourth
10 row? Fifth row? Sixth row? Seventh row?

11 Yes, sir?

12 MR. CAROL: Is it open?

13 MAYOR STRAUSS: We're talking about a hearing
14 here for a business.

15 MR. CAROL: Oh. OK.

16 Hi, folks. John Carol, 154 Banbury Road.

17 I see the sign is up on the side of the
18 building. And I looked up their Port Washington web
19 site, and it seemed to indicate that they were more of a
20 shipping company, of which they specialized in 150 pound
21 packages and up. So that led me to wonder, if it's
22 shipping and money transfers, why do you want to sell
23 beer, or do you ship beer, questions like that. And
24 eventually, like the logo or sign that they have on the
25 side of the building now, seems to come up on Amazon.com

1 as a major shipping company that you would use to do
2 heavy freight.

3 So I'd like to know if it's a franchise type of
4 signage, or a franchise type of business? Are they
5 related in any way to theses heavy duty shippers? And
6 then to get down to, like what, is cold food? It's a
7 good way to begin to say, Does that mean cold cuts,
8 Board's Head trucks, types of cold cuts and slicing
9 machines and so on, or is cold food a sandwich? And the
10 parking also. Is that first parking lot designed -- is
11 that parking lot for those four spaces?

12 MAYOR STRAUSS: That's the way I understand it.
13 Yes. Those 31 spots in that parking lot. As presented
14 by the applicant.

15 MR. CAROL: OK. And it's usually filled with
16 all kinds of signs, you better not come in here unless
17 you're . . . so I can see the trucks that do navigate in
18 on the second parking lot have difficulty. But that
19 corner, trying to get heavy trucks off Banbury and off
20 Willis, is a little difficult.

21 But that was my main thing. Why sell alcohol.

22 And also, the hours seem kind of long. If they
23 would be willing to contemplate a lesser time frame to
24 close.

25 It just seems like a confusing company to me.

1 So, maybe you can clear it up.

2 MAYOR STRAUSS: Thank you, Mr. Carol.

3 Anybody else in the seventh row? Anybody else?

4 Yes, ma'am.

5 MS. SCARAPICCHI: Can I talk?

6 MAYOR STRAUSS: Yes. Of course. Please.

7 MS. SCARAPICCHI: Hi. My name is Rosa

8 Scarapicchi and I own Ardito's Deli Mineola.

9 I just wanted to question about the guys that
10 they say they have a deli case. And I just wanted to
11 make sure that, you know, they don't have cold cuts.
12 They don't have sandwiches. I just want to make clear of
13 what they're selling.

14 MAYOR STRAUSS: We'll ask them. Anything else?

15 MS. SCARAPICCHI: And then I will say that
16 also, regarding the parking, it will be a problem, just
17 like you guys were saying. And we don't even need
18 another convenience store in the area. We already have
19 more than what we're supposed to. There is on Willis
20 Avenue -- Mineola -- what's the -- what's your business
21 name on Willis Avenue?

22 MR. YU: Mineola Food Market.

23 MS. SCARAPICCHI: And we have 7-Eleven.
24 Like, you know, they already said it. We really don't
25 need another one on the block.

1 MAYOR STRAUSS: Thank you.

2 MS. SCARAPICCHI: You're welcome.

3 MAYOR STRAUSS: Anybody else wishing to speak?

4 (Off the record discussion ensued regarding a
5 prior application.)

6 MAYOR STRAUSS: Anybody else wishing to speak?

7 Sir, there were a couple of questions and if
8 you could answer them.

9 MR. KOUTZOUMBIS: Well, in response to the
10 questions, most of the concerns I took note of were all
11 concerns about competition. It's, you know, it's not,
12 you know, it may not be the best business decision for
13 them to open up in an area that already has similar
14 businesses. But, like you mentioned, it says their
15 choice to open up this business. And the same goes for
16 the businesses that are already exist. They chose the
17 location knowing that there's other retail in the area
18 and a potential for other businesses to come in.
19 Competition is not necessarily a bad thing. Different
20 clientele goes to one store over a different store.
21 Sometimes you like this guy's food better than that guy,
22 or whatever. One store sells something a little
23 different than the other store, different products,
24 different services. That's about competition, and the
25 same goes at the current location in Port Washington.

1 They're right on Main Street. They're across from the
2 train station. There's all shops up and down that block
3 where you can go and buy drinks, soda, beer, snacks. You
4 know. And there's also in that area there's other big
5 one names too, like Starbucks and Dunkin' Donuts is right
6 there too. So, you know, and they seem to fit in nicely
7 with the other stores in that area.

8 You know, as far as, you know, one of the
9 residents that came up said he wasn't notified. I did
10 prepare the mailing. I looked up the radius map. I
11 found his place. A mailing was sent out to him. I did
12 submit the return receipts, and if it was signed --
13 obviously he knew about it. He's here to know about it,
14 and he was notified somehow or other.

15 As far as Rosa from Ardito's Deli, Mr. Lazo
16 says that deli foods, even though he is having a deli
17 counter, from what I saw in Port Washington, it's not as
18 big as -- his establishment is not a full-out deli. They
19 may not have the selection that you have at Ardito's
20 Deli. Maybe it will be something smaller. Maybe
21 something, you know, while a customer is in there for
22 something else they can get --

23 MS. SCARAPICCHI: It's still there. It's still
24 there.

25 MAYOR STRAUSS: Ma'am.

1 MR. KOUTZOUMBIS: While a customer is waiting
2 for something, if a customer is picking up something else
3 they can order a sandwich. And it may not necessarily
4 affect, you know, other businesses. And it's not the
5 intention of this business to take away or close down
6 other businesses in the area.

7 As far as the beer, I spoke to Mr. Lazo. He's
8 willing to eliminate beer from the menu if that would
9 help this application. He says his beer sales aren't
10 that high and it wouldn't affect his business if he
11 didn't have it, if he didn't need to sell beer at the
12 location.

13 MAYOR STRAUSS: He's willing to eliminate beer
14 and alcohol?

15 MR. KOUTZOUMBIS: Yes.

16 MAYOR STRAUSS: So regarding the cold foods.
17 So if you can explain it to me better, that would be
18 great. What do you mean by cold foods? Are you going to
19 be slicing sandwiches? Are you going to be --

20 MR. KOUTZOUMBIS: Slicing, exactly that. I did
21 see the counter at Port Washington. It is rather small.
22 There's really not a huge selection as you would see in a
23 normal deli. Really just, you know, prepackaged foods,
24 plus the ability to make a sandwich on occasion. But
25 they're primary business is not a deli.

1 MAYOR STRAUSS: OK. One of the other questions
2 was: Is this a franchise that deals with shipping
3 companies?

4 MR. KOUTZOUMBIS: I am not familiar with that.
5 I would have to ask Mr. Lazo to explain the shipping.

6 MAYOR STRAUSS: Sir, can you explain the
7 shipping end of it?

8 MR. LAZO: The shipping package is the people,
9 like, send, like, clothes to the family. So normally
10 send, like, Ecuador. The most people have Ecuador,
11 Central America, like Guatemala, El Salvador. They send
12 them a package and then I ship it. I give it to
13 different companies and they take it to the country.

14 MAYOR STRAUSS: So you're, in essence, doing
15 the same thing that Fed Ex would do, or the postal
16 service would do, you're just dealing with a different
17 company.

18 MR. LAZO: Yes. Different company.

19 MAYOR STRAUSS: What company do you use?

20 MR. LAZO: For example, I use the main company
21 in Queens, the name is, like, Customer Express, like Sol
22 Express (phonetic). So it's shipping and bring for the
23 family, like I take it from here. So the people take a
24 package from here and they send, like, sometimes they
25 send food for the family to here and then I pack here the

1 food and they send it from there.

2 MAYOR STRAUSS: One of the other questions from
3 the residents were if this was approved would you be
4 willing to reduce your hours of operation?

5 MR. LAZO: Sure.

6 MAYOR STRAUSS: To what?

7 MR. LAZO: To maybe 8:00 to 10:00, or 8:00 to
8 9:00.

9 MAYOR STRAUSS: 8:00 to 10:00 or 8:00 to 9:00?

10 MR. LAZO: Yes. Sometimes close early because
11 depends --

12 MAYOR STRAUSS: Thank you, sir.

13 Any other comments from the Board?

14 MR. DURHAM: Yes.

15 Actually, if you could. Sorry.

16 The shipping, how are those packages picked up?
17 What type trucks are coming to pick up those packages?

18 MR. LAZO: The shipping, I take it personally
19 in my truck.

20 MR. DURHAM: So you take it to --

21 MR. LAZO: And bring to the big company in
22 Queens.

23 MR. DURHAM: So whatever is set up you take and
24 deliver --

25 MR. LAZO: Yes I take in the big bags or --

1 depends. They no have too many. Sometime I have like
2 three bags, four bags. For example, like sometimes ten
3 small bags. Something like eighty pounds. That's only.

4 MR. DURHAM: Now your other store in Port
5 Washington, how many employees does it have?

6 MR. LAZO: I have two employees.

7 MR. DURHAM: And you plan to have the same
8 here?

9 MR. LAZO: Same here I want to have.

10 MR. DURHAM: Two employees.

11 MR. LAZO: So one in the morning, one in the
12 afternoon.

13 MR. DURHAM: So it's only one person in the
14 store at a time?

15 MR. LAZO: Me or him run it together.

16 MR. DURHAM: So when you have overlap time,
17 otherwise it's one person in the store.

18 MR. LAZO: Yes.

19 MR. DURHAM: So that person does the register,
20 plus stock all the shelves and everything?

21 MR. LAZO: Yes. They have everything because
22 there's not too many peoples coming to, like, make a line
23 to buy. Most time they come for making the money
24 transfer. If they like it, to take something to buy and
25 walk out.

1 MR. DURHAM: Have you had any trouble at the
2 Port Washington location? Have there been any police
3 incidences or anything?

4 MR. LAZO: Never I get a problem. All these
5 years I have it, no, never had a problem with the police.

6 MR. DURHAM: OK.

7 Can we have that checked out also, if possible?

8 OK. I have no further questions.

9 MAYOR STRAUSS: Sir, are you going to be
10 receiving packages from overseas, or are you just going
11 to be shipping them out?

12 MR. LAZO: Sometime receive, yes.

13 MAYOR STRAUSS: You're going to be receiving
14 them.

15 MR. LAZO: Yes.

16 MAYOR STRAUSS: Are you going to be receiving
17 at your place, or are you going to pick up at another
18 place?

19 MR. LAZO: The same way I do, to give it to
20 them and then give it to me because -- so make like
21 import-export.

22 MAYOR STRAUSS: OK.

23 MR. WALSH: Let me just ask a question, Mayor.

24 Are you going to have any stools or any seating
25 inside the store at all?

1 MR. LAZO: Yes. Seating? Yes. I have.

2 MR. WALSH: How many seats do you have in the
3 store?

4 MR. LAZO: Seats. No. Sink only to wash their
5 hands.

6 MR. WALSH: No seating.

7 MR. LAZO: No seating.

8 MR. WALSH: So if somebody buys a sandwich,
9 they'll have to stand and eat it if they're going to eat
10 it in your store, or they take it to go.

11 MR. LAZO: Mostly the cold food I have like
12 cheese for the South American. You know, cheese, breads
13 only.

14 MR. WALSH: OK.

15 MR. LAZO: It's no bid deal to make a sandwich.

16 MR. WALSH: This delivery stuff, I see that you
17 have on another sign that you have outside that you have
18 a picture of an airplane, and you have a picture of a
19 cargo container, and in Spanish it says that you deliver
20 by cargo or by plane. How does that work?

21 MR. LAZO: This, like I said, for example, I
22 have like a bag maybe have two, three case, they 60 or 80
23 pounds, is for the Central America, for the Guatemala,
24 whatever. So this take like when you ship in the water,
25 and the airplane have -- like a small package, it goes to

1 the airplane.

2 MR. WALSH: And you take up to 150 pounds, is
3 what you said on your Port Washington.

4 MR. LAZO: I take and I give it --

5 MR. WALSH: And then you bring it to Queens
6 personally.

7 MR. LAZO: Yes.

8 MR. WALSH: In your truck? The same truck that
9 you deliver?

10 MR. LAZO: Yes. Myself. I have.

11 MR. WALSH: What, is it a van?

12 MR. LAZO: Yes. The van.

13 MR. WALSH: OK. That's all.

14 Thank you, Mayor.

15 MAYOR STRAUSS: Any other comments from the
16 Board?

17 MR. TRENTACOSTE: Mayor, just one question to
18 clarify.

19 With respect to the shipping and the money
20 transfer, does that require any licensing?

21 MR. LAZO: Yes. I do.

22 MR. TRENTACOSTE: From whom?

23 MR. LAZO: The money transfer have for the
24 company to be like a MoneyGram, the Western Union and the
25 shipping, since they have for the big company for the

1 package.

2 MR. TRENTACOSTE: So you have an agreement
3 privately with each company.

4 MR. LAZO: Yes.

5 MR. WALSH: What percentage of your business is
6 money transfers?

7 MR. LAZO: What percentage?

8 MR. WALSH: What percentage of your business is
9 money transfer?

10 MR. LAZO: The MoneyGram represent and the
11 Western Union.

12 MR. WALSH: In other words, the money
13 transferring, is that 50 percent of your business? Is it
14 70 percent of your business.

15 MR. LAZO: No. They gave 50 --

16 MR. WALSH: For your business in Port
17 Washington.

18 MR. LAZO: 50 percent.

19 MR. WALSH: 50 percent of your business is the
20 money transfer business.

21 MR. LAZO: Yes.

22 MR. WALSH: OK. Thank you.

23 MAYOR STRAUSS: Do you have any other
24 questions?

25 Gentlemen I appreciate your patience. We're

1 just trying to get an understanding as to what you're
2 looking to do, what your business is all about. So I
3 appreciate your patience.

4 With no other questions, I'll entertain a
5 motion to close the hearing and reserve decision.

6 MR. CUSATO: I make that motion.

7 MAYOR STRAUSS: Motion by Trustee Cusato.
8 Second?

9 MR. DURHAM: Second.

10 MAYOR STRAUSS: Second by Trustee Durham.
11 All in favor?

12 MR. DURHAM: Aye.

13 MR. CUSATO: Aye.

14 MR. WALSH: Aye.

15 MAYOR STRAUSS: Aye.

16 Opposed?

17 Carried.

18 Thank you, gentlemen. You'll be hearing from
19 us.

20 MR. KOUTZOUMBIS: Thank you.

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MAYOR STRAUSS: Mr. Scalero?

MR. SCALERO: "Legal Notice, Public Hearing,
Incorporated Village of Mineola.

"Please take Notice that the Board of Trustees
of the Incorporated Village of Mineola will hold a Public
Hearing on Wednesday, June 10, 2015 at 6:30 p.m. at the
Village Hall, 155 Washington Avenue, Mineola, New York
11501, or at some other location to be hereafter
designated by the Board of Trustees, in order to receive
public comment upon the following:

"Application of Pedro Pichardo for a Special
Use Permit pursuant to Chapter 550 of the Code of the
Incorporated Village of Mineola, entitled 'Zoning',
Section 550.12, entitled 'B-1 Districts', Subsection (B),
entitled 'Special Uses', for the purpose of establishing
a martial arts school upon the property known as 153A
Jericho Turnpike, Mineola, New York, known and designated
on the Nassau County Land and Tax Map as Section 9, Block
405, Lot 105.

"The Village of Mineola does not discriminate
on the basis of handicapped status in administration or
access to or employment in its projects and activities.
Joseph R. Scalero has been directed to coordinate
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 May 13, 2015."

11 MAYOR STRAUSS: Thank you.

12 Mr. Whalen, before you go, what do you have?

13 MR. WHALEN: Yes. We have the Affidavit of
14 Mailing, notarized and signed. 66 were mailed, 46
15 returned and 6 went unclaimed.

16 MAYOR STRAUSS: Great. Thank you, sir.

17 Mr. Trentacoste, anything?

18 MR. TRENTACOSTE: No, Mayor.

19 MAYOR STRAUSS: Thank you.

20 OK. We'll ask the applicant to approach the
21 podium. I'm sure you're aware of the format for the
22 evening.

23 MS. ROY: Good evening, gentlemen, Mr. Mayor,
24 Board of Trustees. Thank you very much for hearing our
25 application. My name is Yana Roy. I reside at 11

1 Stryker Street, in Brooklyn, New York 11223.

2 I am here to speak on behalf of the applicant
3 Pedro Pichardo, who is my husband, seated to the right.
4 We -- not we -- well, we are married. My husband is
5 presently an owner of a school called Phoenix Mixed
6 Martial Arts. It is located at 1631 Jericho Turnpike, in
7 New Hyde Park. He has been operating that location for
8 the martial arts school for the last five years. Prior
9 to that the location was in Floral Park, also on Jericho
10 Turnpike, 361?

11 MR. PICHARDO: 344.

12 MS. ROY: 344 Jericho Turnpike was the previous
13 location. That location was open for 11 years.

14 We are seeking a Special Use Permit to move our
15 existing school -- not to open another location -- from
16 New Hyde Park to Mineola, and we are seeking Special Use
17 Permit for that purpose.

18 Currently the proposed space of a 153A Jericho
19 Turnpike, which is where we would like to open our
20 school, is basically a shell. The previous tenants,
21 occupants of that location, was a private training gym,
22 which is a very similar business to the business we are
23 proposing to open there. The only difference is that
24 they were training with weights, we are training with
25 pads and shields, and it's a different type of art. But

1 the business is very similar to the prior business that
2 existed in that location.

3 There is no construction to be done at that
4 location. It is a cement floor and cement walls, with a
5 drop ceiling and existing bathroom, there's absolutely no
6 construction to be done. There is air conditioning
7 ducts. Everything is in working order. The only thing
8 we would need is to paint and place our equipment there.

9 We do not use any kind of heavy equipment. Our
10 floors remain cement. Some of the floors will be matted.
11 We have a reception desk that we will be utilizing from
12 our present location.

13 The format of the business is a small private
14 and semi-private group classes consisting anywhere from
15 one individual up to ten individuals, whether obviously
16 it's a private class or it's one individual.

17 The hours of operation of our business are off
18 business hours. Generally classes begin at 6:00 o'clock
19 and end at 9:0:0 o'clock. We do operate six days a week,
20 Monday through Saturday. Occasionally, a couple of times
21 a year, there is a special seminar that we hold and that
22 seminar we may be required to open on a Sunday because
23 the seminar is usually two days, Saturday and Sunday, for
24 three hours or four hours at a time.

25 We do intend to offer classes early in the

1 morning for those who want to train before they go to
2 work, which is about 6:30 a.m. to about 9:00 a.m. We
3 haven't figured out what the format will be because it's
4 something new that we intend to offer.

5 We specialize in kids as young as five to
6 adults, or as old as 75, let's just say that. And we do
7 have a lot of older individuals who do train at the
8 school. We find that recently, in the past year, we have
9 had a lot of requests from, you know, people who
10 generally came in for membership at the school were, you
11 know, close to the retirement age and wanted to do
12 something different. So the smaller classes are better
13 for those type of individuals because they get
14 individualized attention, and maybe they haven't been
15 exercising in a long time. So the smaller classes are
16 better. So we find that a lot of our students are, you
17 know, retirement age, and we obviously have all different
18 kinds in between.

19 As far as the parking, it's free parking.
20 We're on Jericho Turnpike now. We are familiar with, you
21 know, Jericho Turnpike and the busy street that it is.
22 There is no designated parking for the building, but
23 parking is on-street parking and generally for the
24 children it's a drop off situation. We find that parents
25 drop off the kids and go, and then come back to pick them

1 up. So they don't necessarily park. They use that hour
2 as a babysitting time, sort of. They go do their
3 errands, you know, do their shopping and come back and
4 pick up their kids after the class is finished.

5 My husband has been in the martial arts
6 business for the last 30 years. Prior to the Floral Park
7 location he operated a location with a partner in Great
8 Neck, similar format, martial arts. He's very respected
9 in the community. His particular arts that he teaches is
10 Kung Fu. It is the art of Jeet Kune Do, which was
11 established by Bruce Lee. Also the art of Kole, which is
12 a Filipino martial arts and Silat, which is an Indonesian
13 martial art, which is very unusual and highly, highly
14 specialized.

15 We have our students who come from all over to
16 train privately or membership-wise, membership format.
17 We've had students who come from Brooklyn once a week to
18 train, or Queens, and we have many students who come from
19 Suffolk County.

20 Mineola is a very good location for us. It is
21 a very centrally situated area for us. We're very family
22 friendly. We find this area is conducive to us doing
23 business.

24 The space that we would like to rent for this
25 type of business is 1,800 square feet. So it is not

1 conducive to large groups, or enormous gatherings of
2 crowds. So we would like to keep the classes small and
3 provide that individual attention.

4 My husband is the only owner and operator of
5 the business. There's no other instructors, other than
6 him. Occasionally I'm there on Saturday to man the desk.
7 And that's all I have.

8 Thank you very much for your consideration.
9 Please let us know if you have any questions.

10 MAYOR STRAUSS: Very thorough.

11 MS. ROY: Thank you.

12 MAYOR STRAUSS: Thank you.

13 I do have a question or two.

14 MS. ROY: Sure.

15 MAYOR STRAUSS: Is this a franchise?

16 MS. ROY: It is not a franchise.

17 MAYOR STRAUSS: It is not.

18 So you have businesses -- how many different
19 areas have you had the business in?

20 MS. ROY: My husband was with a partner over 20
21 years ago and they split. And he's operated individually
22 the same business, we just moved down Jericho Turnpike,
23 sort of, from Floral Park to New Hyde Park and now to
24 Mineola.

25 MAYOR STRAUSS: The parking issue. It's always

1 an issue.

2 MS. ROY: Of course.

3 MAYOR STRAUSS: It is what it is. My concern
4 is when the sessions end that you'll have the parents
5 picking up your students and they'll be waiting on
6 Jericho Turnpike for the session to finish and come out
7 and double parking. I don't know if you're familiar with
8 Jericho Turnpike in the Village of Mineola. It's a
9 little congested.

10 MS. ROY: A little bit.

11 MAYOR STRAUSS: So we really like to keep the
12 traffic moving, the pass through traffic, people just
13 cutting through the Village. But if we have people
14 double-parked waiting for their child to come out of your
15 session, then it's just going to make matters worse.

16 Is there a way you think you can help us work
17 that through?

18 MS. ROY: Actually, Mr. Mayor, I'm glad you
19 asked that question.

20 Right now we are on Jericho Turnpike presently,
21 and in all the years that we've been on Jericho Turnpike,
22 even before in Floral Park, we have never seen a parent
23 double park their car to pick up their child. Because,
24 first of all, it presents a hazard and danger to the
25 child, the parent and the car. And I know there is a lot

1 of congestion on Jericho Turnpike. We absolutely
2 discourage that, and all our parents actually take a lot
3 of precautions to, you know, park and then come in and
4 get their student. Students don't just run out to hop
5 into cars. That does not happen at our school. And we,
6 you know, we make sure that when the children, especially
7 the kids' classes, that when they end that the parents
8 are present, physically present to pick up the children.
9 So that doesn't really happen.

10 MAYOR STRAUSS: That's encouraging. Thank you.

11 Mr. Cusato?

12 MR. CUSATO: Thank you.

13 Good evening.

14 MS. ROY: Good evening.

15 MR. CUSATO: I actually know that building very
16 well. I did train exercise with those people.

17 MS. ROY: OK.

18 MR. CUSATO: Again, so the training, is it for
19 protection or exercise or both or . . .

20 MS. ROY: It's a hybrid. My husband is a very
21 highly specialized individual in this kung fu area. So
22 it is for exercise. Like for example, our more mature
23 clientele like it for exercise, where the younger
24 generation like it more for protection. It is kind of
25 street self-defense, but in this particular business

1 people don't are where uniforms where traditionally you
2 would associate them with martial arts uniforms. Because
3 if you get stopped on the street and something happens on
4 the street, you're not wearing a uniform. You're not
5 looking for the lapel. So our students where regular
6 T-shirts and sweat pants, or T-shirts and shorts. And
7 the younger ones do it to learn skills, where the older
8 generation like it for exercise. And it is a very good
9 exercise because there is also a warm up routine before
10 each class where students are doing core workouts to warm
11 them up. So we find that that's very effective for both.

12 MR. CUSATO: Thank you.

13 No questions, Mayor.

14 MAYOR STRAUSS: What age group are you looking
15 at to target?

16 MS. ROY: We have an existing age group from
17 five to -- I'm going to say 75. We have adults training
18 as old as 75. And you're all welcome to come.

19 MAYOR STRAUSS: And just out of curiosity,
20 what's the fee per month? How does that work? Per year?
21 Season?

22 MS. ROY: Well, if it's not a private class, if
23 it's a general membership, membership -- the very basic
24 membership right now starts at \$155 and goes up from
25 there. It really depends on how many times per week or

1 per month you want to train and the type of training you
2 want, because there are different types of arts. So
3 generally speaking we have introductory packages for some
4 people who don't want to lock themselves into a long-term
5 contract for a year because they're not sure if they're
6 going to like it. So we have six-month contracts.
7 They're about \$600. And that is typically for once a
8 week training, or twice a week training, or something
9 like that, depending on the type of training you want to
10 do, and then it goes up from there.

11 MAYOR STRAUSS: OK. Thank you.

12 Mr. Durham?

13 MR. DURHAM: So you've been a long time in the
14 business, and so you said that putting in the mats. So I
15 assume that you guys have ways to take and clean the mats
16 stuff like that.

17 MS. ROY: Absolutely. Yes.

18 MR. DURHAM: Being a long time in the business,
19 we don't want to hear about the infections and stuff.

20 MS. ROY: It never happens.

21 MR. DURHAM: OK. That's good.

22 So the training, they could take courses on
23 self-defense?

24 MS. ROY: Yes.

25 MR. DURHAM: So that's an option, or whatever.

1 So somebody can come in and take courses on
2 self-defense --

3 MS. ROY: Correct.

4 MR. DURHAM: -- or they can take and study the
5 arts.

6 MS. ROY: Correct. But the arts themselves are
7 self-defense, because what they teach you is skills to be
8 alert and to, you know, to have a faster reaction time
9 and to be able to counter if somebody, God forbid, does
10 something harmful to you. So the arts themselves are, if
11 you study them, they could prevent from someone actually,
12 you know, attacking you.

13 My husband, several years ago, trained the Navy
14 SEALs, the Navy SEALs. They came to him. It was a
15 private training session, not anything that we would
16 teach at the school. But, you know, there's a different
17 range of things that you can learn from the arts. But
18 the training that the SEALs received, they received
19 training in these arts, just not the general arts that
20 are available through the regular membership.

21 MR. DURHAM: I have no further questions.

22 MAYOR STRAUSS: Mr. Walsh?

23 MR. WALSH: Yes. Thank you.

24 That was a nice presentation too.

25 MS. ROY: Thank you.

1 MR. WALSH: It's always good when you're
2 prepared.

3 Just a few things, you had said that once on a
4 Sunday you may have -- what did you refer to it as?

5 MS. ROY: It's a seminar. Sometimes we have a
6 special individual who comes in to do a special
7 presentation for the students, and we advertise for that.
8 And if we have enough interest, then we can schedule a
9 seminar.

10 MR. WALSH: I've seen that before. Some of
11 these karate studios and such have several times a
12 year -- I don't know how -- times when people move up in
13 rank from a brown belt to a black belt and they have a
14 big forum and the families come out.

15 And do you have that?

16 MS. ROY: Well, yes and no. What happens is
17 when a student is ready to go to the next level, it is a
18 private test. The student comes in separately, whether
19 it's a child or an adult, and they take the test based on
20 the skill that they've studied at the school. And when I
21 say private test, it's individual between the student and
22 my husband. And that student either moves up or, you
23 know, tries again.

24 MR. WALSH: OK. But you don't have, like, when
25 you would have 40 or 50 people.

1 MS. ROY: We do not.

2 MR. WALSH: OK. Because, you know, often that
3 happens.

4 MS. ROY: Right. We've never had that.

5 MR. WALSH: OK. Is your business still open in
6 New Hyde Park?

7 MS. ROY: It is.

8 MR. WALSH: Is it going to remain open?

9 MS. ROY: It will not remain open, if this
10 special permit is approved we will move and begin
11 business here as of July 1st.

12 MR. WALSH: So you will take your customers
13 that you have now and they'll be following you.

14 MS. ROY: That's correct.

15 MR. WALSH: And they'll be happy to follow you
16 to Mineola.

17 MS. ROY: That's correct. It's an existing
18 situation. We have contractual obligations with our
19 students, those who are under contract, and we will
20 simply move our student base here.

21 MR. WALSH: And you're the only instructor --
22 your husband is the only instructor. So there's one
23 employee and you.

24 MS. ROY: Me occasionally.

25 MR. WALSH: You do everything else that he

1 doesn't do.

2 MS. ROY: Something like that.

3 MR. WALSH: OK, Mayor. I have no other
4 questions.

5 Just one more thing. Are the majority of your
6 customers children?

7 MS. ROY: No. They're adults. I want to
8 say --

9 MR. WALSH: What percentage are children?

10 MS. ROY: Sure. I want to say about 25 percent
11 of our business is children, but it's mainly adults.

12 MR. WALSH: So 75 percent are adults. So more
13 likely an adult -- I mean, if it was a child, and 25
14 percent are children, the parents would drop them off.

15 MS. ROY: Correct.

16 MR. WALSH: But more likely, when it's adults,
17 they'll drive there.

18 MS. ROY: That's correct.

19 MR. WALSH: And the most people that you have
20 in one session are ten.

21 MS. ROY: Ten. Correct.

22 MR. WALSH: How long does that session last?

23 MS. ROY: An hour.

24 MR. WALSH: And it's at night?

25 MS. ROY: Correct. Yes. Yes. Because our

1 students are adults, all adults that work. So we find
2 that the best hours are 6:00, 7:00, 8:00 o'clock in the
3 evening.

4 MR. WALSH: Just about how many students do you
5 have in New Hyde Park right now?

6 MS. ROY: About 40, and that includes the
7 children.

8 MR. WALSH: OK. Thank you.

9 MAYOR STRAUSS: Thank you.

10 Any other comments from the Board?

11 OK. Ms. Roy, I ask that you have a seat and
12 we'll open up to public comment. And if anybody in the
13 public comment session asks a question, please write it
14 down and we'll address that at the end.

15 Anybody in the second row? Third row? Fourth
16 row? Fifth row? Sixth row? Seventh row?

17 Ms. Roy, come back up.

18 Thank you for choosing Mineola.

19 Any other comments from the Board?

20 Mr. Trentacoste?

21 MR. TRENTACOSTE: No, Mayor, if the Board would
22 entertain a resolution pursuant to SEQRA declaring this
23 an unlisted action with negative decoration.

24 MAYOR STRAUSS: Motion?

25 MR. DURHAM: Motion.

1 MAYOR STRAUSS: Motion by Trustee Durham.

2 MR. WALSH: Second.

3 MAYOR STRAUSS: Second by Trustee Walsh.

4 All in favor?

5 MR. DURHAM: Aye.

6 MR. CUSATO: Aye.

7 MR. WALSH: Aye.

8 MAYOR STRAUSS: Aye.

9 Opposed?

10 Carried.

11 Anything else, gentlemen?

12 MR. TRENTACOSTE: Nothing Mayor.

13 MAYOR STRAUSS: I'll entertain a motion to
14 approve.

15 MR. CUSATO: Motion.

16 MR. DURHAM: Second.

17 MAYOR STRAUSS: Motions by Trustee Cusato --
18 you guys are rushing me -- second by Trustee Durham.

19 Mr. Scalero?

20 MR. SCALERO: Yes.

21 MAYOR STRAUSS: Please poll the Board.

22 MR. SCALERO: Trustee Durham?

23 MR. DURHAM: Yes.

24 MR. SCALERO: Trustee Cusato?

25 MR. CUSATO: Yes.

1 MR. SCALERO: Trustee Walsh?

2 MR. WALSH: Yes.

3 MR. SCALERO: Mayor Strauss?

4 MAYOR STRAUSS: Yes.

5 Ms. Roy, welcome to Mineola.

6 MS. ROY: Thank you very much.

7 MAYOR STRAUSS: We wish you great success here.

8 Again, if you are putting up any signage or do
9 any kind of alterations to the building, please reach out
10 to the Building Department. I'm sure that you're going
11 to get a knock on your door by Mr. Lubrano from the
12 Chamber of Commerce from Piccola Bussola. It's a great
13 organization to be a part of.

14 MS. ROY: Thank you very much.

15 MAYOR STRAUSS: Welcome to Mineola. Thank you.

16 MS. ROY: Thank you.

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

MR. WALSH: Motion.

MAYOR STRAUSS: Motion made by Trustee Walsh.

MR. CUSATO: Second.

MAYOR STRAUSS: Second by Trustee Cusato.

All in favor?

MR. DURHAM: Aye.

MR. CUSATO: Aye.

MR. WALSH: Aye.

MAYOR STRAUSS: Aye.

Opposed?

Carried.

Thank you, ladies and gentlemen. We're going
to have a work session.

* * *
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 Public Hearing 6/10/2015 -

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