

**Village of Great Neck Estates**

**NOTICE OF AND AGENDA FOR MEETING OF THE BOARD OF TRUSTEES of the Village of Great Neck Estates to be held on **MONDAY, AUGUST 12, 2024** at the Village Hall, 4 Atwater Plaza, Great Neck Estates, New York. The Board will open the meeting in public and convene in executive session, at **7:00 P.M. THE PUBLIC SESSION WILL RESUME AT 8:00 P.M.** **Please note that additional items may be added to the agenda, and considered by the Board of Trustees, as may be permitted by law.****

**EXECUTIVE SESSION**

**PUBLIC HEARINGS**

200 MNR – Amendment of Incentive Zoning Permit and Subdivision Approval – hearing continued to Sept 9

**BUILDING DEPARTMENT** Monthly Report

Request for BP extension Abraham 31 North Clover Dr

**ARCHITECTURAL REVIEW BOARD**

See attached schedule

**PUBLIC WORKS** Monthly Report

**POLICE DEPARTMENT** Monthly Report

Authorize Chief Moreno to attend IACP Conference Oct 2024 at a cost not to exceed \$3000

**PARK-POOL-TENNIS**

Park rules review

Authorize installation of dock gate at cost \$1,325

**ENVIRONMENTAL COMMISSION**

**CABLE COMMISSION**

**GNE CIVIC ASSOCIATION**

Request for contribution of \$2,670. for the Labor Day event in the Park

**MAYOR'S REPORT**

Authorize Harris Computer Village Office Software Upgrade \$16,070

Authorize Mayor to sign Mayday Communications Agreement \$1,600

Authorize Mayor to sign Gold Coast Agreement \$1,500

Ratify NYS DEC MS4 Mapping Grant Application

Seasonal appointments

Authorize Court Clerk to attend annual conference at cost not to exceed \$

Authorize Mayor to sign CSEA Addendum

Set Public Hearing for First Playhouse Amendment to Incentive Zoning

**VILLAGE ATTORNEY**

**CLERK TREASURER** Monthly Report

**MINUTES** July 8, 2024

**ABSTRACTS**

Ratify General Abstract #202407, \$189,946.89 addl June bills

Ratify General Abstract #202408, \$14,645.92, addl May Bills

Ratify General Abstract #202409, \$30,817.32 Contractual

Approve General Abstract #202410, , July bills

**BOARD OF TRUSTEES REVIEW OF ARCHITECTURAL  
REVIEW BOARD RECOMMENDATIONS  
Monday August 12, 2024**

<b><u>NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>SUMMARY</u></b>	<b><u>RECOMMENDATION</u></b>
Tatyana Gradayeba Sign-a-Rama	98 Middle Neck Rd	Sign	Approval
Jessica Tuchinsky Bruce Spenadel, Architect	1 Shore Drive	2 <sup>nd</sup> floor addition over garage	Conditional Approval
Jac & Jon Tulip LLC Jonathan & Jacqueline Spiegel MoJo Stumer Architects	3 Tulip Drive	New one-family residence	Conditional Approval

# POLICE DEPARTMENT

*Village of Great Neck Estates*  
One Cedar Drive - Great Neck, NY 11021

Phone (516) 487-7700

Fax (516) 482-8989

To: Mayor Warner  
From: Ricardo Moreno  
Subject: Monthly Report July 2024  
Date: August 1, 2024

## Personnel:

	<u>Police</u>	<u>Civilian</u>
Personal leave days granted	1	0
Sick leave days	13	0
Vacation days scheduled	22	3

## Police Services:

Arrests	0
Calls requiring police responses	540
Case reports	1
Aided cases	4
Fire reports	4
Auto accidents	9
Burglar alarms responded to	33
Assists to Kensington P.D.	3
Alarm signals received at headquarters	455

**Case-1**

07/17-1 Cedar Drive

Identity Theft

**Aided- 4**

07/02-17 Elm St

07/20-40 South Drive

07/24-17 Elm St

07/29-138 Middle Neck Rd

**REDACTED**

**Fire - 4**

07/02-40 Amherst Drive

False Alarm

07/03-31 Laurel Drive

False Alarm

07/25-107 Ash Drive

Natural Gas Odor

07/27-5 Shore Drive

False Alarm

**Auto Accidents - 9**

07/01 - 1600 hours -Bayview Avenue-Vehicle 1 and Vehicle 2 Exchange of Information  
07/03 - 1428 hours -Bayview Avenue-Vehicle1 and Vehicle 2 File Report at Hq's  
07/12 - 1833 hours -Middle Neck Rd-Vehicle 1 and Vehicle 2 Exchange of Information  
07/15 - 1556 hours -Middle Neck Rd-Vehicle 1 and Vehicle 2 Sideswiped  
07/21 - 1531 hours -Clover Drive-Vehicle 1 Legally Parked/Struck by Unknown Vehicle  
07/23 - 1049 hours -200 Middle Neck Rd-Vehicle 1 and Vehicle 2 Sideswiped  
07/24 - 1745 hours -Linden Blvd-Vehicle 1 Backed into Vehicle2  
07/26 - 0930 hours -Middle Neck Rd-Vehicle 1 Struck Cable Lines Behind 200 Mnr  
07/30 - 1227 hours -Municipal Parking Lot-Vehicle 1 and Vehicle 2 Sideswiped

Summons and mileage report attached.

Respectfully submitted,

Ricardo Moreno

Chief

# Summons and Mileage Report

	<u>Summons</u>	<u>Parking</u>
<u>Sergeant Jackowski</u>		
PO Laurino	15	2
PO Cona	15	2
PO Lamonica	11	1
<u>Sergeant Noor</u>		
PO Mucerino	15	1
Det Amatulli	15	7
PO Jurkowich	15	1
PO Powell	112	0
<u>Sergeant Murtagh</u>		
Det Cody	18	1
PO Ryan	15	1
PO Trudnak	15	2
TOTAL	246	18

<u>Summons Issued:</u>	
Speeding	1
Red light	2
Stop Sign	2
Susp/Unreg	57
Susp/Unlic.	14
Village Ord.	5
Miscellaneous	154
Equipment	2
U-Turn	9
Cell Phone	0
Total	<b>246</b>

<u>Warnings:</u>	
Speeding	0
Stop Sign	0
Miscellaneous	0

<u>PEO Schinitzer:</u>	
MNR East Side	49
MNR West Side	112
MPL Meters	15
Street Meters	19
Miscellaneous	58
TOTAL	<b>253</b>

<u>Code Enforcement</u>	
CEO Bogart	1

2024	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Speeding	0	1	0	0	2	2	1						6	54	208	211	147	438	421	517	790	678	835	1496	934	283	296
Red Light	1	1	0	1	5	0	2						10	58	234	316	216	309	266	134	73	93	171	248	389	201	102
Stop Sign	66	40	51	4	4	2	2						169	11	18	68	32	89	35	62	75	25	31	46	37	43	65
Reg.	79	64	80	77	36	65	57						458	747	407	165	183	121	12	8	33	15	35	30	50	36	15
License	8	13	15	14	10	43	14						117	260	112	188	214	284	168	192	210	150	182	339	235	154	122
Village Ord.	11	11	15	5	13	17	5						77	63	76	50	21	68	105	189	222	114	116	51	16	50	76
Misc	123	115	155	96	140	95	154						878	1210	1471	971	735	1453	1412	2126	2398	1953	1883	2971	2054	655	435
Equipment	1	3	1	6	3	1	2						17	20	60	142	55	78	94	104	166	179	134	111	103	75	41
U-Turn	11	12	10	14	6	14	9						76	1101	1475	1531	971	1498	929	646	401	570	404	450	502	272	163
Cell Phone	36	47	0	117	59	0	0						259	641	228	401	407	308	127	165	54	51	33	117	384	115	79
TOTAL	336	307	327	334	278	239	246	0	0	0	0	0	2067	4165	4289	4043	2981	4646	3569	4143	4422	3828	3824	5859	4704	1884	1394
Parking	188	253	265	264	316	338	271						1895	2632	2762	2157	1661	2720	2756	2684	2572	2332	3155	3119	3773	2989	3506
Mileage	2,193	1,795	2,196	2,351	2,533	2,303	2,270						15641	27717	28289	27704	29855	42410	49380	45489	49244	54074	53590	60495	54144	55659	54125
Code Offcr	0	1	4	0	0	0	1						6	33	34	17	3	10	18	40	45	100	94	82	77	80	56

# Village of Great Neck Estates

## MONTHLY REPORT

**TO:** Mayor Warner, Trustees & A.T. Levin  
**FROM:** Barbara Dzierney  
**SUBJECT:** Building Department Report for July  
**DATE:** August 7, 2024

### **BUILDING PERMITS ISSUED:**

May – 16  
June- 11  
July - 17

### **CERTIFICATES OF COMPLETION/OCCUPANCY ISSUED:**

May – 0  
June – 8  
July – 54 (Includes C of O's issued for the Rose)

### **INSPECTIONS:**

May – 36  
June – 41  
July – 47

### **PERMIT EXTENSION REQUESTS:**

**31 North Clove Drive- See Memo**

### **ARB REFERRALS:**

#### **July 22, 2024- Meeting**

98 Middle Neck Road- Sign- Approval Recommended  
1 Shore Drive – Second Floor Addition – Approval Recommended  
3 Tulip Drive – New Residence – Approval Recommended

### **ZBA:**

#### **August 21, 2024-Meeting Pending**

**30 Deepdale Drive – Hofer- New Residence**  
**5 Magnolia Drive- Hadid – New Residence**

### **SUBDIVISIONS:**

**96 Ash Drive – No Change -Subdivision Application -Variance Extension from ZBA Granted**

### **SPECIAL PROJECTS:**

**Playhouse – Construction nearing completion**  
**200 Middle Neck Road – Incentive Zoning Permit – scheduled for September 9 meeting**  
**Old Mill II –Nassau County Planning Commission Approval granted- Road opening permit and SWPP submitted for review**

*f/w/bldg/monthlyreport*



**Great Neck Estates Department of Public Works**  
**Monthly Report for July 2024**

**Storms: No major storms**

**Park: Routine items accomplished by the Department during the month are in BOLD.**

- The flushing mechanism was repaired in the women toilet at the locker room.
- Repairs were made to the brick pavers at the waterfront area.
- Repairs were made to several of the playground toy equipment.
- **The Department continued to scarify level and add turface to the baseball diamond.**
- **The park lawns are being cut on a routine basis as well as trimming of the shrubs and weeding and cultivating of the planting beds.**
- **The trash containers in all of the parks are being collected on a routine basis along with cleaning the area of fallen branches and assorted debris.**

**POOL: Routine items accomplished by the Department during the month are in BOLD**

- **The backwashing on the and Kiddy Pool filters. As well as the filling of the chlorine feed pump containers for both pools. The chlorine storage tank are being done three times weekly by the Department.**
- **Light bulbs are being checked and replaced in the pool locker rooms and pump rooms on a routine basis.**

**Roads: Routine items accomplished by the Department during the month are in BOLD.**

- Cut back foliage from traffic enforcement signs throughout the Village.
- The American flags that were installed on Middle Neck Road were removed after the 4th of July and will be reinstalled for Veterans Day in November.
- **The Department continued to water the shrubbery on the islands throughout the Village on a routine basis using the street sweeper.**
- **Morning trash pick up from the Middle Neck Road containers, Municipal parking lot, Maple and Elm continued on a regular basis.**
- **The catch basins throughout the Village are being cleared of leaves and debris on a regular basis as well as before each forecasted rainstorm.**
- **Village owned properties and islands continue to be cleaned and lawns were cut in those locations on a routine basis.**

**Village Hall: Routine items accomplished by the Department during the month are in BOLD.**

- **Light bulbs continue to be checked and replaced on a weekly basis.**
- **Shipments of paper goods and plastic bags are brought downstairs as deliveries arrive.**

**Marina: Routine items accomplished by the Department during the month are in BOLD.**

- **The boat ramp are continued to be cleaned on a routine basis.**

**Vehicles Status:**

1. 2008 Ford F 350 Dump – Condition -poor

2. 2012 Ford F 450 Dump – Condition - good
3. 2018 Ford F 450 Dump – Condition - excellent
4. 2011 Ford F 550 Dump – Condition - good
5. 1995 International Truck – Condition - good
6. 2013 Ford F 150- condition – Condition - good
7. 1999 Daewoo Pay Loader – Condition -good
8. 2008 Johnston Sweeper – Condition - good –
- 10.2019 f450- condition - good
11. 2020 international – condition -excellent

**Pending Items: none**

BOARD OF TRUSTEES

VILLAGE OF GREAT NECK ESTATES

-----X  
In the Matter of the Application

of

200 MNR Sun LLC  
-----X

PRESENT: WILLIAM WARNER, MAYOR  
JEFF FARKAS, DEPUTY MAYOR  
HOWARD HERSHENHORN, TRUSTEE  
IRA D. GANZFRIED, TRUSTEE  
LILIA SHEMESH, TRUSTEE

KATHLEEN L. SANTELLI, VILLAGE ADMINISTRATOR

DATE: July 8, 2024

TIME: 8:00 p.m.

PLACE: VILLAGE HALL  
4 Atwater Plaza  
Great Neck, New York 11021

COUNSEL A. THOMAS LEVIN, ESQ.  
REPRESENTING 990 Stewart Avenue  
VILLAGE OF Garden City, New York 11530  
GREAT NECK ESTATES (Appearing via phone)

REPORTED BY: Christa Flash, RPR

## Board of Trustees - 7/8/24

1           MAYOR WARNER: welcome, everybody. The  
2 first item on the agenda is 200 Middle Neck Road  
3 incentive zoning and subdivision. We're going to  
4 continue it.

5           This will not be -- we will continue it  
6 after this meeting. We will give everybody long  
7 notice as to what our plans are and when it won't be  
8 continued. So we're going to finish the hearing and  
9 then other things have to happen, but we're still  
10 listening and asking and the applicant is still  
11 doing.

12           The public hearing, in case all of you don't  
13 know, is for the Board to hear from the applicant,  
14 from the general public. We don't engage -- we don't  
15 give our opinions. If you want to ask questions and  
16 the applicant wants to answer them, that's fine.  
17 Otherwise, they'll listen, but it's for everybody and  
18 the Board, who has to ultimately make the decision on  
19 this, to hear as much input as we can.

20           So if you're going to look for answers from  
21 us or coming from us, we're not giving them. We want  
22 to hear from you and the applicant. If the applicant  
23 chooses to answer your questions, that's up to them,  
24 but this is the way the process goes.

25           Is that fair, Tom?

Board of Trustees - 7/8/24

1 MR. LEVIN: Absolutely.

2 MAYOR WARNER: Okay. All right. So  
3 Mr. Bloom usually leads us off as the lead-off  
4 hitter.

5 MR. BLOOM: I'm not sure my bat has got a  
6 lot of swing to it. You don't want me as your  
7 lead-off.

8 MAYOR WARNER: Too late.

9 TRUSTEE HERSHENHORN: Whoever gets you as  
10 their lead-off is very fortunate.

11 MR. BLOOM: This is the application for the  
12 premises known or the property known as 200 Middle  
13 Neck Road, and, as I always begin, so that the record  
14 is complete, it's Section 2, Block 6 and Lots number  
15 41, 43, 65 and 66.

16 And as you've indicated, Mr. Mayor, we are  
17 seeking an incentive overlay for the Business  
18 District. We are in the A portion, that is the  
19 northern portion of the overlay zone, and if I recall  
20 correctly, at the last meeting, which was on June the  
21 10th, Frank Fish was here, your consultant, and he  
22 indicated, and I'm not going to quote him directly,  
23 but I believe he indicated, when requested and asked,  
24 that we responded to all of the things that he had  
25 asked for, and during the course of that hearing, on

## Board of Trustees - 7/8/24

1 the 6th of June, there were some other questions that  
2 both came from the Board and also from the public.

3 So there have been some modifications that  
4 were made, and we have our professionals here to give  
5 you the details, but if I can just do a very quick  
6 overview, we are removing the proposed second row of  
7 planting since there was a great pushback, especially  
8 from the neighbors who indicated planting on the west  
9 side of Cook is just not feasible, and we picked up  
10 on the -- I don't want to say suggestion, but the  
11 comment that came from somebody with respect to why  
12 not put some planting on the building itself, and  
13 I'll have Mason Sophia discuss exactly what the  
14 modifications were to the plan that is before you  
15 this evening.

16 The second area that was commented upon was  
17 with respect to our school-age children calculation.  
18 We used the two standard methodologies, and I think  
19 it was indicated to the Board we were having  
20 difficulty in, frankly, to this date, unless I hear  
21 otherwise, we still have not gotten a response from  
22 the school district, and that would be after three  
23 FOILs to the school district.

24 We were able to obtain that information from  
25 other sources, and the bottom line is those

Board of Trustees - 7/8/24

1 calculations have been made. I will let Christiana  
2 deal with the specifics of that and what the  
3 conclusions are. But the number that she utilized,  
4 which is now the "school district," which is totally  
5 different from the other two nationally recognized  
6 standards of calculation of school children, you  
7 wouldn't be surprised but it is virtually two times  
8 the number of students that the national studies  
9 indicated. That being said, it's still only  
10 somewhere between six and fourteen students for the  
11 entire building.

12 It should also be mentioned that when this  
13 Board was considering the modification of the overlay  
14 zone, there was an overlay zone that preceded the one  
15 that was adopted by this Board I think in 2020 or  
16 2021, in that range. This Board utilized that same  
17 number, and you already calculated, or at least  
18 calculated by Frank Fish and that organization, what  
19 the impact on school children would be on the entire  
20 overlay district, and so this is all consistent and  
21 I'll let Christiana discuss that.

22 So, Christiana, why don't you start first,  
23 because I think that will be probably the fastest.

24 Identify yourself for the record, please.

25 MS. KASTALEK: Hello. My name is Christiana



Board of Trustees - 7/8/24

1 Kastalek, K-A-S-T-A-L-E-K. I'm from VHB at 100 Motor  
2 Parkway in Hauppauge, New York.

3 And as Paul was saying, in response to the  
4 request made by the Board and the Board's consultant  
5 at the last hearing in June, we prepared a school-age  
6 children memo which was submitted with the overall  
7 package prior to this hearing, and that memo included  
8 analysis regarding the number of public school-age  
9 children that would be expected to reside in this  
10 development of 70 multifamily units.

11 Building upon what we did, we expanded the  
12 environmental assessment that was submitted in 2023,  
13 which, as Paul indicated, utilized two publicly  
14 accessible studies. We were able to obtain the  
15 analysis utilizing the school-age children  
16 multipliers of the Great Neck School District, and  
17 that was their public school-age children study.

18 When applying the multipliers from the two  
19 publicly accessible studies, as well as the school  
20 district study, using those multipliers, it's  
21 expected that a range of six to fourteen school-age  
22 children would reside in this 70-unit multifamily  
23 development.

24 TRUSTEE HERSHENHORN: One more time? Those  
25 numbers one more time? I'm sorry.

## Board of Trustees - 7/8/24

1 MS. KASTALEK: Six to fourteen, and that's  
2 using the three different multipliers. The proposed  
3 students to enter the school district would be spread  
4 among thirteen grades, so that's K through 12, and  
5 not anticipated to be concentrated at one grade  
6 level. And the estimate of the six to fourteen  
7 public school-age children generated by the project  
8 would represent an enrollment increase of less than  
9 one percent above the current enrollment, which is  
10 not a substantial increase and would not be  
11 discernible from the typical annual enrollment  
12 fluctuations.

13 MR. BLOOM: Any questions?

14 AUDIENCE MEMBER: Yeah, I have a question.

15 MR. BLOOM: I was speaking to those people.

16 AUDIENCE MEMBER: Okay.

17 MR. BLOOM: Any questions from the Board?

18 MEMBER SHEMESH: Christiana, I appreciate  
19 that you -- I read the Rutgers and the Stony Brook  
20 studies, so I kind of appreciate the fact that you  
21 also overlaid the Great Neck factor. That was -- my  
22 main question was like even though the Rutger's study  
23 takes into account the types of units versus the  
24 Stony Brook, I didn't -- there's a certain appeal to  
25 the Great Neck District, right, that maybe other

## Board of Trustees - 7/8/24

1 school districts don't have. I also think there's an  
2 under-appreciation for why people live in this  
3 particular neighborhood.

4 MS. KASTALEK: Of course.

5 TRUSTEE SHEMESH: But okay. So I just want  
6 to reiterate to everybody and make sure that they  
7 took into account -- you're taking into account the  
8 Great Neck Public School report. I think it was two  
9 years old.

10 MS. KASTALEK: Um-hum.

11 TRUSTEE SHEMESH: You're using their  
12 multiplier and then you compared all three and came  
13 up with that number.

14 MS. KASTALEK: Correct, yes.

15 And so also, in response to your request at  
16 the June 10th hearing, the Board was asking if we  
17 could identify the number of school-age children that  
18 reside in the Avalon apartments. Again, it's an  
19 apartment luxury community. We did FOIL the school  
20 district for that information, but we have not heard  
21 back yet. We are approaching the 20-day mark with  
22 them, so hopefully we'll hear back. If not, we'll  
23 follow up with the school district, and once that  
24 information is obtained, we'll be able to share that  
25 with you.

## Board of Trustees - 7/8/24

1 TRUSTEE HERSHENHORN: Could you just tell us  
2 a little bit more about the multiplier that the  
3 school district uses?

4 MS. KASTALEK: Yeah. So the multiplier that  
5 the school district used came from the Nassau County  
6 public -- it's Nassau County data that comes from the  
7 public use microdata, and so the Nassau County data  
8 was compared against the number of school-age  
9 children generated by recently constructed  
10 multifamily projects in the school district  
11 boundaries. So in the Great Neck School District  
12 boundary, and with that, based off of their study,  
13 they estimated an average of 20 school-age children  
14 per 100 units that they analyzed within their study.

15 Again, as Paul was saying, we couldn't get  
16 our hands on the study yet again as I'm still waiting  
17 to hear back from the school district. So this  
18 information came from the part one environmental  
19 assessment form that was done by BFJ for the  
20 incentive zoning, now a couple of years ago. Once we  
21 get the study, hopefully the school district will  
22 give that to us, and we'll know more about what  
23 school district -- where the students from the school  
24 district are residing, but that's the information  
25 that we have. And, with that, their multiplier was

## Board of Trustees - 7/8/24

1 .2. So the .2 multiplier times seven units gave us  
2 14 public school-age children.

3 TRUSTEE SHEMESH: Christiana, do you think  
4 it would be worth -- I would like to get a FOIL  
5 request for The Portico, which are townhomes that are  
6 considered more luxury. They're older, they're not  
7 new. Do you think that's actually -- because they're  
8 townhomes and we only have two townhomes in this.

9 TRUSTEE HERSHENHORN: It can't hurt.

10 TRUSTEE SHEMESH: It can't hurt.

11 AUDIENCE MEMBER: Could you speak louder,  
12 please?

13 AUDIENCE MEMBER: I can't hear. I can't  
14 hear.

15 TRUSTEE SHEMESH: Sure. I was asking if we  
16 should, perhaps, request a FOIL request from the  
17 school district for the number of students that  
18 reside at The Portico townhomes in Kensington, which  
19 I think may be a more accurate, like, for like --

20 MR. BLOOM: Great Neck Plaza.

21 TRUSTEE SHEMESH: What's that? That's Great  
22 Neck Plaza?

23 MR. BLOOM: It's Great Neck Plaza.

24 TRUSTEE SHEMESH: Bordering Kensington. You  
25 would know.

Board of Trustees - 7/8/24

1                   Could we do that?

2                   MR. BLOOM:    I would know.

3                   MS. KASTALEK:  Yeah.  We could FOIL them  
4                   again.  It's just going to be another waiting period  
5                   to obtain that information from the school district,  
6                   but once we obtain it, we can share that information  
7                   with you.

8                   we were looking -- we would ideally like to  
9                   look at developments that are similar to what we're  
10                  proposing, within walking distance to the train  
11                  station, along Middle Neck Road, newer developments,  
12                  but we can definitely look into that.

13                  TRUSTEE SHEMESH:  Because I think even the  
14                  new building on Bond is a rental, right?

15                  MAYOR WARNER:  Yes.

16                  MS. KASTALEK:  It's The Portico?

17                  TRUSTEE SHEMESH:  The Portico.

18                  MS. KASTALEK:  Yeah, we can look into that.  
19                  We can FOIL that.

20                  MAYOR WARNER:  Anthony, maybe we could open  
21                  those doors and put the lights on and bring in some  
22                  of those chairs.

23                  TRUSTEE SHEMESH:  When you fill out the FOIL  
24                  request, can you put multiple addresses?

25                  MS. KASTALEK:  Yeah.  I've been just sending

## Board of Trustees - 7/8/24

1 an email to the records assessor for the school  
2 district, so, yeah, I can do that.

3 TRUSTEE SHEMESH: Do 15 Bond.

4 MR. BLOOM: We can be ignored for one or  
5 multiple.

6 TRUSTEE SHEMESH: Right.

7 MS. KASTALEK: Yeah. And we do have -- I  
8 did attach, at the end of our memo, the emails that  
9 I've been sending, just for your awareness.

10 TRUSTEE SHEMESH: I saw that.

11 MS. KASTALEK: Do you have other addresses  
12 you'd like me to look into?

13 TRUSTEE SHEMESH: Fifteen Bond, I don't  
14 know, The Maestro. Do you know The Maestro on Great  
15 Neck Road?

16 MR. BLOOM: The Maestro, yeah. We can take  
17 a look at those. The only one that I can tell you I  
18 could probably get without a FOIL very easily is 15  
19 Bond. It's relatively new, but understand there's  
20 differentials between these projects.

21 TRUSTEE SHEMESH: Sure.

22 MR. BLOOM: The Portico is probably closer  
23 in its characteristics. It's townhomes and we have a  
24 couple of townhome units, and it also has a  
25 multistory building associated with it, which are

## Board of Trustees - 7/8/24

1 also condos. Fifteen Bond is a rental.

2 TRUSTEE SHEMESH: Correct.

3 MR. BLOOM: It's more transient and, as  
4 such, it would probably give you an inaccurate  
5 calculation of schools. I will also say that the  
6 Avalon is, for the same reason, probably not  
7 accurate.

8 TRUSTEE SHEMESH: But they still gave a  
9 report. When those buildings were proposed, they  
10 still used the same statistics or similar statistics.  
11 I don't know that the school study was out then.

12 MR. BLOOM: It was not.

13 TRUSTEE SHEMESH: It was not.

14 MR. BLOOM: For neither project was it  
15 available. We'll do it. It's not a question of  
16 fighting you about this.

17 TRUSTEE SHEMESH: No, I understand. I think  
18 this is a real concern of the community amongst  
19 people I hear, so it would be nice to get it.

20 MAYOR WARNER: We have a representative, an  
21 associate of Frank Fish is here, and she can come up  
22 and introduce herself and comment and ask questions.

23 MS. GOLDBERG: My name is Suzanne Goldberg.  
24 I'm with BFJ Planning.

25 We saw the expanded school public school-age



## Board of Trustees - 7/8/24

1 children analysis by VHB. Our main question was  
2 regarding the letter that came out of the Harras,  
3 Bloom & Archer office that looked at the village  
4 taxes, and we think it would be beneficial to the  
5 Board to know an estimate on school taxes that would  
6 be paid in relation to the cost to educate. These  
7 public school-age children -- the VHB report stated  
8 that the school taxes generated by the project are  
9 estimated to offset the cost per pupil to be  
10 introduced into the school district, but we would  
11 just like confirmation that the letter that states  
12 the village taxes includes, in its calculation, the  
13 cost to educate the students and to ensure that it  
14 would offset the cost.

15 MAYOR WARNER: Got that, Paul? I saw you  
16 writing.

17 MR. BLOOM: We'll get to the village a tax  
18 letter and then we can address this, but the answer  
19 is yes. We will give the same estimate with respect  
20 to school taxes.

21 MAYOR WARNER: I think it's a good point  
22 Suzanne makes.

23 MR. BLOOM: The fact is you've seen the  
24 number. Whether or not that number is 100 percent  
25 accurate or not, it is very close based on all the

## Board of Trustees - 7/8/24

1 criteria that were provided in there, including only  
2 using current tax rates. And there was also a big  
3 distinction between assessed value. The village has  
4 a higher assessed value on property for the same  
5 property than the county has, and the school taxes  
6 account for 60 percent plus/minus of the annual tax  
7 bill between general, village and school. You see in  
8 the letter what the estimated taxes are for the  
9 village, and so I have no problem giving you a number  
10 that will be for the school.

11 MAYOR WARNER: Okay. Well, the point is is  
12 that if we're not putting an onus on the schools by  
13 not funding the students coming out of the proposed  
14 project, yet if the numbers show that, what Suzanne  
15 is saying, that we're overfunding the amount of  
16 students that come out of that project, that's  
17 something we should know one way or the other.

18 MR. BLOOM: Again, we're having a friendly  
19 conversation right now. I'm not fighting any of it.  
20 I will give you exactly what you're looking for.

21 MAYOR WARNER: Okay. So who would be your  
22 next consultant you'd like to speak?

23 MR. BLOOM: I think he's getting ready.

24 Mason?

25 MR. SOFIA: Mason Sophia, Mojo Stumer

## Board of Trustees - 7/8/24

1 Associates, the architect of record for this project.  
2 That's 14 Plaza Road in Greenvale, New York 11548.

3 So I have -- first of all, thank you again  
4 for your time in continuing this hearing and letting  
5 us continually work through this project, and we've  
6 worked diligently between hearings and taking input  
7 and feedback from not only you but from the public,  
8 as well.

9 This time we've gone back to the drawing  
10 board a little bit, and we've been very seriously  
11 studying the neighboring properties on Hilltop Drive,  
12 and we've really come up with a concept that I think  
13 is a best I'll say compromise between mitigating the  
14 big question, which is the height of our building,  
15 particularly along the west property line.

16 what we've done, and I'm going to start here  
17 on the sight plan that you've seen multiple times,  
18 this is sheet A-001, and the reason I'm going to  
19 start here is because really you see the sense of  
20 scale, first of all, between the area of the building  
21 that is in question that we've addressed and we've  
22 actually cut back in its mass and scale versus the  
23 scale and length of the entire building.

24 So along the west property line we've cut  
25 back the fourth floor eight feet. what we did in

## Board of Trustees - 7/8/24

1 between there is added three feet of planters. It  
2 would be on a raised bed, and we've introduced the  
3 concept of evergreen trees. This would further  
4 elevate the evergreen screening that is already along  
5 and already existing at 12 Hilltop Drive and offer  
6 privacy from anybody that would be occupying that  
7 unit or any of those units without blocking too much  
8 light or making those units feel any less valuable  
9 than we think they already are. We've cut back 400  
10 square feet between those two units in rentable  
11 space -- well, in interior condition space. Those  
12 terraces that then result outside of it, because of  
13 this, are still rentable.

14 So what I'd like to do is I'd like to put  
15 our elevation sheet A-200. Actually, before that,  
16 I'll put our sheet A-104 so you can see it in a  
17 little greater detail.

18 TRUSTEE SHEMESH: Mason, why do you use the  
19 term "rentable"?

20 MR. SOFIA: Sorry. Saleable space, not  
21 rentable. Gross living area is another one, too.

22 So this is sheet A-104, fourth floor plan.  
23 This is the area that we've actually cut back. So  
24 you can see there's an eight-foot setback facing the  
25 west with an approximately three-foot-wide planter

## Board of Trustees - 7/8/24

1 that's going to be built in. They will probably add  
2 irrigation to it so that they're maintained. There  
3 will be sufficient waterproofing below it so it can  
4 be maintained and sustained as a livable actual  
5 planter box for these evergreen trees. We think that  
6 was the most, I'll say -- like I said before, it's  
7 the best compromise, so to speak, in between what  
8 we're looking for and what we're trying to mitigate  
9 with the privacy of the neighbors, but once you start  
10 to add layers of any sort of vertical screening, it  
11 becomes more difficult to maintain. I think when you  
12 have a vertical space here, these planters can easily  
13 be maintained. Again, they're evergreens, they  
14 should be green year round and afford, I think, the  
15 most privacy along that fifth story, which is only  
16 visible, I'll say, for the most part, to 12 Hilltop.

17 AUDIENCE MEMBER: Could you show the people  
18 who are sitting here -- Billy, one second. Nobody  
19 can see that.

20 MAYOR WARNER: Talk to me.

21 AUDIENCE MEMBER: Billy?

22 MAYOR WARNER: Yes?

23 AUDIENCE MEMBER: Hi.

24 MAYOR WARNER: Hi.

25 AUDIENCE MEMBER: We, who are sitting here,

## Board of Trustees - 7/8/24

1 would like to see those plans and we cannot.

2 TRUSTEE HERSHENHORN: We have to move it.

3 You've got to move it so everybody could see.

4 AUDIENCE MEMBER: Thank you.

5 MR. BLOOM: Mason, will you repeat so that  
6 it's clearly understood what the height of those  
7 plantings will go in as they're being planted?

8 MR. SOFIA: The height of those trees are  
9 between six to eight feet within a three-foot planter  
10 box that would also be elevated a few inches off the  
11 ground, one, to protect from water and whatnot, but  
12 also to give it the waterproofing depth that would be  
13 required beneath it. So anywhere between six to  
14 eight feet at least of screening year round, and I  
15 have a visual representation, too, that I will show  
16 you that we updated.

17 TRUSTEE HERSHENHORN: Are they expected to  
18 grow?

19 MR. SOFIA: I would imagine they'd be  
20 maintained and trimmed there. Like I said before,  
21 you don't want them to get overgrown where they may  
22 start to weaken the structure or start to overtake  
23 the balcony that's there. Also, you don't want to  
24 block the light from the people that would be living  
25 there from getting that natural light. At any point

## Board of Trustees - 7/8/24

1 it would be blocking the person that was standing  
2 there, an average height of six feet, at least.

3 MR. BLOOM: Mason, one second.

4 Andrew, would you be able to address that  
5 first? Introduce yourself.

6 MR. KELLY: Yeah, sure. Andrew Kelly, VHB  
7 Engineering. We're the site engineers and landscape  
8 architects on the project, 100 Motor Parkway in  
9 Hauppauge.

10 The selected material for those planters is  
11 contingent upon the final design of the planter box,  
12 but any of the soil medium that would be proposed for  
13 those planters would be adequate to allow for  
14 long-term growth of the proposed material.

15 Does that answer your question?

16 MAYOR WARNER: I didn't have a question.

17 TRUSTEE HERSHENHORN: Yeah, it does.

18 MR. SOFIA: This would be designed to  
19 standards and professional specifications provided by  
20 VHB landscaping. It wouldn't be us. As the  
21 architect is saying, here's a pretty planter box.  
22 Throw some greens in it. It would be actually  
23 engineered and designed and detailed that way.

24 we'll flip to A-002, the sight section,  
25 which is schematic and representing the drastic

## Board of Trustees - 7/8/24

1 topography changes on the site. So really the  
2 greatest change, and the only change, as I'm pointing  
3 here to schematic section one, SP-101 on sheet A-002,  
4 the sight sections, the space that grew is at the top  
5 left corner of our proposed building on the fourth  
6 story. You can see we have a little representation  
7 of a digital tree representative of the trees that  
8 would be there in this planter space and about five  
9 feet of balcony space before the fourth story, the  
10 conditioned and built space actually starts.

11 And all the topography is the same. We've  
12 represented still the existing trees at 12 Hilltop  
13 Drive, which is about 30 feet in height, and, as Paul  
14 mentioned, we've eliminated the second row of trees  
15 along Cook Drive, but we've still maintained the row  
16 of trees along the west property line at the base of  
17 our building. That way, if there's any gaps in  
18 screening that exist between there, we're still  
19 mitigating the privacy and screening of our proposed  
20 building as it is.

21 So what I'd like to do now is pull up the 3D  
22 representation from Hilltop Drive. First I'll  
23 actually show the existing.

24 MR. BLOOM: Turn it around, please. Turn it  
25 a little more.



## Board of Trustees - 7/8/24

1 MR. SOFIA: Tell you what. I can put it  
2 here.

3 So from our last hearing and the hearings  
4 prior this has been our focus of what we've studied  
5 from 12 Hilltop Drive as a person standing at the  
6 edge of the house in the corner that is closest to it  
7 would be looking out a window without any deciduous  
8 trees or vegetation shown along Cook Drive, and where  
9 we've cut back is along the fourth floor. You'll see  
10 there's a label on Exhibit 12, Label A. The top of  
11 the fourth story, we've pushed it back and eliminated  
12 those four windows that are there. We've pushed that  
13 back. We've added a row of evergreen plantings, and  
14 the building is further screened from there.

15 DEP. MAYOR FARKAS: That's the way it was.

16 MR. SOFIA: That's what was prior.

17 Now, the new, our revised proposed design,  
18 again, this is all a digital representative; however,  
19 the heights and the scale of the images that are here  
20 are accurate and they're drawn in model to scale.

21 So this is Exhibit 12 revised.

22 DEP. MAYOR FARKAS: Mason, can you talk on  
23 the other side, please?

24 MR. SOFIA: This is Exhibit 12 revised.

25 You'll see there's three exhibits, C, D and E, which

Board of Trustees - 7/8/24

1 have been submitted with this application.

2 Exhibit C is existing evergreen trees at 12  
3 Hilltop Drive at approximately 30 feet, which is the  
4 row of trees looking directly out the window of the  
5 corner of the house at Hilltop Drive.

6 This red mass is a person, just a  
7 representative person to show the height of somebody  
8 looking out a big window.

9 Exhibit D, we've then added a layer of  
10 deciduous trees that were 80 feet in height along  
11 Cook Drive. You can see -- the deciduous trees, you  
12 can still see the setback in the proposed design we  
13 have with those evergreen trees. The dead trees,  
14 I'll say, in the fall through early spring or late  
15 spring even, still conceal and offer an obscured view  
16 of this fourth floor, this fourth story.

17 And last, when it's in full growth and fully  
18 bloomed, Exhibit E, in the spring, summer and early  
19 fall months, it's essentially nonvisible, the fourth  
20 floor. Again, our focus is during winter months,  
21 which is Exhibit D.

22 MAYOR WARNER: Break down the months that  
23 you're talking about on each picture will take place.

24 MR. SOFIA: It would be -- visualizing  
25 winter months, I would anticipate that it would be

## Board of Trustees - 7/8/24

1 the end of November between to the beginning of  
2 April --

3 MAYOR WARNER: Okay.

4 MR. SOFIA: -- that this would be the view  
5 obscured, and if those trees were by some chance to  
6 all come down, the view that would remain, and this  
7 is just shown exactly what we are proposing in our  
8 change here, is this setback and this row of  
9 evergreen trees varying in height between six to  
10 eight feet. You wouldn't be able to see somebody  
11 standing beyond this treeline.

12 DEP. MAYOR FARKAS: The fourth floor behind  
13 the trees, is that a row of windows?

14 MR. SOFIA: Yes.

15 DEP. MAYOR FARKAS: It's all windows.

16 And then you're going to have a five-foot  
17 terrace and then a row of trees.

18 MR. SOFIA: Correct.

19 TRUSTEE HERSHENHORN: So this is between the  
20 trees and the windows on the fourth floor?

21 MR. SOFIA: The distance between the trees  
22 that we're proposing on the fourth floor is  
23 five feet, an eight-foot total balcony. That should  
24 be enough between that area, like I said, to screen  
25 any person that's standing there, so you wouldn't

## Board of Trustees - 7/8/24

1 have any privacy concerns.

2 TRUSTEE HERSHENHORN: And still giving the  
3 residents enough light.

4 MR. SOFIA: Exactly, the resident that would  
5 be living there.

6 DEP. MAYOR FARKAS: What's the height of  
7 those windows?

8 MR. SOFIA: The height of those windows  
9 would be -- full height we estimate between  
10 nine feet.

11 DEP. MAYOR FARKAS: And the trees are going  
12 to be eight feet?

13 MR. SOFIA: And the trees will be between  
14 six to eight feet.

15 DEP. MAYOR FARKAS: Where is the light  
16 coming from?

17 MR. SOFIA: Just at the top, just to have a  
18 little bit of filtering that's there, a little bit of  
19 variation to it, and you'd have an angle coming in.  
20 The setback between those trees and that glass there  
21 should enable enough light to then let those  
22 residents have natural light in the evening.

23 I have one more view which we then studied,  
24 and this view was to address the camera angle that  
25 was taken from and was provided previously at 12

## Board of Trustees - 7/8/24

1 Hilltop Drive. I'm going to do this side by side.

2 So this is revised Exhibit 11C. You'll see  
3 we have both 12 and 14 Hilltop Drive. Hilltop  
4 Drive -- 12 Hilltop Drive we showed you in  
5 Exhibit 12, which was this, it was revised, and it  
6 looks directly out that house.

7 Exhibit 15, I believe, does the same on the  
8 first floor at elevation 101.06 looking directly at  
9 the building. We've added a new view that -- this is  
10 Exhibit 15, which we felt best represented the photo  
11 that was submitted from 12 Hilltop Drive in 2001.  
12 That photo, we believe, was taken from an angle if  
13 their house was oriented in such a way where it's  
14 viewed directly away from our building. You have to  
15 approach the window and turn about 45 degrees at  
16 least to then look obscurely out the window, and only  
17 in that case would you be able to see the further  
18 length of the building.

19 Exhibit A shows, again, if all those trees  
20 on Cook Drive were to come down, you would see the  
21 edge of our proposed balcony, you'd see the top of  
22 the third story to the top of the fourth story and  
23 beyond, which perceptively is still lower than the  
24 mass of the fourth story that's there, the fifth  
25 story and its proportion.

## Board of Trustees - 7/8/24

1 Exhibit B shows, again, the deciduous  
2 screening in the winter months, approximately  
3 November to April. That further obscures the view of  
4 this balcony. You still have a little bit of  
5 greenery that fills the gaps of the proposed units  
6 that are there, and in summer, late spring, summer  
7 and early fall it's essentially invisible.

8 The important thing to consider here, too,  
9 I've taken a few -- it's hard to -- when we send in  
10 our architectural drawings, to just put dimensions  
11 everywhere, it starts to muddy the clarity of the  
12 drawings. So I've taken some additional measurements  
13 that I just want to call out to the Board and to the  
14 public just for reference as it has come up before.

15 On the sight plan in sheet A-001, we took a  
16 measure from the closest point of 12 Hilltop Drive to  
17 the furthest point of our proposed building. That's  
18 270.3 feet, which is from the southeast corner of  
19 Hilltop Drive to the main leg of the building, which  
20 I'm describing as the main north/south part of the  
21 sight plan.

22 The full length of -- I'll call it the  
23 frontage. Frontage is usually taken, obviously, from  
24 the street view as you look at the width of the full  
25 building. If you took that on the rear side, the

## Board of Trustees - 7/8/24

1 full length of our building is 340 feet.  
2 Seventy feet of that, which is about 20 percent,  
3 20.6 percent, is what's closest to the rear property  
4 line. That meets the minimum setback distance. So  
5 we didn't design a building that was 20 feet to the  
6 full length of the property that we have. We  
7 purposely and sensitively designed this building so  
8 that the most perceivable and most encumberment part  
9 of our building that would be closest to Hilltop  
10 Drive is only 20 percent of the full property, the  
11 full length of the building that is there, and still  
12 in its fifth story is 270 feet away like you can see  
13 here on Exhibit A, 15A.

14 DEP. MAYOR FARKAS: So looking at  
15 Exhibit 15, the only thing that's going to be visible  
16 from 12 Hilltop is the fifth floor, the top floor?

17 MR. SOFIA: The fourth floor. And its  
18 distance, if you were to walk up to a window in  
19 Exhibit 15 and you turn to look at an oblique angle,  
20 you would see the fifth story 270 feet away.  
21 Perceivably it's still lower than what you would see  
22 at the top of the fourth story that's here.

23 TRUSTEE HERSHENHORN: What do you see now?

24 MR. SOFIA: What you see now --

25 TRUSTEE HERSHENHORN: With the building

## Board of Trustees - 7/8/24

1 that's there currently.

2 MR. SOFIA: The building in its current form  
3 is what was submitted by the neighbor that was there,  
4 which is the photograph from 2001, which actually --

5 TRUSTEE HERSHENHORN: Do you see a  
6 difference between the two?

7 MR. SOFIA: When I looked back at that  
8 photo, I think Mr. Farkas you had asked would you see  
9 more or less of that building that was there. In  
10 that photo you see three stories of that existing  
11 building that's there. You see the main, the first  
12 floor first, a little bit of the second floor, and  
13 then the basement with those trees, and as they've  
14 grown in, now you're only seeing one story above  
15 these trees. So you're actually seeing less than  
16 what you're seeing in that photo now.

17 Again, to reiterate, I also measured -- I'm  
18 going to flip back to sheet A-002, the schematic  
19 sight section. The height to the top of the fourth  
20 floor, that's here. So, again, where you measure  
21 height and what we've been referring to consistently  
22 as the point which you measure the height of the  
23 building from the finished mean ground level at that  
24 85.3 feet to the top of the fourth story, which is  
25 beyond the top of the balcony, is less than the



## Board of Trustees - 7/8/24

1 55 feet that would be required by the code, 53.9 feet  
2 height from the finished mean ground level to the top  
3 of the fourth story. That's what's visible, most  
4 visible, to 12 Hilltop Drive.

5 Again, the fifth story in that small area in  
6 the percentage of the full footprint which we're  
7 asking for that relief is 270 feet away and is still  
8 perceivably lower, as you can see here in Exhibit  
9 15A, than the top of the fourth story that's there.

10 MAYOR WARNER: Any more questions?

11 TRUSTEE HERSHENHORN: Not unless Mason has  
12 more.

13 MAYOR WARNER: Do you have any more  
14 questions?

15 MR. BLOOM: Do I have more questions?

16 MAYOR WARNER: No, behind you.

17 MS. GOLDBERG: Yes. We do have a couple of  
18 questions.

19 AUDIENCE MEMBER: I have a question.

20 MAYOR WARNER: One second.

21 MS. GOLDBERG: Susan Goldberg of BFJ  
22 Planning.

23 One of our questions --

24 MS. ELIAS: From where?

25 MS. GOLDBERG: BFJ Planning.

Board of Trustees - 7/8/24

1 One of the questions that we have --

2 MAYOR WARNER: One second. That's our urban  
3 planner consultant and is consulting on this project.

4 MS. ELIAS: So you are employed by who?

5 MS. GOLDBERG: I'm employed by BFJ Planning,  
6 urban planning.

7 TRUSTEE HERSHENHORN: It's the village's  
8 consultant.

9 MS. ELIAS: The village's consultant. Okay.  
10 Good.

11 MS. GOLDBERG: One question we had, so you  
12 had mentioned the fourth floor being set back an  
13 additional two feet?

14 MR. SOFIA: Eight feet.

15 MS. GOLDBERG: In the memo I believe it said  
16 two feet. The cover letter for the memo said a  
17 setback of two feet, and the planter was projected to  
18 be two to three feet and set back. So we wanted to  
19 determine if there would be an overhang of the  
20 planter hanging off the building further back. So  
21 that might need to be revised from the memo. It did  
22 say two feet in the cover letter. That was one of  
23 the --

24 MR. SOFIA: The memo may have made a  
25 mistake. The final that was submitted and reflected

## Board of Trustees - 7/8/24

1 here is a total of eight feet.

2 MS. GOLDBERG: Okay.

3 MR. SOFIA: The two to three feet of planter  
4 is correct and then the original five feet to the  
5 balcony.

6 MS. GOLDBERG: Okay. We'll have to take  
7 another look at that, but we suggest there be a  
8 revision of the memo for clarity.

9 The one other question -- the one other  
10 question that we had regarding the parking, which  
11 hasn't come up yet, are you planning on going into  
12 the parking lot at a different time or can we ask our  
13 question?

14 MR. BLOOM: I didn't think that there was a  
15 question that was still open with respect to parking.  
16 We provided truck movements at the last submission.  
17 We provided appropriate spacing and stall size. So  
18 if there's another question with respect to the  
19 parking, we'll be happy to respond to it, but it was  
20 our feeling we had already addressed all those  
21 issues.

22 MS. GOLDBERG: One suggestion that came up  
23 that we thought, for clarity, if you were to, in the  
24 parking lot, in the exterior parking lot, we had  
25 noted in figure, I believe it was Exhibit 14, that

## Board of Trustees - 7/8/24

1 there is a symbol for where deliveries and UPS or Fed  
2 Ex or whatever it may be, where they would park. We  
3 suggest demarking a loading zone to ensure that  
4 there's adequate parking there rather than in front  
5 of the lobby, which would potentially block the  
6 handicapped spots and impact circulation. We did  
7 suggest creating some sort of signage for that mail  
8 and package delivery area.

9 MR. BLOOM: That was mentioned at the last  
10 meeting and shame on us for not putting the sign in.  
11 It will be there in the next draft.

12 MAYOR WARNER: Good job, Suzanne.

13 MS. GOLDBERG: And I think in terms of the  
14 evergreen screening, it was our feeling that, we  
15 obviously defer to the Board, but that there is a  
16 substantial response in terms of the additional  
17 planters that were added and evergreen screening.

18 That's all from us.

19 MAYOR WARNER: Thanks, Suzanne.

20 Sir, you had a question?

21 MR. SCHWAB: Yeah, I did.

22 MAYOR WARNER: Identify yourself and your  
23 address.

24 MR. SCHWAB: Herb Schwab, 160 Middle Neck  
25 Road in Great Neck.

## Board of Trustees - 7/8/24

1 I know that there's a proposed road on the  
2 plans that runs behind that building. Underneath  
3 that road -- underneath that area is the main storm  
4 sewer line that runs all the way across that  
5 property. What provisions are there for maintenance  
6 of that storm sewer line by Nassau County, and there  
7 is flooding that occurs back there, as well. How far  
8 is the end of the building, the back of the building,  
9 to where that proposed road was?

10 MAYOR WARNER: Okay.

11 MR. SCHWAB: Do you know the answer?

12 MAYOR WARNER: I started by saying that  
13 we're not answering questions.

14 MR. SCHWAB: Okay.

15 MAYOR WARNER: We're taking your questions  
16 and your comments, we're going to take that, and  
17 we'll get answers to those questions. That's part of  
18 the public hearing, to find out all issues that might  
19 be a problem for this project. So that's -- we're  
20 listening, the applicant is listening, there will be  
21 an answer. Thank you.

22 TRUSTEE HERSHENHORN: Billy, I have a  
23 question for the consultant. Do you know the answer  
24 to that, Mason?

25 MR. KELLY: Again, Andrew Kelly, VHB

## Board of Trustees - 7/8/24

1 Engineering, site civil landscape architects on the  
2 project.

3 The Cook Drive road that's being mentioned  
4 is the existing paper street on the west side of our  
5 parcel. Through that Cook Drive in the center is an  
6 existing ten-foot-wide sewer easement for the Great  
7 Neck Water Pollution Control District, which is the  
8 sewer agency for the parcel. That ten-foot easement  
9 is proposed to remain. We're not impacting that  
10 easement at all, and all of our proposed development  
11 is on our parcel and not off Cook Drive. So there  
12 should be no impact to the sewer main.

13 In terms of dimensions, Mason, I don't know  
14 if you have a rough dimension on that from the  
15 property line to the building or not.

16 MR. SOFIA: The minimum setback required is  
17 20 feet. That would be its closest point, which is  
18 still up at, we'll say, the grade level of the  
19 existing property before the ravine.

20 MAYOR WARNER: So you had a follow-up  
21 question to that?

22 MR. SCHWAB: I did.

23 What you're referring to is the Great Neck  
24 Sewer District. What we're talking about is the  
25 Nassau County waste line -- or it's not a waste line,

## Board of Trustees - 7/8/24

1 it's a water line where all the sewers along Middle  
2 Neck Road go through that, through that pipe behind  
3 Hilltop, and they run into a siphon on the other side  
4 which pumps into Little Neck Bay.

5 So did you take that into account or you're  
6 not aware of it?

7 MR. KELLY: No. The existing ten-foot sewer  
8 easement that's in Cook Drive, which is east of  
9 Hilltop, west of our parcel, is the Great Neck Water  
10 Pollution Control --

11 MR. SCHWAB: This is different. This is not  
12 the Great Neck Water Control District.

13 DEP. MAYOR FARKAS: Are you talking about --

14 MR. SCHWAB: This is not the Sewer District.

15 DEP. MAYOR FARKAS: Excuse me.

16 MR. SCHWAB: This is Nassau County.

17 DEP. MAYOR FARKAS: Are you talking about  
18 stormwater?

19 MR. SCHWAB: Stormwater runs all -- that  
20 drains all the water off of Middle Neck Road.

21 MR. KELLY: So in terms of drainage, if  
22 you're referring to drainage, our site drainage will  
23 be contained on site.

24 MR. SCHWAB: No. The question is how does  
25 Nassau County maintain that pipe, that pipeline,

## Board of Trustees - 7/8/24

1 which runs between Linden Boulevard all the way over  
2 to the other side behind the school?

3 MR. KELLY: So we will confirm the drainage  
4 easement that you were referring, but to our  
5 knowledge and the records, sir, that we have only  
6 shows that there's a sewer easement back there.

7 MR. SCHWAB: No. There is another one.

8 MR. KELLY: We'll look into that.

9 MR. SCHWAB: My understanding is it runs  
10 along the road, which is on the Great Neck Estates  
11 map.

12 MAYOR WARNER: We will have to look into it  
13 because obviously there's, you know, disparity  
14 between what they understand and what you understand.

15 TRUSTEE HERSHENHORN: Thank you for bringing  
16 it up.

17 MR. SCHWAB: This is what was told to us by  
18 Nassau County.

19 TRUSTEE HERSHENHORN: We'll look into it.

20 MAYOR WARNER: Okay.

21 MR. KELLY: And during our whole process,  
22 obviously we are already reaching out to the Great  
23 Neck Sewer District. We're going to be going through  
24 a full 239-f review process which looks at drainage  
25 and sewers, as well. So that will all be addressed



## Board of Trustees - 7/8/24

1 through that process, but we'll look further into the  
2 particulars on the drainage item that you're  
3 discussing.

4 MAYOR WARNER: Miss Becker?

5 MS. BECKER: Thank you. Karen Becker, 20  
6 Deepdale Drive.

7 I have three points I want to make.

8 MAYOR WARNER: Three?

9 MS. BECKER: Yes.

10 MAYOR WARNER: I'll hold to you three.

11 MS. BECKER: Okay. The first is that,  
12 regarding the school taxes, as I mentioned at a  
13 previous meeting, I believe that the impact on the  
14 schools is being undercounted because the study  
15 discussed the number of school-age children that  
16 would be living in the building, but as was discussed  
17 in previous meetings, the intent of the development  
18 is that empty-nesters will leave their one-family  
19 homes on the peninsula and move into the apartments  
20 creating inventory of housing for families with  
21 school-age children to live in. So the impact on the  
22 schools is not only going to be based on the number  
23 of kids -- families with school-age children living  
24 in the building but based on a total number of  
25 increase of children in the district. So I don't

## Board of Trustees - 7/8/24

1 know if the analysis that says that more money will  
2 be paid in taxes than children in the district --  
3 increase on children in the district is accurate.  
4 That's first.

5 MAYOR WARNER: Okay.

6 MS. BECKER: My second is at the last  
7 meeting I asked what would be done to address the  
8 increase in traffic, and I didn't hear an answer.  
9 Right over here on Cedar where it goes from two lanes  
10 into one lane as you're driving south on Middle Neck  
11 Road, the traffic backup there is insane every single  
12 morning.

13 MS. ELIAS: Because of La Pizzeria.

14 MS. BECKER: No. In the morning before the  
15 pizzeria opens, all day.

16 I had to take my daughter to the ER a few  
17 weeks ago. It took me 40 minutes to get there. It  
18 took me over 20 minutes just to drive up to the  
19 highway. That one lane section of Lakeville Road is  
20 not going to get any wider, and more people living on  
21 the peninsula is going to make that even worse.

22 And my third point is that we already have  
23 The Rose, which is open and people haven't moved in,  
24 and The Playhouse, which is under construction, and  
25 there is a gap between theory and practice, and my

## Board of Trustees - 7/8/24

1 suggestion would be to let The Rose fill up with  
2 people and let The Playhouse finish construction and  
3 fill up with people and see how those work out in  
4 practice before we approve any further apartment  
5 buildings.

6 MAYOR WARNER: Thank you.

7 Mr. Roth?

8 MR. ROTH: Okay. A few things. Steven  
9 Roth, 12 Hilltop Drive.

10 Two minor things. What's your name?

11 MR. SOFIA: Mason.

12 MR. ROTH: Mason?

13 MR. SOFIA: Mason.

14 MR. ROTH: He said that the picture, it's a  
15 minor point, the 2001 picture from 12 Hilltop of the  
16 building taken in April of 2001 was taken on an  
17 angle. I happen to know the person who took that  
18 picture. It was me. It was not taken on an angle.

19 TRUSTEE HERSHENHORN: How well do you know  
20 him?

21 MR. ROTH: Intimately.

22 It was taken straight out the bay window on  
23 our second floor, which is the second floor above the  
24 basement.

25 Second minor point, can we put Exhibit 12

## Board of Trustees - 7/8/24

1 back up?

2 All these exhibits, including this exhibit  
3 he's taking down, 15, the trees are already at -- no,  
4 I want Exhibit 12 that's not revised.

5 So this Exhibit 12 revised, the trees are  
6 30 feet. So this is the interesting picture. The  
7 original Exhibit 12, here is the height of the trees.  
8 When they're going in they're at 14 to 16 feet. Here  
9 they are, the height of the trees, at 28 feet. Right  
10 here are the height of the trees at 30 feet. The  
11 difference in the height of the trees between this  
12 and this, two feet, yet in here you can see three  
13 stories, in here you can see one story. Somehow  
14 miraculously when these trees grew two feet they  
15 covered two more stories.

16 TRUSTEE SHEMESH: Mason, could you clarify  
17 that?

18 MR. ROTH: So here again, these trees are  
19 28 feet and you can count three stories, one, two,  
20 three. Here the trees are 30 feet, two feet higher,  
21 and you can only see the top story.

22 So my point is somehow when these trees grew  
23 two more feet it covered these two stories. That's  
24 not plausible. I'm sorry. That's not plausible to  
25 anybody who is reasonable, let alone an expert. So

## Board of Trustees - 7/8/24

1 if these are not plausible, I don't know how the rest  
2 of these renditions are, frankly.

3 All right. Now I want to get into really  
4 what I wanted to talk about tonight is that the  
5 height of the building cannot be any higher than  
6 55 feet, that's the code, even though in their  
7 drawings the height of the building above the average  
8 grade is 63 feet. I know it's 62.11, but I'm  
9 rounding up an inch to 63 feet. Who is counting  
10 inches these days? But from the back it's 69 feet.  
11 So it's eight feet too high above 55 average, and  
12 it's 13 feet too high from the -- from our view in  
13 the rear.

14 Now, Mr. Bloom made an interesting comment  
15 last time, I believe, and I've been thinking about  
16 it. It kind of was the Board has discretion to  
17 exceed the code. So I looked -- and he even cited a  
18 provision. I wanted to look into that. Here's what  
19 I think he was quoting from. It's in the Incentive  
20 Zoning Provision Section 130-13, whatever it is,  
21 Section F, Paragraph 6, and it says, "when granting  
22 or amending any permit, the Board of Trustees shall  
23 have authority and sole discretion to grant minor  
24 waivers, minor waivers, and other relief from the  
25 restrictions of this section where the circumstances

## Board of Trustees - 7/8/24

1 of a particular property are such to create  
2 unreasonable hardship, I want to emphasize  
3 unreasonable hardship, in the development of the  
4 property.

5 Minor waivers and unreasonable hardship are  
6 not defined, obviously, but it doesn't mean, in my  
7 opinion, that the owner should be granted a permit to  
8 exceed the maximum height by eight feet or by 13 in  
9 the rear so as to maximize their profits; in other  
10 words, so they can build another floor. Eight to  
11 13 feet in height is not a minor waiver. An  
12 inability to realize maximum profit is not an  
13 unreasonable hardship. If it were, as I said last  
14 time, so let them build ten stories. Make even more  
15 money.

16 I also want to be a little more specific, to  
17 put a finer point on this, the proposed building is  
18 about 155,000 square feet, and I'm subtracting the  
19 2,000 that they just eliminated with the planters, so  
20 it's about 155,000 give or take. It includes 70  
21 apartments at \$300 per square foot, and I'm actually  
22 basing the number loosely on what The Rose  
23 construction was, maybe a little higher, for  
24 construction costs. That's about \$45 million in  
25 construction costs. That's \$300 times 155,000 square

Board of Trustees - 7/8/24

1 feet, \$45 million.

2 Also, at an average of one-and-a-half  
3 million, and I'm guessing here, sales price per  
4 apartment, the revenue for the 70 apartments would be  
5 105 million. So subtracting the construction cost  
6 and the sales cost of five percent, there's still a  
7 profit of over \$50 million to the owners by these  
8 calculations. Now, I calculate also that eliminating  
9 the fourth floor, and if you eliminate the fourth  
10 they're within code, their profit will be \$10 million  
11 less.

12 The standard for granting minor waivers,  
13 again, is to avoid an unreasonable hardship, and when  
14 they're already making \$50 million, it's not an  
15 unreasonable hardship for them to make \$10 million  
16 less, because I can tell you that the extra floor and  
17 additional 13 feet in height is not a minor  
18 difference for us on Hilltop Drive. To the contrary,  
19 while the owners are maximizing profits, it's the  
20 homeowners on Hilltop Drive who will be the ones  
21 experiencing an unreasonable hardship.

22 Thank you.

23 TRUSTEE HERSHENHORN: Mason, can you  
24 address --

25 MAYOR WARNER: The height?

## Board of Trustees - 7/8/24

1 TRUSTEE HERSHENHORN: Yeah, the height that  
2 Mr. Roth mentioned.

3 MR. SOFIA: First of all, I'll start off by  
4 saying that I'm a professional in this industry, only  
5 six years, but I represent a firm that has over 40  
6 years of award-winning architecture. So when we do  
7 our research, we do it diligently and we do it  
8 thoroughly.

9 This isn't magic. I'm not a magician. In  
10 fact, these are pretty pictures. Actually, they're  
11 pretty nice. The difference between this and the old  
12 exhibit, Exhibit 12A, B and C, Mr. Roth is correct.  
13 Exhibit A shows proposed trees at 200 Middle Neck  
14 Road. At 200 Middle Neck Road means on our property  
15 line at 18 feet when they're planted. Approximately  
16 the years that, and VHB can confirm when they grow to  
17 full height, they'd be mature at 28 feet.

18 Exhibit C is not any sort of sorcery here.  
19 It's the existing trees at 12 Hilltop Drive. The  
20 reason why the height magically jumps from three  
21 stories to one story of height that's visible is we  
22 purposely hid those trees just to show you our trees  
23 that are there, because without hiding them in our  
24 model space you couldn't see it, or you'd see through  
25 the gaps of the trees, any gaps that might be there



## Board of Trustees - 7/8/24

1 existing.

2 The reason why the visibility of the top of  
3 the fourth story that's here is visible is because of  
4 perspective. When I come back to sight plan A-001,  
5 the survey data that was provided by 12 Hilltop Drive  
6 shows -- it depicted their existing line of evergreen  
7 trees at 30 feet. That is about halfway between  
8 their house and our proposed building. So there's a  
9 foreshortening perspective that happens when you  
10 bring 30 feet of trees halfway between our proposed  
11 building and their house, and that's the resulting --  
12 this is the resulting image of -- sorry -- the  
13 resulting view of an imaginary window at 12 Hilltop  
14 Drive.

15 DEP. MAYOR FARKAS: Can you go back to  
16 Exhibit 15 for a second?

17 TRUSTEE HERSHENHORN: Jeff, before you do  
18 that, I'm trying to understand your explanation. I'm  
19 not sure I understood your explanation. So --

20 MR. SOFIA: Let me go between the two. So  
21 when we plant trees at 200 Middle Neck Road 18 feet  
22 in height and you cut down all the trees at Hilltop  
23 Drive, you cut down the trees in Cook Drive, when  
24 they're planted they would screen the bottom of the  
25 first story, and that has occurred on our site plan,

## Board of Trustees - 7/8/24

1 A-001. You can see there's one, two, three, four,  
2 five, six, seven, eight, nine circles, they're  
3 schematic, the number of trees, give or take, you  
4 know, being proposed by VHB. They call it roughly  
5 eight to ten feet off the building, off our proposed  
6 building. That's what you see here. And then  
7 obviously they grow in the time period up to a full  
8 mature height.

9 when you add in the existing trees, a few of  
10 them, take out the trees on Cook Drive, but you show  
11 the trees that are at Hilltop Drive at their existing  
12 height, but you can see there's an elevation marker  
13 81.71 feet. You go up 30 feet from that grade. This  
14 is -- when they grow up from below the view of the  
15 window on Exhibit C, up 30 feet to where it says  
16 upper portion of the third story, that's when you  
17 would start to see -- that's what you would start to  
18 see through the tops of those trees.

19 TRUSTEE HERSHENHORN: What year are we in?

20 MR. SOFIA: This is today.

21 TRUSTEE HERSHENHORN: Go ahead.

22 MR. SOFIA: This is today, this view.

23 Exhibit 12C, which is the old version, this is the  
24 view today if you cut down the trees along Cook  
25 Drive.

## Board of Trustees - 7/8/24

1 TRUSTEE SHEMESH: Those are the residents'  
2 own trees?

3 MR. SOFIA: Yes, and they're grown today.  
4 That was provided from their survey data.

5 A better view, this is Exhibit 11C revised  
6 again. Again, this is looking straight out. I'm  
7 pointing to a little tag that says 12 Hilltop Drive.  
8 So a person standing at elevation 97.42 feet, that's  
9 their feet on the ground, up six feet, they look  
10 straight out, this is their evergreen trees, it's  
11 right in -- right below Exhibit 12. That's from  
12 elevation, I said, 81 point whatever before up  
13 30 feet. The translation of that is Exhibit 12C,  
14 again, without any of the deciduous vegetation that's  
15 there.

16 If you fast-forward to our new design, which  
17 is the revised, I would point you to Exhibit 12D,  
18 again, the revised, this is the most accurate  
19 representation that we can put together of a view out  
20 of the window straight out the back of the house  
21 closest to our property, which is the southeast  
22 corner of 12 Hilltop Drive. You can see there's a  
23 little -- there's an elevation mark 85.4 feet. It's  
24 the bottom right corner -- bottom left corner on the  
25 sight plan A-001.

Board of Trustees - 7/8/24

1 Did I clarify?

2 MAYOR WARNER: Ma'am, you have a question in  
3 the back?

4 DEP. MAYOR FARKAS: I have a question.

5 MAYOR WARNER: One second. One second.

6 DEP. MAYOR FARKAS: Go back to Exhibit 15.

7 TRUSTEE HERSHENHORN: You have it over there  
8 in the corner.

9 DEP. MAYOR FARKAS: Isn't this Exhibit 15  
10 over here? Can you put this one up?

11 MR. SOFIA: Exhibit 15 is what we perceive  
12 to be -- mimics the best view without -- the reason  
13 why we're showing walls and, like, an encapsulated  
14 space is to show that we're showing someone looking  
15 out a window versus being right up pressed against  
16 the glass.

17 DEP. MAYOR FARKAS: I understand. So where  
18 it says Exhibit 15 on 11C, if the building was one  
19 floor lower, one story lower, what would they see  
20 looking at 11C?

21 MR. SOFIA: If it was one story lower, they  
22 would see the top of the third story.

23 DEP. MAYOR FARKAS: But how come it's not on  
24 11C?

25 MR. SOFIA: Maybe I don't understand. So

Board of Trustees - 7/8/24

1 this is Exhibit 11C revised.

2 DEP. MAYOR FARKAS: Exhibit 15. Doesn't  
3 that show -- right where --

4 MR. SOFIA: Exhibit 15 looks from that same  
5 window 45 degrees to the right and then looking  
6 towards the larger part of the building.

7 DEPUTY MAYOR FARKAS: So are you only seeing  
8 the top floor there?

9 MR. SOFIA: The top floor of -- sorry. The  
10 triangular -- the red triangle is to represent, like,  
11 a cone of vision on a flat plane. Really you see in  
12 three dimensions. So I'm not pointing at any floor  
13 in particular on Exhibit 11C, it's just to show you  
14 the angle in which your view is on a flat plane. I'm  
15 not necessarily representing that you're looking at  
16 the top corner of the fourth floor here or the --

17 DEP. MAYOR FARKAS: The way I see that is  
18 that if you're at 12 and you're looking at the  
19 building, you're seeing everything above that  
20 triangle. Is that incorrect the way I'm looking at  
21 it?

22 MR. SOFIA: I believe so. This isn't  
23 necessarily to show the height of this. It's just to  
24 show where your view is in relation to the building,  
25 left to right, not up or down in height, if that

## Board of Trustees - 7/8/24

1 makes sense. I'll put up the site plan.

2 MR. BLOOM: Jeff, the answer is yes. What  
3 he's showing is the degree of scope of the view, but  
4 everything above that is capable of being seen. It's  
5 not just that one point.

6 DEP. MAYOR FARKAS: I understand, but he's  
7 only -- you're only seeing one floor, the top floor  
8 in that view, and if it was reduced, just  
9 hypothetically, if the building was reduced by one  
10 story, what would he see?

11 MR. SOFIA: The result of what you would see  
12 is --

13 MR. BLOOM: At what time of year do you want  
14 to know?

15 DEPUTY MAYOR FARKAS: Well, I'm looking at  
16 the top here, whatever that exhibit is, and I'm only  
17 seeing one story.

18 MR. SOFIA: If you chop off -- if you take  
19 out the trees on Cook Drive --

20 DEP. MAYOR FARKAS: No. No. I'm just --

21 MR. SOFIA: You would not see the fourth  
22 floor. You would see the top of the third story  
23 that's there.

24 DEP. MAYOR FARKAS: Okay.

25 MR. SOFIA: And to clarify just again, this

## Board of Trustees - 7/8/24

1 exhibit, 11C, is really a translation of what we  
2 would show more regularly. It's on a flat site plan  
3 like this where you have a cone of a person standing  
4 in the southeast corner of 12 Hilltop Drive and  
5 fanning out left and right where they're looking at.  
6 So the majority of the focus is to show -- the  
7 translation of these models, these images, is this  
8 from a helicopter, but someone is oriented towards  
9 the right.

10 MR. BLOOM: Jeff, what you will be seeing in  
11 that vertical three-picture exhibit is two and three,  
12 not one. One is if the village goes in and denuders  
13 all of Cook Drive. That's what you would see. Two  
14 and three are what you see twelve months a year, six  
15 and six. That's what is seen out the window. Not  
16 one, not the top one.

17 MR. SOFIA: The reason why we also show this  
18 view, too, is, like I mentioned before, the fifth  
19 story, which is the area where we're asking for the  
20 relief in height, is the main -- along the main leg  
21 of the building. If we were to eliminate those units  
22 on the fifth floor, you would still see this area  
23 dashed in in white on Exhibit 15A, the top of the  
24 fourth story. That would be as of right.

25 MR. BLOOM: Which would be under 55 feet in

## Board of Trustees - 7/8/24

1 height from mean grade.

2 MR. SOFIA: We did that intentionally. We  
3 didn't bring out that fifth story right to the edge  
4 of that minimum setback point because we knew -- when  
5 we started in the sight sections we saw what the  
6 perspective would be, as you can see here in  
7 Exhibit 15A. The natural screening and the  
8 architecture of the building keeps you from seeing  
9 that fifth story.

10 MAYOR WARNER: Mrs. Merwin, do you have a  
11 question?

12 MS. MERWIN: Alice Merwin, 21 Elm Street.

13 I must say, not to be disrespectful, but I'm  
14 tired of hearing about trees when there are so many  
15 important things to be said.

16 One question I have is, I don't know whether  
17 there are studies that are geographic, but the fact  
18 is that the building next door to this building has  
19 40 units and three stories. That building remains  
20 almost empty.

21 Now, I want to know what makes anybody --  
22 you know, what makes this new developer believe that  
23 this double amount, 70 units, with five stories, is  
24 going to be of any benefit to our community?

25 MAYOR WARNER: Thank you.



Board of Trustees - 7/8/24

1 Ma'am?

2 MS. BLUM: Nora Blum, Great Neck.

3 I want to know if the evergreen trees --

4 MAYOR WARNER: What was your name?

5 MS. BLUM: Blum, B-L-U-M.

6 MAYOR WARNER: What's your address?

7 MS. BLUM: Barstow Road.

8 MAYOR WARNER: Barstow Road.

9 MS. BLUM: I want to know if the evergreen  
10 trees are going to sit in traffic. That's my  
11 question.

12 MAYOR WARNER: Norman?

13 MR. RUTTA: Norman Rutta, 9 Hickory Drive.

14 This is a classic discussion of you can't  
15 see the forest for the trees. We can spend at least  
16 five minutes or more talking about the trees when  
17 we're really focused on the building. The fact that  
18 you can hide this big blocky building with trees is  
19 really not the point, and I don't know what was said  
20 before I came in, so I apologize if there's anything  
21 that I might say that's been said before.

22 I think the issue is, for me, the quality of  
23 life in Great Neck Estates. The incremental traffic,  
24 parking, they could present all the studies they  
25 want. We know the traffic is already bad and getting

## Board of Trustees - 7/8/24

1 worse and this doesn't help.

2 I think for our little village of Great Neck  
3 Estates, this fundamentally changes the character  
4 because you're adding -- you have here shareholders  
5 in our corporation, in our thing. Each house, one  
6 vote. You're adding 70 votes in the next election  
7 that can determine the future of the village. So  
8 you're about to admit a group, and I'm sure they're  
9 wonderful people, I'm sure many of them may be some  
10 of us, maybe not, but you're essentially diluting our  
11 voting power on our quality of life with 70 apartment  
12 owners, and this is permanent because once you go  
13 over that you already have another 40 next door in  
14 the building right next to it, and you have -- I'm  
15 not sure what the other development is behind Mill  
16 Brook. I'm not sure which one of those are in the  
17 village. I think we just gave them the access.

18 I think this is a serious issue because  
19 you're diluting our say in all the future, and I  
20 think you have to fundamentally step back and say,  
21 look, we're a community of houses. We're not a  
22 community of apartment buildings. We haven't been,  
23 and you've already allowed one.

24 AUDIENCE MEMBER: Two.

25 MR. RUTTA: This is a major change, and it's

## Board of Trustees - 7/8/24

1 not merely the building, it's not merely the  
2 sightlines, all of which speak for themselves that  
3 they're blocky and out of character, it's the fact  
4 that you're going to have a whole voting block that  
5 is going to outvote all the homeowners that really  
6 have the equity in the village. That's my point.

7 MAYOR WARNER: Thank you.

8 Miss Elias?

9 MS. ELIAS: Hi, everybody.

10 MAYOR WARNER: Your name and your address.

11 MS. ELIAS: My name is Sarit Elias from 26  
12 Clover Drive.

13 I'm just pointing out that if you weren't  
14 answering any questions before, why were you  
15 answering issues about the trees? If you're not  
16 answering questions about, like --

17 MAYOR WARNER: We ask questions. We don't  
18 answer them.

19 MS. ELIAS: No. You sat there explaining  
20 about the trees for, like, a really long time, which  
21 people had other questions and you weren't answering.  
22 You said we're not answering questions tonight, but  
23 you're answering questions about trees.

24 MAYOR WARNER: What do you have, Ms. Elias?

25 MS. ELIAS: My point is that you're

## Board of Trustees - 7/8/24

1 answering the questions that you want to answer.

2 MAYOR WARNER: We haven't answered any  
3 questions.

4 MS. ELIAS: The undue hardship -- you  
5 answered the tree question. There's a lot of  
6 hardship. There's a hardship of traffic, a lot of  
7 traffic in the neighborhood.

8 I'm really upset to hear about that you had  
9 to go to the doctor and it took you so long. I know  
10 that during the weekend there's issues with La  
11 Pizzeria. I mentioned it many times. In the morning  
12 you can't get out. You want to drive your husband to  
13 the train. It takes maybe twelve minutes. It's  
14 like -- even more. It's not -- this is not going to  
15 help the situation, this traffic situation. We're a  
16 village of houses. This is a small village. It's  
17 not going to work.

18 And when Mr. Bloom says he'll answer you  
19 later on and he'll get back to you, who is going to  
20 follow up when he gets back to you? who here is  
21 following up when he says that? I mean, you could  
22 always say I'll get back to you. That's not an  
23 answer, to say I'll get back to you.

24 You know, there's six to fourteen students?  
25 Is that really true?

## Board of Trustees - 7/8/24

1 AUDIENCE MEMBER: No.

2 MS. ELIAS: Okay. I heard that -- I heard  
3 that parking was reduced in the building, that  
4 originally they were supposed to have more parking  
5 and then they cut down on some parking. Does anybody  
6 know if that's true? They originally applied for a  
7 certain amount of parking and now they have less  
8 parking?

9 I also heard that some of the commercial --  
10 the commercial properties there that have commercial,  
11 like, the storefronts, they're leaving; is that  
12 correct?

13 AUDIENCE MEMBER: well, they have to leave.

14 MS. ELIAS: So they have to leave. So when  
15 commercial property leaves, that makes our taxes  
16 higher. We need more commercial properties, not  
17 residential properties. Lake Success has really good  
18 taxes because they have a lot of commercial  
19 properties.

20 MAYOR WARNER: You're talking this way.

21 MS. ELIAS: I'm talking to everybody.

22 MAYOR WARNER: Talk to the Board. We're the  
23 ones voting. Don't you want to talk to us?

24 MS. ELIAS: So I think that's something that  
25 we all need to think about, that we need commercial

## Board of Trustees - 7/8/24

1 properties. I don't know how this even flew by.

2 And the whole thing with the sewer that  
3 you're going to check on, who is following up on  
4 this? Like --

5 TRUSTEE HERSHENHORN: That's an easy answer.

6 MS. ELIAS: -- who is going to be checking  
7 up on that?

8 TRUSTEE HERSHENHORN: That's an easy -- hold  
9 on. Hold on. Just so you know, that's an easy  
10 answer.

11 For people that are here that have been to  
12 every one of these hearings, and this is the fourth  
13 one, if I'm not incorrect, for people that are here,  
14 they know that we have been following up on every one  
15 of these concerns. That's why we've kept it open.  
16 And there have been -- you haven't been here for all  
17 four, I don't believe, but if you have you'll see we  
18 take it very seriously.

19 There's a court reporter here. She's typing  
20 it all up. There's an attorney. He happens to be on  
21 the phone. And then you have trustees. So we are  
22 following up. We're not just letting people say  
23 we'll catch you later. I'm sure the homeowners will  
24 agree we've been following up on every one of these  
25 issues.

## Board of Trustees - 7/8/24

1 MS. ELIAS: Didn't you say that something  
2 you mentioned wasn't --

3 MS. BECKER: At the last meeting I said what  
4 are you going to do about the increase in traffic,  
5 and you said we're not -- they said we don't answer  
6 questions.

7 MAYOR WARNER: Are you finished, Ms. Elias?

8 MS. ELIAS: I'm finished. But I'm just  
9 giving you the example that they said they don't  
10 answer questions.

11 MAYOR WARNER: This is not a good example.  
12 Yes, sir.

13 MR. AXELROD: Harold Axelrod --

14 MS. ELIAS: They don't want to hear it.

15 MAYOR WARNER: We're hearing everything.  
16 We're hearing everything. It all goes to the  
17 equation.

18 TRUSTEE HERSHENHORN: By the way, just so  
19 you know, when we say we're not answering the  
20 questions, it's because that's the attorney who has  
21 told us that's the process. It's not as though we  
22 can break that process.

23 MS. ELIAS: What about the tree question?

24 TRUSTEE HERSHENHORN: We're trying -- just  
25 listen.

## Board of Trustees - 7/8/24

1 MAYOR WARNER: Enough with the tree  
2 question.

3 TRUSTEE HERSHENHORN: So we're trying to  
4 abide by the process, and as we hear all of these  
5 issues, we take them up with Mr. Bloom and we try to  
6 follow up on absolutely everything.

7 MAYOR WARNER: Howard, we have our on  
8 consultant that hears everything, writes down  
9 everything. They don't let anything go by. They are  
10 our consultant and they work for us, and they've done  
11 a great job in creating -- helping us create the law  
12 for this, and they're going -- and they're going to  
13 do everything they can -- every question comes up,  
14 they're the ones double-checking whether -- who is  
15 doing what they're doing. So I'm very comfortable  
16 with it.

17 sir?

18 MR. AXELROD: Harold Axelrod, A-X-E-L-R-O-D,  
19 160 Middle Neck Road.

20 As far as the children's questions, we live  
21 in the apartment building right on Middle Neck Road.  
22 We have 59 apartments. We have 19 children -- from  
23 19 to 21 children in the apartment building  
24 currently, and I know they're expecting a couple more  
25 in that building because some people are pregnant.



## Board of Trustees - 7/8/24

1 That's one thing.

2 Number two, did you ever look at the views  
3 from Linden Boulevard and our location? I know you  
4 talk about Hilltop a lot, but how about Linden  
5 Boulevard from the Kenwood facing north? That's  
6 another question that I do have.

7 And also I agree that we don't live in the  
8 five boroughs. This is not why we moved here,  
9 because we have a lot of apartment buildings lining  
10 up along Middle Neck Road. We came here because  
11 there is several buildings that have been here a  
12 long, long time, and mainly houses, which, to me, is  
13 more important. That's why I moved out here from  
14 Queens. So we have that more of a country feeling,  
15 less population, and it makes it a lot homier.

16 And I agree that, again, just off the top  
17 floor of that building and it would be a lot more  
18 meaningful for everybody here. I think we can then  
19 all agree we do need something there because we have  
20 to revive Middle Neck Road, because right now it  
21 looks like it's dead.

22 TRUSTEE HERSHENHORN: Mr. Axelrod, before  
23 you sit down, I just want to hear those numbers  
24 again. How many apartments and how many children?

25 MR. AXELROD: There's 69 apartments and

## Board of Trustees - 7/8/24

1 there's between, I'd say, 19 to 21 children in those  
2 apartments.

3 TRUSTEE HERSHENHORN: Thank you.

4 DEP. MAYOR FARKAS: Just for the record, the  
5 report said there's between six and sixteen children.

6 TRUSTEE HERSHENHORN: That's why I was  
7 asking. That's why I was asking what the facts are.

8 MAYOR WARNER: One second. Let me hear from  
9 the woman in orange. She wanted to speak first.

10 MS. COHAN: Rojean Cohan (phonetic), 4  
11 Crosswood Road, neighbor from Harbor Hills.

12 I'll speak anecdotally. I grew up in Great  
13 Neck. I came back after finishing school. I'm  
14 really happy to be back here. I grew up with cousins  
15 who lived in Great Neck Estates, and I was always  
16 envious that you guys had such an amazing pool that  
17 felt so private. It felt like a real community.

18 And I have a best friend who just bought for  
19 over \$2 million, a home in Great Neck Estates. They  
20 closed a week-and-a-half ago, and I can't imagine a  
21 world where she'd be happy that her two children, her  
22 two-and-a-half-year-old and her one-month-old, would  
23 be happy to have another 70-unit residential building  
24 joining Great Neck Estates, not only for the pool,  
25 because that's a few months and it's seasonal, but

## Board of Trustees - 7/8/24

1 for the school district.

2 I registered my son, three-and-a-half years  
3 old, for Parkville this year, and when I went to  
4 register him, they put me on a wait list, a wait list  
5 for universal pre-K in our district. We don't live  
6 in Alabama where the national average is an indicator  
7 for what our school district should be. That should  
8 not be our standard. We are a north shore school  
9 district on Long Island. We're a north shore school  
10 district, and we deserve the best for our children.

11 You want people to come here and to stay.  
12 You want people to continue to pay two-and-a-half  
13 million dollars for a house that needs a gut  
14 renovation in Great Neck Estates. It will not happen  
15 when there's 70 additional units on top of the 70  
16 that's already gone up.

17 La Pizzeria traffic aside, you guys also  
18 have a police department. How is the police going to  
19 respond to 140 additional units when there's traffic  
20 like that going down Middle Neck Road to get to the  
21 hospital? How is an ambulance service going to  
22 provide for you? If you were having a heart attack,  
23 if you were having a stroke, what are you going to  
24 do? This lady in purple sounded very fortunate that  
25 she was able to get her child to the ER in time.

## Board of Trustees - 7/8/24

1 There will be cases where people will not be this  
2 fortunate.

3 MAYOR WARNER: Thank you.

4 Anybody else? Anybody who hasn't spoken?  
5 Sir?

6 MR. NAFISI: Elliot Nafisi, 17 Ridge Drive.

7 So the tax benefit to the village is  
8 presumably determined based on some expected sales  
9 price. Given the apartments at The Rose are not  
10 selling particularly well at all, my understanding is  
11 four to six units out of 40 are sold, I expect there  
12 would need to be big price drops at The Rose in order  
13 for them to sell those units, which probably means  
14 the comps at this building will be lower, as well,  
15 and that should have an impact on the tax benefit  
16 that will benefit the village when they do go up.

17 So I'd like to understand what is the  
18 expected sales price that's being used to calculate  
19 the tax base that will be added to the village,  
20 because it seems like that's a big benefit that we  
21 think we're going to get by having this building.

22 MAYOR WARNER: Thank you.

23 Sir?

24 MR. SCHWAB: The Kenwood apartment building  
25 over the past couple of years, for every two- or

## Board of Trustees - 7/8/24

1 three-bedroom apartment that has been available for  
2 sale, it has not been an individual or a couple that  
3 are moving in. There are families with children. If  
4 you have 70 apartments there, we believe that there  
5 is a demand for larger apartments for kids to take  
6 advantage of the Great Neck School System, as well as  
7 the religious schools, and the other benefit of that  
8 building, as has been explained to me, is it's  
9 walking distance to all the synagogues in the area.

10 That's all.

11 MAYOR WARNER: Thank you.

12 TRUSTEE HERSHENHORN: Thank you.

13 MAYOR WARNER: Norman?

14 MR. RUTTA: I'll try again on a different  
15 point. I recognize that you are representatives,  
16 number one our neighbors, and walk a fine line in  
17 that you have certain parameters legally of what you  
18 can say, not say, and how you conduct yourselves. I  
19 would just encourage you, using my analogy that we're  
20 shareholders here, that if you decide that you wanted  
21 to take a stand, I know often when you're faced with  
22 an attorney on the other side and architects and one  
23 of the concerns are that they're going to pursue it  
24 legally and outspend you legally, because I think,  
25 generally, you feel constrained that the village does

## Board of Trustees - 7/8/24

1 not want to have lawsuits that they have to spend  
2 money defending. I could be wrong.

3 TRUSTEE HERSHENHORN: You are. You are.

4 MR. RUTTA: Let me continue and choose to be  
5 wrong for a moment.

6 I would just say, as a shareholder, that I  
7 would encourage you to feel free to spend money on  
8 legal fees if you felt that it was in our collective  
9 interests.

10 MAYOR WARNER: Howard likes that.

11 MR. RUTTA: Okay. That was my point.

12 MAYOR WARNER: Thank you.

13 TRUSTEE HERSHENHORN: We're smart and  
14 careful about how we spend everybody's money, and one  
15 of the things that we are smart and careful about is  
16 that's why we have consultants. That's why we  
17 have -- he's not here right now, but we have an  
18 excellent law firm with an excellent lawyer, and  
19 that's not an issue for us. We're smart and careful  
20 about it.

21 MAYOR WARNER: Mrs. Becker.

22 MS. BECKER: Thank you.

23 So I just want to explain what the issue is  
24 with the school-age children. There's a lot of  
25 people that weren't here. We had this discussion, I

## Board of Trustees - 7/8/24

1 think, back in February, and we even have one new  
2 trustee that was not on the Board of Trustees back in  
3 February when we discussed this.

4 The developer said that they did not expect  
5 that this building will contribute to a lot of  
6 children in the district because people with  
7 school-age children do not tend to live in  
8 apartments. Maybe people move in with a baby, and by  
9 the time their children reach school age, they will  
10 move out into a home. And I said why would they move  
11 out into a home if there are no homes in Great Neck  
12 for them to buy? why would they leave the school  
13 district? They would -- many of them probably would  
14 choose to stay in the apartment. And what you said  
15 is that there will be an inventory of homes on the  
16 market because empty-nesters who want to stay on the  
17 peninsula will leave their one-family home and move  
18 into the apartment buildings, making those one-family  
19 homes available for the families with school-age  
20 children to move into.

21 So when we talk about the effect on the  
22 school district, it is not just the 16 to 19 children  
23 who might actually live in the building, it is a  
24 greater proportion of the single-family houses will  
25 have school-age children in them, and we have to --

## Board of Trustees - 7/8/24

1 and that's why I said -- I believe that when you said  
2 the taxes will offset the number of additional  
3 school-age children in the district, I believe that  
4 was based on a miscalculation of the number of  
5 school-age children that will increase in the  
6 district.

7 Again, theory is different than practice.  
8 We can look at this building and we can say apartment  
9 buildings don't tend to have a lot of school-age  
10 children in them, but we have to remember that that  
11 is not the full picture. So I just wanted to  
12 reiterate this was a discussion, I think, maybe in  
13 February that we had.

14 TRUSTEE HERSHENHORN: It was February, yes.  
15 It was February.

16 MAYOR WARNER: Lilia.

17 TRUSTEE SHEMESH: Christiana, when we talked  
18 about the two studies and the Great Neck factor, that  
19 was the calculation for school-age children in  
20 totality or specifically for the Great Neck Public  
21 School District, because we have a lot of private  
22 school kids, as well.

23 MS. KASTALEK: So the two studies that we  
24 looked at were both for public school-age children  
25 specifically, and our analysis of the six to 14



## Board of Trustees - 7/8/24

1 school-age children is specific to public school-age  
2 children. We did not take into account children that  
3 might go to private schools. So we did the impact on  
4 the school district -- the public school district  
5 itself.

6 TRUSTEE SHEMESH: Then I have a question for  
7 Mr. Bloom. What happens if this Board doesn't grant  
8 the 63 feet or the six-story building?

9 MR. BLOOM: I don't know if it gets built.  
10 I don't have a crystal ball. I know that the client  
11 has purchased this building at a significant amount  
12 of money with the anticipation of a development on  
13 the site.

14 I also am aware that the client purchased at  
15 the time that this Board had an incentive zoning  
16 overlay which would have permitted 100 units on this  
17 site, and the initial application that was being  
18 prepared, and might have even been shown informally  
19 to this Board, was for 92 units in this building  
20 based upon the permitted as-of-right for the law that  
21 was in effect at that time.

22 This Board then put everything on hold to  
23 review and reconsider the language of the overlay  
24 program, and we were then put in abeyance, and the  
25 first thing we did was reduce the project down to 74

## Board of Trustees - 7/8/24

1 units, and then we reduced it again to 70 units.  
2 Understand that this building was purchased with the  
3 concept that there would be 96 to 100 units permitted  
4 as of right on this site.

5 So I cannot tell you what the client will  
6 do. It could be anything from leaving the property  
7 as it is today, generating the taxes it generates,  
8 and attempting to try to find tenants for the site  
9 based upon an economy which is different than it was  
10 the pre COVID-19 time, or will they build a two-story  
11 building on the site? I can't tell you what they'll  
12 do.

13 I can tell you that there has been  
14 significant amount of investment in this property,  
15 significant amount of disappointment as a result of  
16 the change in the zoning. That was not anything that  
17 was done deliberately but I think with a good view of  
18 let's take a look at what is available within this  
19 overlay district, and then going through the process  
20 of dividing it into section A and section B, and  
21 properties in section A can be built differently from  
22 B and B differently from A, and the limitations with  
23 respect to size of property, height of structure, et  
24 cetera, have changed significantly from what was in  
25 place when this property was purchased.

## Board of Trustees - 7/8/24

1 I don't have that crystal ball. I can't  
2 give you that answer, and I'm not going to get back  
3 to you on it because I don't think the client can  
4 give an answer for you. We're not here to threaten  
5 and say, oh, well, we'll put a very obnoxious use  
6 there that will be totally in conformity with code.  
7 First of all, I have no idea what that would be.  
8 That's not the line we want to present.

9 We want to build the building we're  
10 presenting now, which we believe is, in fact, within  
11 the scope of what this Board and this village was  
12 looking to have on this particular site, recognizing  
13 what the site is being used right now for and its  
14 underuse within the village. It is not an asset to  
15 the village as it exists today, and so we're trying  
16 to work with the village, and I think we have been  
17 extending ourselves significantly.

18 The client has already made significant  
19 reductions. This wasn't a pipe dream, we're going to  
20 wake up this morning, we're going to buy this  
21 property, we're going to build a hundred units even  
22 though we're only permitted 70. We were permitted  
23 100 and then things changed. That's not a criticism.  
24 We're rolling with the punches, and we think we've  
25 come up with a reasonable presentation and a

## Board of Trustees - 7/8/24

1 reasonable project for the Board.

2 So that's the best way I can answer it.

3 MAYOR WARNER: I'm going to let Mrs. Roth  
4 talk, and then we're going to close but continue the  
5 hearing, because I think we --

6 DEP. MAYOR FARKAS: Adjourn.

7 TRUSTEE HERSHENHORN: Adjourn.

8 MAYOR WARNER: Adjourn, right. Adjourn the  
9 hearing. We'll continue it, because I think we've  
10 been given a lot of food for thought here.

11 TRUSTEE HERSHENHORN: And there's a number  
12 of issues that we need to get more information on to  
13 follow up on.

14 MAYOR WARNER: We're not continuing next  
15 month. Two trustees will not be here. They will be  
16 on vacation, so we will not have this at our next  
17 meeting at all, no discussion. I want this done --  
18 we all want this done with all the trustees' input,  
19 hearing everything all of the time, not having to  
20 read Christa's lovely transcripts.

21 So, Mrs. Roth, you have the floor. This is  
22 the last speaker.

23 MS. ROTH: Karen Roth, 12 Hilltop Drive.

24 I just wanted to reiterate something we  
25 discussed last time. The applicant purchased

## Board of Trustees - 7/8/24

1 commercial property. That's what they're entitled to  
2 build there, commercial property, and although it is  
3 an incentive district, they have to be giving some  
4 sort of benefit to the community. I don't think that  
5 most of the people here are seeing that benefit, and  
6 while they have put in time revising their plans,  
7 they're still not entitled to that benefit.

8 MAYOR WARNER: Thank you.

9 So, with that, unless anybody from the Board  
10 has anything, I'm going to adjourn the meeting to  
11 September 9th. The Jets and Niners are playing.

12 So, Tom, are we good to go here?

13 MR. LEVIN: No, you need the time.

14 MAYOR WARNER: So we're going to specify the  
15 date is Monday night, September 9th, at eight  
16 o'clock.

17 I'll make that motion.

18 TRUSTEE GANZFRIED: I'll second.

19 MAYOR WARNER: Ira seconds it.

20 All in favor?

21 (Whereupon, all Board members answered in  
22 the affirmative.)

23 Unanimously carried.

24 MR. BLOOM: Thank you for your attention. I  
25 appreciate it.

Board of Trustees - 7/8/24

MAYOR WARNER: Thank you.

\* C E R T I F I C A T I O N \*

The foregoing is certified to be a true and accurate transcript of my original stenographic notes for the above-mentioned proceedings.



---

Christa Flash, Official Court Reporter

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25