

BOARD OF TRUSTEES

VILLAGE OF GREAT NECK ESTATES

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In the Matter of the Application

of

200 MNR Sun LLC
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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

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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?

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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

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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

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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

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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.

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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

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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.

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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

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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.

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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

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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

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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

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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

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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

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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

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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

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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,

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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

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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

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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.

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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

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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

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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

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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

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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.

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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

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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

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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

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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.

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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

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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

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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.

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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

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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,

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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,

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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

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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

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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

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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

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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

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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

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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

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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?

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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

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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,

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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.

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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.

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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

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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

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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

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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

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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.

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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

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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

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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

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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?

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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

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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.

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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.

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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.

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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

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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

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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.

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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

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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

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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

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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 --

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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

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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

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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.

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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

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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

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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.

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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

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