

Town Board Meeting – March 12, 2024

Item

Page #

<p><u>PUBLIC HEARINGS:</u></p> <p>1. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF MARANATHA ROOFING AND SIDING SUPPLY FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 125 VOICE ROAD, CARLE PLACE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 663, LOT 41.</p>	<p>2</p>
<p>2. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF GOLD COAST MAGIC REALTY LLC (MANHASSET EXPRESS CAR WASH) FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 201 EAST SHORE ROAD, MANHASSET AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 2, BLOCK 210, LOTS 55 & 68.</p>	<p>11</p>
<p>3. A HEARING PURSUANT TO SECTION 28-39.5 OF THE TOWN CODE IN CONNECTION WITH THE BUILDING LOCATED AT 380 NORTHERN BOULEVARD, GREAT NECK, IDENTIFIED ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU AS SECTION 2, BLOCK 85, LOT 14.</p>	<p>17</p>
<p>4. A RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON MARCH 12, 2024, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON PUBLIC PARKING DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN LAW.</p>	<p>37</p>
<p>5. A BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED MARCH 12, 2024, APPROPRIATING \$272,741 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON PUBLIC PARKING DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$272,741 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.</p>	<p>37</p>
<p><u>RESOLUTIONS:</u></p> <p>6. A RESOLUTION RENDERING A DECISION TO DISAPPROVE THE APPLICATION OF HILLSIDE ISLAMIC CENTER FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 300 HILLSIDE AVENUE, NEW HYDE PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 8. BLOCK 3, LOTS 6, 11 & 13, AND</p>	<p>38</p>

Town Board Meeting – March 12, 2024

Item

Page #

TO ADOPT THE FINDINGS OF FACT ANNEXED AS AN EXHIBIT TO THIS RESOLUTION STATING THE REASONS FOR THE BOARD'S DISAPPROVAL.	
---	--

TOWN OF NORTH HEMPSTEAD

TOWN BOARD

PUBLIC HEARING

March 12, 2024 10:00 A.M.

COUNCILMEMBERS PRESENT:

JENNIFER DESENA - Town Supervisor

ROBERT J. TROIANO - District 1 Councilman

EDWARD SCOTT - District 2 Councilman

DENNIS J. WALSH - District 3 Councilman

CHRISTINE LIU - District 4 Councilwoman

DAVID A. ADHAMI - District 5 Councilman

MARIANN DALIMONTE - District 6 Councilwoman

ALSO PRESENT:

RAGINI SRIVASTAVA - Town Clerk

NISHI SEHGAL - Deputy Town Clerk

RICHARD NICOLELLO, ESQ. - Town Attorney

SUPERVISOR DESENA: Good morning, everybody. If you all please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

COUNCILWOMAN DALIMONTE: Before we begin, I would like to just say Happy Birthday to Supervisor DeSena.

SUPERVISOR DESENA: Thank you, everybody. It's the anniversary of 29. Thank you, everybody.

COUNCILWOMAN DALIMONTE: She has the same birthday as my husband, that's how I know, so enjoy your day.

SUPERVISOR DESENA: Thank you very much. Madam Clerk, will you please call the roll?

CLERK SRIVASTAVA: Good morning, everyone. Town of North Hempstead Town Board meeting, March 12, 2024. Councilman Troiano?

COUNCILMAN TROIANO: Present.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Here.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Here.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Here.

CLERK SRIVASTAVA: Councilman Adhami?

SUPERVISOR DESENA: Councilman Adhami is expected shortly.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Here.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Here. This is a morning meeting. The main plan is to conduct some public hearings, but is there anyone who came here wishing to be heard on something? We can try to do that quickly.

CLERK SRIVASTAVA: We have a few cards.

COUNCILWOMAN DALIMONTE: Not on the agenda.

SUPERVISOR DESENA: Yes, other than the agenda.

(WHEREUPON, there was 10 minutes of public comments.)

SUPERVISOR DESENA: Will you please call the first item?

CLERK SRIVASTAVA: Item number one. A public hearing to consider the application of Maranatha Roofing and Siding Supply for site plan review for the premises located at 125 Voice Road, Carle Place, and designated on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 41.

MR. WASSERMAN: 125 Voice Road, correct?

CLERK SRIVASTAVA: Yes.

SUPERVISOR DESENA: Good morning, can you identify yourself?

MR. WASSERMAN: My name is Joseph Wasserman, registered architect. As she stated that -- first, good morning. Respectfully, we are here today to legalize an existing 971 square foot interior mezzanine within an existing 31,376 square foot commercial space. Essentially, we've met all of the requirements on this project and respectfully requesting the Town Board's approval as per the zoning code requirements. There's no change to the building. Everything's remaining the same. Everything is aligned with the use. That's essentially the long and short of it. If you want to see, this is the space. Right here is the mezzanine.

COUNCILMAN WALSH: I have no idea what you're hold over here.

MR. WASSERMAN: Okay.

COUNCILMAN WALSH: I can't see that.

MR. WASSERMAN: I've blown up the mezzanine. Essentially, it's an accessory office space that looks over the main commercial space, and that's essentially it. It's really not much to it. That's essentially it.

SUPERVISOR DESENA: Are there any questions? Any cards on this?

CLERK SRIVASTAVA: We have a card. Peter Gaffney.

MR. GAFFNEY: How are you? Again, Pete Gaffney, Westbury, Carle Place School District. Do they plan on keeping the Lefferts Boulevard facility open at the same time? Is this just an expansion, which I think is terrific. Are you keeping that?

MR. WASSERMAN: Yes.

MR. GAFFNEY: What are the hours going to be for the new place on Voice Road?

SUPERVISOR DESENA: Can you come up to the microphone to answer the question? It just helps for the record and, you know, if we're going to have question and answer. It's helpful.

MR. MENCHU: Good morning, everyone. As explained the architect: we are —

SUPERVISOR DESENA: Can you get closer to the microphone?

MR. MENCHU: Yeah.

SUPERVISOR DESENA: And identify yourself, please.

MR. MENCHU: Good morning, my name is Elias Menchu. I'm the CEO of Maranatha Menchu, Inc. What we're trying to do is very simple. The existing building, it's an old building. Looks like there's a mistake or whoever did the mistake. The mezzanine was built originally with the building. So just trying to legalize that what he said. He was questioning what the hours. Our hours is from 6:00 A.M. to 4:00 P.M., during the season. It's a seasonal business so in the wintertime, we open at 7:00 to 3:00, so it depends on weather. Is there any other question?

MR. GAFFNEY: Sure. Do you plan on having any visitors parking there?

MR. MENCHU: So we're wholesaler and retail, so obviously, we welcome any customer. Any

--

MR. GAFFNEY: To come in, okay.

MR. MENCHU: To come and buy, and then other thing is that this is more than a year we've held just for this problem that the building has. I don't know. Like I said, the building should have an inspector before it was built, but right now, we find out there is a violation or something, but either way. What was —

MR. GAFFNEY: Well, I appreciate you trying to correct that, so but you have all this —

SUPERVISOR DESENA: Mr. Gaffney, you're really supposed to be addressing us.

MR. GAFFNEY: I'm sorry.

SUPERVISOR DESENA: So you can state the question in the microphone, and then if think —

MR. GAFFNEY: That's fine.

SUPERVISOR DESENA: — he can answer, we'll direct it back.

MR. GAFFNEY: You got it.

SUPERVISOR DESENA: Thank you.

MR. GAFFNEY: Where is he putting — where are the visitors going to park? If you actually go look at the facility, everything is in the parking lot. All the materials.

MR. WASSERMAN: Can I address that?

SUPERVISOR DESENA: Please answer, thank you.

MR. WASSERMAN: All the parking and storage has been addressed on the DOB level and has been reviewed by the DOB and approved by the DOB. The only thing that we're waiting for is to get this last approval for the mezzanine — I'm sorry, last approval for the mezzanine, and in order to move ahead. We have all the required parking.

SUPERVISOR DESENA: Thank you.

MR. GAFFNEY: So the parking needs to be striped and all of that. Okay, that's fine. Has the local fire department, Carle Place, have they come and you know —

COUNCILMAN SCOTT: Sir, again, you have to address to the Board.

MR. GAFFNEY: I am addressing the Board, okay. I am addressing the Board, okay. Has the local fire department, Carle Place, have they come and checked out the facility because there's unique problems with Voice Road, okay. From Amazon and everything else, so. Plus there's a 24-hour service. Plus there's another possibility of a transportation facility.

COUNCILMAN TROLANO: Mr. Gaffney, this is an existing building.

MR. GAFFNEY: I know that.

COUNCILMAN TROLANO: What they're talking about legalizing an interior part of the building.

MR. GAFFNEY: I understand, but still, it's a new business. Doesn't the fire department have to be there?

COUNCILMAN TROIANO: We don't have the fire department look at every new business.

MR. GAFFNEY: Well, I think as a courtesy, as a courtesy. I would think —

COUNCILMAN TROIANO: A new construction we might do that to make sure that the building is being constructed in the way that the fire department can get access to the building, but just because it's a new business doesn't mean the fire department has to be —

MR. GAFFNEY: No, that would be just as a courtesy. More importantly, has Nassau County fire marshals been there to approve everything? Those are my questions.

SUPERVISOR DESENA: Thank you.

COUNCILMAN TROIANO: Mr. Wasserman, can you set the stage a bit for us? By the way, there's no signs today. My name is Robert Troiano. I'm the Councilman for this District, just so you're aware of it. Is this building currently vacant?

MR. WASSERMAN: No, it's currently in use.

COUNCILMAN TROIANO: It's in use by this gentleman's business?

MR. WASSERMAN: Correct.

COUNCILMAN TROIANO: You're the — he's the principal — he's the owner?

MR. WASSERMAN: Correct.

COUNCILMAN TROIANO: He's been operating there for how long?

MR. WASSERMAN: Well, at least a year.

COUNCILMAN TROIANO: At least a year. And he purchased the building as is?

MR. MENCHU: Renting.

MR. WASSERMAN: He's renting the building.

COUNCILMAN TROIANO: Do we know who constructed this mezzanine without getting building permits.

MR. WASSERMAN: When I initially filed for change of tenant, I FOIL'd all the documentation, and there was no record in the historical documents for this mezzanine, so he got the building the way it was, and as far as anybody knows it was always there. It wasn't in the historical documents, so the DOB said, listen it's over 700 square —

COUNCILMAN TROIANO: I'm sorry, what are you saying? DO?

MR. WASSERMAN: What?

COUNCILMAN TROIANO: DOD?

MR. WASSERMAN: DOB, I'm sorry, Department of Buildings.

SUPERVISOR DESENA: The Building Department.

COUNCILMAN TROIANO: Okay.

MR. WASSERMAN: I'm sorry, the Department of Buildings. The Building Department said since it's over 750 square feet, they required us to get approval by the Building Department — I mean, Town Board, and that's why we're here today.

COUNCILMAN TROIANO: What kind of business is taking place there?

MR. WASSERMAN: This is roofing supplies.

COUNCILMAN TROIANO: Roofing supplies?

MR. WASSERMAN: Yeah.

COUNCILMAN TROIANO: Which he sells wholesale and retail.

MR. WASSERMAN: Correct.

COUNCILMAN TROIANO: Do you know what was there before?

MR. WASSERMAN: I believe it was a restaurant supply, you know, for, I guess, anything a restaurant might need.

COUNCILMAN TROIANO: Right. That was wholesale and retail as well?

MR. WASSERMAN: I believe so. I believe -- I'm not completely sure, but something to that effect.

COUNCILMAN TROIANO: So it's a very similar in terms of the business type.

MR. WASSERMAN: Yeah, it's a very similar use, and we in fact, you know, went above and beyond, you know, in regards to satisfying many requirements from the DOB, even though it was just a tenant change, and you know, that's why we're here today. I want to do exactly what everybody says is correct.

COUNCILMAN TROIANO: Thank you.

MR. WASSERMAN: All right. Thank you very much.

COUNCILMAN TROIANO: Can I ask the Building Commissioner to come to the mic? Good morning.

MR. NIEWENDER: Good morning. John Niewender, Building Commissioner.

COUNCILMAN TROIANO: So I just want to make certain that we're here for the site plan, and after this — or I don't think you've done it yet, you'll -- but at some point, if you're done it already, please let us know, you'll look at plans for this mezzanine and you know, even after the fact, and ensure that the construction that's there presently is sufficient to hold that 970 square feet of space.

MR. NIEWENDER: Absolutely.

COUNCILMAN TROIANO: That's to come?

MR. NIEWENDER: Yes.

COUNCILMAN TROIANO: So our approval of the site plan in no way says that we're certifying that the mezzanine is in good shape, and should there be a problem.

MR. NIEWENDER: Right. So upon review of the structural plan, which we don't do that until the determination's made, can it be there, or can it not be there, you approve, disapprove it. The worse case scenario would be that it has to be removed, and you have bonus parking.

COUNCILMAN TROIANO: Then you'll have what?

MR. NIEWENDER: You'd have a bonus number for parking. It looks like it needed to be, you know, fixed to the file existing, especially with that type of load, weight load, building materials quite cumbersome, so our goal was to — we had an opportunity. You have a new tenant. They did the right thing, but we didn't have a legal document on that mezzanine. Mezzanines require a little extra look. So it's over 750 square feet, which trigged it to come to the Board, so that's it, and that's all it is; just to legalize what's existing there.

COUNCILMAN TROIANO: Okay, thank you.

MR. NIEWENDER: You're welcome.

SUPERVISOR DESENA: Thank you.

COUNCILMAN TROIANO: Are there any other questions?

(WHEREUPON, there was no response.)

COUNCILMAN TROIANO: The Board?

(WHEREUPON, there was no response.)

COUNCILMAN TROIANO: Okay, with that, I move to the close the public hearing, offer the resolution, and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Councilperson Troiano offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 162 - 2024

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF MARANATHA ROOFING AND SIDING SUPPLY FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 125 VOICE ROAD, CARLE PLACE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 663, LOT 41.

WHEREAS, Marantha Roofing and Siding Supply (the "Applicant") has applied (the "Application") to the Town Board of the Town of North Hempstead (the "Town") to legalize a 971 s.f. mezzanine in a 31,376 s.f. warehouse building on a 110,597 s.f. (2.539 acres) parcel located at 125 Voice Road, Carle Place and identified on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 41 (the "Premises"); and

WHEREAS, it has been determined that the Application is subject to site plan review pursuant to § 70-219(A)(1)(a) of the Code of the Town of North Hempstead (the "Town Code") for the construction of a new structure greater than 750 square feet; and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Department of Planning and Environmental Protection (the "Planning Department") of the Town pursuant to Town Code § 70-219(A)(2); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code §§ 70-219(F)(1), has published notice of a public hearing scheduled for March 12, 2024 for the site plan review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 57-2024, adopted on February 6, 2024; and

WHEREAS, the Applicant has furnished proof of service of notice of the Public Hearing to the affected property owners within a 300-foot radius of the Premises as required by § 70-219(F)(2) of the Town Code and has complied with the sign notice requirements of § 70-219(F)(3), and filed an affidavit as to the mailing of such notices and posting of a sign as required thereunder; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval citing the following items requiring Town Board approval: (1) the application requires site plan review pursuant to Town Code § 70-219(A)(1)(a) for the construction of a new building or structure or addition to an existing structure of greater than 750 square feet; and

WHEREAS, pursuant to General Municipal Law § 239-m, the Nassau County Planning Commission (the "Commission") was furnished with copies of the site plan and

the Short Environmental Assessment Form; and

WHEREAS, by letter decision dated November 6, 2023, the Nassau County Planning Commission reviewed the case and deferred to the Town to take action as the Town deems appropriate; and

WHEREAS, the Planning Department has reviewed the Application and recommends approval of same; and

WHEREAS, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

WHEREAS, this Board, through action of the Planning Department pursuant to Town Code §20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA regulations; and

WHEREAS, the Board has reviewed the determination of the Planning Department, dated February 21, 2024, and the Negative Declaration indicating that the action constitutes an “Unlisted Action” pursuant to Section 617.2(a) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Environmental Assessment Form (the “SEAF”) Parts 1, 2, and 3 (the “Determinations and Negative Declaration”) for the reasons that: (1) the proposed action does not change the use of the property or the impervious area; (2) the proposed action will not result in an increase in traffic, energy usage, water or sewer demand, storm water or flooding; and (3) the proposed action is not anticipated to result in any environmental hazards; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on March 12, 2024, and afforded all interested persons the opportunity to be heard; and

WHEREAS, this Board now wishes to render a decision on this Application.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board declares itself “lead agency” under the SEQRA Regulations for the Action; and be it further

RESOLVED that this Board hereby adopts the Planning Department’s Determinations and Negative Declaration, finding that the Action is an “Unlisted Action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF; and be it further

RESOLVED that this Board finds that the Application and site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is consistent with the spirit and intent of Town Code § 70-219; and be it further

RESOLVED that, pursuant to Town Code § 70-219(B), the site plan is hereby approved; and be it further

RESOLVED that a copy of this approval shall be filed with the Commissioner of Building Safety, Inspection and Enforcement (the "Building Commissioner"), and the Building Commissioner is hereby authorized and directed to issue a building permit, upon compliance with the building permit application requirements as set forth in the Town Code, and any other conditions or requirements imposed by this Board or any other governmental entity having jurisdiction over the property, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.


Absent: Councilperson Adhami.

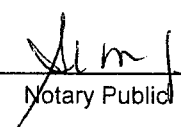
Affidavit of Publication

County of Nassau SS
State of New York,

Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of
The MANHASSET PRESS
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz: February 28, 2024


Sworn to me this 28 day of
February-2024



Notary Public
Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2024

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NO-**
TICE that a public hearing will be held by the Town Board of the Town of North Hempstead on March 12, 2024, at 10:00 A.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, on the application for a special use permit submitted by Gold Coast Magic Realty LLC (Manhasset Express Car Wash) to legalize alterations to a drive-through facility, including the installation of vacuum stations and a drive-through pre-pay island and canopy, on a 25,984 s.f. (0.59 acre) parcel used as a car wash.

PLEASE TAKE FURTHER NOTICE that the property which is the subject of this application is located at 201 East Shore Road, Manhasset, New York, and

identified on the Nassau County Land and Tax Map as Section 2, Block 210, Lots 55 and 68.
Dated: Manhasset, New York February 6, 2024
BY ORDER OF THE

**TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
2-28-2024-1T-#246089-
MAN**

CLERK SRIVASTAVA: Thank you. Item number 2. A public hearing to consider the application of Gold Coast Magic Realty LLC (Manhasset Express Car Wash) for a special use permit for the premises located at 201 East Shore Road, Manhasset, and designated on the Nassau County Land and Tax Map as Section 2, Block 210, Lots 55 & 68.

COUNCILWOMAN LIU: Is there anybody wishing to be heard on this item?

COUNCILWOMAN DALIMONTE: No, they go first —

COUNCILWOMAN LIU: Oh, they do it first.

MR. SBARRO: Good morning. My name is Gianni Sbarro. I'm an attorney with Forchelli, Deegan, Terrana LLP, with an office at 333 Earle Ovington Boulevard, Uniondale. Thank you all for having me today, and Happy Birthday Supervisor DeSena.

SUPERVISOR DESENA: Thank you.

MR. SBARRO: Here presenting with me this morning is Lou Galeno, the project architect, and Dennis Oban. He's one of the principals of Gold Coast Magic Realty LLC and the owner of the property. The requested application is for a special use permit pursuant to Section 70-203T of the Town of North Hempstead code in connection with the installation of vacuum stations, drive-thru prepay islands and canopies at 201 East Shore Road in Manhasset, which is better known as Racetrack Car Wash. While the Building Department's notice of disapproval dated November 2, 2023, states that the present application requires approval for the proposed relocation of a prepay island and canopy to the inside of the property line. The Nassau County Department of Public Works has already provided the applicant with permission to maintain the minor encroachment into the County's right of way. I just wanted to bring it to the Board's attention that that's been settled. We submitted an email to Carolyn Forger yesterday, which I believe was distributed, but I'd like to submit one copy to the record, just so it's — the Board has it. This is an email from the Deputy Commissioner of the NCDPW, Bill Nimmo, stating that the NCDPW approves of the U-N-O permit for this location, and we are waiting for formal agreement, but we expect to have it any day now. (Hands Document)

MS. SEHGAL: Thank you.

MR. SBARRO: By way of background, the property has a lot area of approximately 29,122 square feet, and it's designated on the Nassau County Land and Tax Map as Section 2, Block 2, Lots 55 and 68. According to the town zoning map, the property's located in the Business B and Resident C Districts. The vacuum stations and covered prepaid stations on the property are accessory to an existing one-story, approximately 3,587 square foot car wash with drive-thru service, which existed at the location since the 1960s. Pursuant to Section 70-23T of the code, no permits for the reconstruction — excuse me, the construction or alteration of the drive-thru facilities, shall be issued without first obtaining approval from this Board after a public hearing. Again, the car wash has existed on the property for over 50 years, and the special-use permit is required because of the alterations that were made to the drive-thru facility approximately three years ago. These alterations have proven to increase the overall efficiency of the drive-thru facility, as well as improve the site flow. While it's a preexisting condition, it complies with most of the requirements of the town drive-thru code. No variances are required, and the site plan provides a surplus of queuing spaces, specifically four are required, and we're providing 11. Notably, on August 15, 1962, the BZA approved the existing non-conforming condition of the bypass lane prior to the requirement under Appeal number 7213. Permit was subsequently

issued by the Building Department on September 27, 1962. Nonetheless, as Lou Gelano will explain in greater detail in a moment, the site plan before you now provides four bypass routes that allows drivers to avoid going through the car wash and exit it — exiting easily without issue. And with that said, I'd like to introduce Lou Gelano, again, the project architect to explain the details of the alterations made and to answer any questions that you might have regarding the overall site plan.

MR. GELANO: Good morning. Lou Gelano, architect, 485 Underhill Boulevard, Suite 304, Syosset, New York 11791. As stated, the alterations that were made to the property where the additions of some vacuum stations as well some drive-thru canopies. So in order to help alleviate some of the issues on the site; what we did was remove two of the — or proposing to remove two of the vacuum stations, one closest to the East Shore Road exit, and as well as one by the exiting of the drive-thru car wash facility. We're re-striping the parking stalls in order to be compliant with the town code. As also stated, we do have an abundance of the required standing spaces for the vehicles, and we are also removing a little retaining wall that separates the site to allow a little bit better flow of the vehicles as they enter and exit the site. Are there any questions?

SUPERVISOR DESENA: Does anybody have any questions? Anyone from the Town Board?
(WHEREUPON, there was no response.)

SUPERVISOR DESENA: Is anyone from the public wishing to be heard?
(WHEREUPON, there was no response.)

COUNCILWOMAN LIU: Actually, I did visit the site. I'm Christine Liu. The Town Councilperson this Raceway Car Wash is in my district now.

MR. GELANO: Sure.

COUNCILWOMAN LIU: I think it was formally in Veronica Lurvey's district. I visited the site, and I welcome this new business and this new owner. It seems very happening there. A lot of car washes are being done the day that I went. I actually got a car wash as well to try it. I do agree and it is necessary and within town code now that you remove that strip in the middle because it did create congestion, so doing so brings everything within town code and would help the flow of traffic or alleviate that traffic that was kind of like backlogged. It's like a bottleneck there, so that is — that would make everybody very happy, but what we'd like to see is that permits be submitted before work being done. This is now, you're coming after the fact that you've already done this work, and now you're asking for things to be approved and permits to be, you know, issued, but we would appreciate you always do that beforehand, and then, you know, follow the proper procedures. With that being said, I do welcome the new addition, and — but I would like to say, you had said that there's going to be a formal letter from the NCDPW, Nassau County Department of Public Works to issue for that right of way, and so you do not have that yet, right?

MR. SBARRO: As of right now, it's still in draft form, but yes, we expect to receive it any day.

COUNCILWOMAN LIU: Okay, so I would say if we can just put that on the record that we would approve this upon condition that we receive formal use and occupancy permit from the Nassau County Department of Public Works.

MR. SBARRO: Of course.

COUNCILWOMAN LIU: With that being said, if there's no other questions or comments or anybody from the Board?

(WHEREUPON, there was no response.)

COUNCILWOMAN LIU: I'd like to close the public hearing and offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye, and I just received your document, if that's what we're looking for, but Aye. I'm familiar with the spot.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: I wish you the best of luck. Aye.

MR. SBARRO: Thank you.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye, and good luck, and as Manhasset residents, we are frequent users of the spot, so we wish you the best.

MR. SBARRO: Thank you very much. Have a nice day.

SUPERVISOR DESENA: Thank you.

Councilperson Liu offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 163 - 2024

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF GOLD COAST MAGIC REALTY LLC (MANHASSET EXPRESS CAR WASH) FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 201 EAST SHORE ROAD, MANHASSET AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 2, BLOCK 210, LOTS 55 & 68.

WHEREAS, Gold Coast Magic Realty LLC (Manhasset Express Car Wash) (the "Applicant") is seeking to legalize alterations to a drive-through facility, including the installation of vacuum stations and a drive-through pre-pay island and canopy, on a 29,122 s.f. (0.66 acre) parcel used as a car wash at the property located at 201 East Shore Road, Manhasset, New York, and identified on the Nassau County Land and Tax Map as Section 2, Block 210, Lots 55 and 68 (the "Application" or "Action"); and

WHEREAS, it has been determined that the Application requires a special use permit approved by the Town Board pursuant to Town Code §70-203(T) for the construction or alteration of drive-through facilities, using the standards set forth in Town Code §70-225(B)(1) (the "Special Use Permit"); and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Department of Planning and Environmental Protection (the "Planning Department") of the Town pursuant to Town Code §§ 70-203(T)(3) and 70-219(A)(2); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for March 12, 2024 (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 58-2024, adopted on February 6, 2024, to consider the Application; and

WHEREAS, the Applicant, in the manner required by Town Code § 70-240(C), has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval citing the following items requiring Town Board approval: (1) the proposed maintenance of vacuum stations and drive-through pre-pay island and canopy; and (2) the relocation of pre-pay island and canopy to inside the property line; and

WHEREAS, pursuant to General Municipal Law § 239-m, the Nassau County

Planning Commission (the "Commission") was furnished with copies of the site plan and the Short Environmental Assessment Form (the "SEAF"); and

WHEREAS, by letter decision dated February 14, 2024, the Nassau County Planning Commission reviewed the case and deferred to the Town to take action as the Town deems appropriate; and

WHEREAS, the Planning Department has reviewed the Application and recommends approval of same; and

WHEREAS, it is required that a "lead agency" be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York ("SEQRA Regulations"); and

WHEREAS, this Board, through action of the Planning Department pursuant to Town Code §20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA regulations; and

WHEREAS, the Board has reviewed the determination of the Planning Department, dated February 21, 2024, and the Negative Declaration indicating that the action constitutes an "Unlisted Action" pursuant to Section 617.2(al) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the SEAF Parts 1, 2 and 3, for the reasons that: (1) the proposed action does not change the use of the property or the impervious area; (2) the proposed action will not result in an increase in traffic, energy usage, water or sewer demand, storm water or flooding; and (3) the proposed action is not anticipated to result in any environmental hazards; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on March 12, 2024, and afforded all interested persons the opportunity to be heard; and

WHEREAS, this Board now wishes to render a decision on this Application.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board declares itself "lead agency" under the SEQRA Regulations for the Action; and be it further

RESOLVED that this Board hereby adopts the Planning Department's Determinations and Negative Declaration, finding that the Action is an "Unlisted Action" which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF; and be it further

RESOLVED that, pursuant to Town Code §§ 70-203(T) and 70-225.B(1), the Application is hereby granted, and the Special Use Permit is hereby approved; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk, and, pursuant to Town Code §§ 70-203(T) and 70-225, the Building Commissioner is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; and (2) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.

Affidavit of Publication

County of Nassau SS
State of New York,

Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of
The NASSAU ILLUSTRATED NEWS
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz: February 28, 2024

Sworn to me this 28 day of
February-2024



Notary Public

Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2024

**LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of North Hempstead on March 12, 2024, at 10:00 A.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, on the application for site plan review submitted by Marantha Roofing and Siding Supply to legalize a 971 s.f. mezzanine in a 31,376 s.f. warehouse building on a 110,597 s.f. (2.539 acres) parcel.
PLEASE TAKE FURTHER NOTICE that the property which is the subject of this application is located at 125 Voice Road, Carle Place and identified on the Nassau County Land and Tax Map as Section 9, Block 663, Lot 41.
Dated: Manhasset, New York February 6, 2024
**BY ORDER OF THE
TOWN BOARD OF
THE TOWN OF
NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK**
2-28-2024-1T-#246088-NIN/
WBY

CLERK SRIVASTAVA: Item number 3. A hearing pursuant to Section 28-39.5 of the town code in connection with the building located at 380 Northern Boulevard, Great Neck, identified on the Land and Tax Map of the County of Nassau as Section 2, Block 85, Lot 14.

MR. SCHAUFELD: Good morning.

SUPERVISOR DESENA: Good morning.

MR. SCHAUFELD: Ms. Chairman, Members of the Board. My name is Robert Schaufeld, 85 Grace Avenue, Great Neck, New York.

COUNCILWOMAN LIU: Sir, can you speak into the microphone more, please?

MR. SCHAUFELD: Robert Schaufeld, 85 Grace Avenue, Great Neck, New York. I'm the attorney —

COUNCILMAN WALSH: Can you please elevate your voice a little bit because I forgot my hearing aids today to be perfectly honest, so if you can just swap it up a little bit, it would be much better for me. Thank you.

MR. SCHAUFELD: Robert Schaufeld, 85 Grace Avenue, Great Neck, New York 11021. I'm the attorney for the property owner.

SUPERVISOR DESENA: He didn't get to the exciting part yet. Now, we're going to get to the exciting part.

COUNCILMAN WALSH: I just wanted to give him a warning.

MR. SCHAUFELD: We have retained a demolition contractor, and we are preparing to have him apply for the demolition permit, and he will demolish the building.

COUNCILWOMAN LIU: Is there any —

COUNCILMAN ADHAMI: I have a couple of questions.

MR. SCHAUFELD: Certainly.

COUNCILMAN ADHAMI: Not to dwell on the past, so much, but this was in my district. We had tried to reach out extensively as did the Building Department to no avail; just curious; what was the issue as far as getting contact or trying to resolve this.

MR. SCHAUFELD: There was initially a change of ownership where 50 percent of the company was sold, and the prior owners never provided updated information.

COUNCILMAN ADHAMI: So there was some sort of internal dispute?

MR. SCHAUFELD: There was an internal and then there was a dispute after my people bought in, and we just found out about the hearing yesterday, even though it was mailed out in February to the prior controlling principal. So one thing we will do is update all the contact information so that I'll be the point of contact going forward.

COUNCILMAN ADHAMI: Okay, it's much appreciated. I assume you reside in Great Neck as well —

MR. SCHAUFELD: Yes.

COUNCILMAN ADHAMI: Or your office is at least in Great Neck, so I'm sure you're familiar with this property for the past, I don't know, almost 20 years, I think it's been vacant.

MR. SCHAUFELD: Yes, and I was under the impression that when I first got involved, and I updated the demolition permit, and I provided my information. I thought everything was updated, so I was -- I know I updated everything for tax purposes with the town, and I guess something fell through the cracks with the Building Department.

CLERK SRIVASTAVA: We have a few cards on this item.

MR. SCHAUFELD: I submitted a card.

CLERK SRIVASTAVA: Thank you.

COUNCILWOMAN DALIMONTE: I don't think he was done with his presentation.

SUPERVISOR DESENA: Was there anything else?

MR. SCHAUFELD: I submitted our demolition proposal to Councilman.

COUNCILWOMAN LIU: Is this your only copy?

MR. SCHAUFELD: It's the only copy that I have to provide. I can print others.

COUNCILWOMAN LIU: Do you need it —

MR. SCHAUFELD: I do not need it.

COUNCILWOMAN LIU: -- for your presentation. Then I'll hold onto it?

MR. SCHAUFELD: Yes.

COUNCILWOMAN LIU: This is why we were discussing — we were a little bit late coming in. The attorney wants to speak with me about the demolition date, and so I was speak with our buildings commissioner about that. So we're not here, you know, to discussion anything else but the demolition of this property and when that will take place. As I inherited this is from Councilman Adhami, it's a problem going for the last 18 years, so residents, as I see here, are eagerly awaiting to see what will happen to this property, and today, I think, is the first time, that we received notice that you would like work — the demolition to work -- to start on or after April 20, 2004. Have you submitted any permits for this demolition yet?

MR. SCHAUFELD: We had a demolition permit that I think was renewed. I renewed it. I don't know if it's still current, but under that proposal, the contractor will apply for the new permit or change the existing permit so that he can do the work.

COUNCILWOMAN LIU: When was that submitted?

MR. SCHAUFELD: The new contractor hasn't done anything yet.

COUNCILMAN WALSH: So the answer is no.

COUNCILWOMAN LIU: So we haven't received any permit applications yet for this demolition; is that right?

MR. SCHAUFELD: Once we find out that we will be permitted to do the demolition rather than the town doing it, we will give the go-ahead to contractor, and he will file what needs to be filed.

COUNCILWOMAN LIU: Okay, so the date you have is April 24, 2024. I'm just going to ask for our Buildings Commissioner to come on up and speak to this. I know you guys were speaking about this beforehand. It's either the demolition would be performed by you or your

contractors or by our Highways Department, so I don't know if there was an agreement as to date while you guys were discussing, so I'm just going to invite the Buildings Commissioner up.

MR. NIEWENDER: John Niewender, the Building Commissioner. We had a brief discussion about dates, but for the record, there is no application. There is no file. There is — everything has expired. I hesitate to enter into a conversation further given that the length of time that this thing has been sitting there. We've been chasing, for lack for a better word, the owner of the property for a long time. Only to have him file applications, pull them back, let them expire. There were parking issues. There were all kinds of issues there. To date, still there is nothing there. The Board will decide and, the Board will, I guess, vote as to what reasonable amount of time is. If you want my opinion on the record, I'll give it to you.

COUNCILMAN WALSH: Yeah.

MR. NIEWENDER: I don't see a change. There has to be some kind of guarantee. There has to be some type of document that guarantees that the drop dead date is April 20th, whatever it's proposed. The pro to that is we don't have to put our resources into it. The con is April 21st, at 12:01 A.M., the Highway Department there to demolish the building. So yes, it's been sitting a long time. Will another month matter? But their track record here if not a good one. And neighbors have been suffering. We've been spending hours and hours and days of resources on this project, but I would like to see on the record that this gentleman made a comment that he only found out about it yesterday. I would just like to be on the record that we have posted the property properly. We have public noticed the property properly. We hand-delivered and mailed notifications so everyone is aware, and it took this meeting to bring them out to say okay, yeah, we're gonna do it, and I don't mean to be condescending, but we need to have something really, really solid that they're gonna come and do this.

COUNCILWOMAN LIU: So what would that guarantee be besides filing the permit, or is that permit enough as a guarantee?

MR. NIEWENDER: You know from the Building Department perspective, it would be a violation, and we then, you know, District Court and all of that. I would really like to see an agreement or a condition to this determination to state that on or before April, whatever the date is, and that will include, include the blocking of the property once it's complete, so we don't have parking. We don't have dumping. There has to be a real good plan to block off that property when it's demolished and carted away. Everything has to be removed. The water has to be disconnected. The sewer has to be disconnected. The power has to be off, the rodent control letter has been current, so there's a lot to do. Again, the pro is we don't have to put our resources into it, but the con is the history here doesn't give me a lot of comfort.

COUNCILWOMAN LIU: I'm in agreement with you, Buildings Commissioner, however, the date that I see that was recommended to us by Highways Department to take care of this is not very far from the April 20th date proposed. It was also in April. Maybe a week beforehand.

MR. NIEWENDER: Correct.

COUNCILWOMAN LIU: So being that there's a new attorney of record, I'm a bit new, but we still see this building here for the last 18 years as an issue. I am willing to, and with everybody's agreement here, set this demolition. It's needs — April 20th is a Saturday, though. Do demolitions actually start on Saturdays, normally, or do we like the 22nd, which is a Monday?

MR. NIEWENDER: How about Friday?

COUNCILWOMAN LIU: Okay.

COUNCILWOMAN DALIMONTE: You can't work on the weekends, correct?

COUNCILWOMAN LIU: Right, so let's — I would just push it off until April 22, which is that Monday. We'll just start off fresh, and then all their permits and everything, whether it's rodent letters or turning off the water, electricity, moving all the vehicle off, there's no blockage. All of that has to be done the week before, which would be seven days before that. Which is the seven — what did I say? 21st, 22nd —

ATTORNEY NICOLELLO: The 15th.

COUNCILWOMAN LIU: Thank you. The 15th. April 15th. All those permits and everything has to be done and submitted, and approved by the 15th of April. Do you think that's reasonable, Commissioner?

MR. NIEWENDER: Yeah, for me, it's reasonable, but again, for the record, I would like a bonafide system in place that blocks any potential parking of abandoned vehicles, construction vehicles, rented vehicles, landscape vehicles, dumping, so there has been to be a rigid portion of that property separated from access to the public road.

COUNCILWOMAN LIU: Okay.

MR. NIEWENDER: And it has to kept in clean condition until the proposed building is approved by the Building Department.

COUNCILWOMAN LIU: Is that something you'd like us to draft and for the attorneys to --

MR. NIEWENDER: I think now it's actually on the record.

COUNCILWOMAN LIU: On the record. Do we need to draft anything else?

ATTORNEY NICOLELLO: I think the applicant can consent to those terms. We can draft whatever agreement is necessary, but you're going to have to amend the resolution to set the date that you suggested, which is April 22nd. You also have to create a second date, which is if they don't demolish the building by that date, the town then goes in to demolish, so you'd have to amend the resolution to April 22nd, the second date, I guess, two weeks later on in which the town will then go in and demolish the building if it's not done by April 20th.

COUNCILWOMAN LIU: Right.

COUNCILMAN TROIANO: If you don't mind, Richard, if somebody can, can you explain to me what it is we're doing here because I thought that this resolution set those dates already. That was the purpose of this.

ATTORNEY NICOLELLO: The resolution does do that, but the Board has the power to amend the resolution to create different things, which is what you would do. You'll need an amendment for the resolution.

COUNCILMAN WALSH: And Mr. Niewender, this is going on for years the situation over there. Everything that you had just said, do you think that there's enough time to do what he — everything that's needed to be done by this date, and — frankly, I don't think that he's prepared to go ahead with it until we're given more information until he gets the permits and does something. He's doing nothing really. When Christina — Councilwoman Liu asked him a question; he went on for a long, multiple sentences, but the answer was really no that you didn't have

anything, you know, so you could have just briefed it down to no. Do you think there's time?

MR. NIEWENDER: Yeah, it could be done much sooner than April 29th to obtain contractor, set up a location where you're going to dispose the material. It takes a week, maybe two to make sure the utilities are off, which I believe they are. I'm not sure about the sewer connection. It doesn't take much. If you really want that. If you really don't.

COUNCILMAN WALSH: Yes, the problem for me is the history.

MR. NIEWENDER: Correct.

COUNCILWOMAN DALIMONTE: Yes, I agree. I'm a little bit worried that if we vote on this that the neighbors then might be stuck with the building again. There has been to be -- I --

COUNCILWOMAN LIU: Just to be clear. April 22nd, if they're not ready to demolish, then our Buildings — Highways Department will be ready on April 23rd to go in, so that's the resolution states right now. That they have no later than March 26th to apply for the permit, and then not later than April 5th to satisfy the requirements to start the demolition. So right now, I'm just asking if we move that to April 15th for their filing, and not later than April 22nd to satisfy those requirements, so it's just really moving it by two weeks, but the Buildings Department, as you understand, is ready to demolish this property. Our Highways Department is ready to demolish this property. Are you in agreement with these dates that I've set forth, Attorney?

ATTORNEY NICOLELLO: Yes.

COUNCILWOMAN LIU: Sorry, the —

SUPERVISOR DESENA: The applicant's attorney.

COUNCILWOMAN LIU: The applicant's attorney. Thank you.

MR. SCHAUFELD: Yes, we're in agreement if the Board would approve those conditions.

COUNCILWOMAN DALIMONTE: What happens if he — if they don't demolish it, the next day, you'll already, the Highway Department will — not the — yeah, the Highway Department will be set to go in on that Tuesday —

COUNCILMAN TROIANO: That can't happen.

COUNCILMAN WALSH: That's not going to happen.

COUNCILWOMAN DALIMONTE: April 23rd?

COUNCILMAN TROIANO: That can't happen.

COUNCILMAN WALSH: They need to prepare for it.

COUNCILMAN TROIANO: They have to go and make sure that residents are informed. That there's nobody in the building. That rodents aren't — won't be running all over the neighborhood when they start the demolition, so there's a whole process place. So on April 23rd, they can start that process. They can't just go in and demolish the building on April 23rd.

COUNCILWOMAN DALIMONTE: So then how long would it be for them to — for our Highway Department to start that process? So for them to start that process on April 23rd, how long would it take for that building to come down?

COUNCILMAN TROIANO: I'm not —

COUNCILWOMAN DALIMONTE: I know that's —

COUNCILMAN TROIANO: You know, I've been involved in one of these in my district, and it took over a month to go through all the steps to allow for demolition.

COUNCILWOMAN LIU: Can I ask? Can we be simultaneous — can the town simultaneously going through this process as well in case they fall through on it? Like we would be ready then if we went through this process as well.

MR. NIEWENDER: I can't answer for the Highway superintendent on that one.

COUNCILMAN WALSH: Is there any asbestos issue in here? Has there been any asbestos mitigation or anything at all? Do you know if there's asbestos involved?

MR. NIEWENDER: Do you want me to answer that? You want to answer that?

COUNCILMAN WALSH: Yeah.

MR. NIEWENDER: So in a situation like this, the existence of asbestos has probably been granulated by now. And it's a tough -- it's not a building you can go in and make that determination. It's almost like when you have a fire, and that building is unsafe. It has to come down. It will be determined when the trucks are loaded where that material will go at that point. I don't think there's much left inside that building to determine hazard -- asbestos hazard, but it will part of the demolition permit.

COUNCILMAN WALSH: Thank you.

COUNCILWOMAN LIU: So I feel — well, I'll speak to the Highways Department to see if there's something that can be done simultaneously just in case they fall through. I'm not sure if that can happen. If we're giving him this extra time, but I would like to say this extra time is really two weeks.

COUNCILMAN TROIANO: Why is the extra time?

SUPERVISOR DESENA: Who's requesting the extra time? You've requested an extra two weeks from what we were prepared to vote on?

MR. SCHAUFELD: Based upon the proposal we got back from the contractor, he cannot start until the 20th.

SUPERVISOR DESENA: Okay.

COUNCILMAN WALSH: Based upon the proposal, he cannot start what?

MR. SCHAUFELD: Until April 20th.

SUPERVISOR DESENA: The contractor that you wish to use?

MR. SCHAUFELD: Yes.

COUNCILMAN TROIANO: Why that contractor?

MR. SCHAUFELD: He was the contractor that we had previously entered into an agreement with prior to my involvement.

COUNCILMAN TROIANO: So the Town Board has a resolution in front of them that says

April 5th. It seems to me incumbent upon you to find a contractor that can accommodate what this Town Board wants, or we'll just go take care of it ourselves.

COUNCILWOMAN DALIMONTE: Maybe you have to pay the contractor more money to get it done by April 15th.

COUNCILMAN TROIANO: Just find another contractor.

MR. SCHAUFELD: That's easier said than done. We have a contractor. We have someone that's familiar with the plans.

COUNCILMAN TROIANO: You have a contractor. We've heard that, but there are other contractors. It seems like you're playing a game with us.

MR. SCHAUFELD: I have not been playing a game with anyone.

COUNCILMAN TROIANO: You, you're representing the owners. You, as an attorney; you're an attorney, right? You're an attorney; is that correct?

MR. SCHAUFELD: Yes.

COUNCILMAN TROIANO: And you represent the owners.

MR. SCHAUFELD: I represent two of the owners that have control of the business, not the owners that they previously —

COUNCILMAN TROIANO: It's not uncommon; you understand that you step in the place of those owners. And so to use the term, you, don't take it personally, I'm using that in a legal context. The owners, if you like it better that way; the owners seem like that they're playing a game with us. Let's push this out two more weeks, and then the contractor may not be ready in two weeks, more additional time. Let's go back another month or so.

MR. SCHAUFELD: With all due respect —

COUNCILMAN TROIANO: But why not; why not just get a contractor to comply with these dates? And if you can't get a contractor then the town can take of it.

MR. SCHAUFELD: With all due respect, we are prepare to agree to the conditions that were proposed. If the contractor does not come through, then you knock down the building. What is your risk giving us the two weeks? We need the two weeks —

COUNCILMAN TROIANO: The risk is that we have a building standing that's a danger to our residents. I don't know what's going on inside of that building. I don't know what — people are living there? I don't know. I don't know what kind of rodents there might have been. What infestation there might be? And it just seems odd to me that you wouldn't make a better — have you made any effort to find another contractor.

MR. SCHAUFELD: We got this contractor. I found out about this hearing yesterday when the notice was hand-delivered to Jerry Wang, and his wife brought it to my house. I know it was mailed to the company at 445 Northern Boulevard. The principal of the company who has his business at that address did not let me know that the notice was provided. We had the contract signed on the first of March, not knowing about this hearing, and at that time, that's when the contractor said that as the first availability that he had.

COUNCILMAN WALSH: All this confusion could be why it's taking 18 years. I mean, you

were just notified yesterday. This all sounds like another, you know, extension of the 18 years that this thing has been sitting there. I'm not very happy with this.

MR. SCHAUFELD: I have a copy of the envelope that was hand-delivered to Jerry Wang's house.

COUNCILMAN WALSH: I'm sure you do. It's been 18 years.

MR. SCHAUFELD: This is how I found out about it.

COUNCILMAN WALSH: Okay, that's not our fault. We're here for the hearing, and you found out about it yesterday.

MR. SCHAUFELD: If you're looking for us —

COUNCILMAN WALSH: This is on your end's fault, right?

MR. SCHAUFELD: If you're looking for us to demolish the building, this is when we can do it. Getting a demolition contractor isn't as easy as looking in the yellow pages and say hey, can you do something next week for me. Contractors are very busy. We have someone that has a date that he's committed to. We're willing live or die by that date. If you're looking to have the Highway Department do the demolition, then you're going to do that, but if you want us to do the demolition that is when our contractor can do that. I'm here; I'm willing to commit to that date. This is my first time here addressing this Board on this matter, and I take responsibility for what happens going forward, but I can't take responsibility for what happened before that I had no knowledge of.

COUNCILMAN ADHAMI: And in some fairness to the currently applicant. I know this property has changed hands a few times over those 18 years, so it doesn't all fall on the owners now, but there's been a long history of a few owners that have neglected this property over the past 20 or so years.

MR. SCHAUFELD: We're looking to do what the town wants. I have bank statements that show that we have the money to pay for the work that needs to be done. We're prepared to do the work. We signed a contract to have the work done.

COUNCILWOMAN LIU: I do have an agreement before me. I wish you brought copies for everybody to see. If the Building Commissioner would like to it as well. Total amount payable by the client would be — is it going to be \$160,868 for this demolition?

MR. SCHAUFELD: Yes.

COUNCILWOMAN LIU: Which includes \$145,000 for that and permit application fee of \$3000 and taxes of \$12,868. So the scope of the work has been laid out, and this contract does state that work will start on or about — I'm sorry, start on or after April 20, 2024. So if anybody wants to see this, I can pass it around as well.

COUNCILWOMAN DALIMONTE: Let's make sure the clerk as a copy of that.

SUPERVISOR DESENA: Commissioner?

MR. NIEWENDER: That on or after date scares me.

COUNCILWOMAN LIU: Right.

SUPERVISOR DESENA: It should be on or before.

MR. NIEWENDER: On or before. It doesn't seem to be, again, my opinion, if you're asking for it. They're weren't prepared today. It was a knee-jerk reaction to an action that we took. Had we not taken any action, I don't know that anybody would have responded or fixed the problem. We had a prior conversation, and the more I hear and the more that I see that there's not really a plan here, I think, we stay the course of the hearing.

COUNCILMAN ADHAMI: Commissioner Niewender, how does this work if the Highway Department does demolish this? Does that get charged back to the property owner?

MR. NIEWENDER: Yes.

COUNCILMAN ADHAMI: What's the estimated cost of that?

MR. NIEWENDER: I couldn't tell you that. It would be quite expensive.

COUNCILMAN ADHAMI: It's determined after the fact once we know how much labor and carting and dumping is?

MR. NIEWENDER: Correct. There's dumping fees. There's equipment. There may be equipment rental. There may be overtime. All depends on --

COUNCILWOMAN DALIMONTE: But also, everyone has to think about our Highway Department doing this. It's taking them away from jobs that they — we need to do town-wide.

COUNCILMAN TROIANO: It's typically not that we send them a bill, and they write a check and put it in --mailed to us. A lien is established, so who knows when you're going to get paid.

COUNCILWOMAN DALIMONTE: I mean, Councilwoman Liu, this is your district. Are you okay with the two-week extension?

COUNCILWOMAN LIU: Yes, I am okay with the two-week extension. As I stated earlier that they need to file their permits no later than April 15, 2024, and

COUNCILMAN TROIANO: Not April.

COUNCILWOMAN LIU: I thought the — no because I believe that they expire within a week, so they have to get it a week before the demolition; am I correct?

MR. NIEWENDER: The Nassau County rodent letter expires in seven days.

COUNCILWOMAN LIU: Seven days.

MR. NIEWENDER: So it would have been active during the period right before demolition.

COUNCILWOMAN LIU: Right, so demolition if we're saying April 22nd, that Monday, then everything has to be by April 15th then. Everything has to be filed by April 15th and the demolition has to happen no later than April 22nd, so that is what I would amend this to on the record for today.

COUNCILWOMAN DALIMONTE: And also, I want to the know if you could add to that. As you're getting your disconnect from electricity, if there's any for sewer, that you're copied, the Building Department, the town attorney, everyone is copied so that we know they're actually moving on these things.

COUNCILWOMAN LIU: Absolutely.

COUNCILWOMAN DALIMONTE: And you start not seeing anything, then you know that

obviously there's an issue.

COUNCILWOMAN LIU: Right, so I can understand you just coming on. I don't know, yesterday, you're saying. That is problematic, right? But I understand your situation, and you've provided an agreement and the date is not far. It's not two months away, it's just two weeks from the proposed resolution. If we can have the demolition done by you, I think that is preferable to everybody here instead of getting our Highways Department involved, and since you have a signed contract here that I see that I happily give to -- everybody should have copies; town attorney, the clerk. Buildings Department, and then I would be happy to proceed on this resolution today. I don't want to delay it any further, and I would like to change those and amend those dates to April 15th and then April 22nd to satisfy section of the town code, so that's my proposal here. Does anybody --

ATTORNEY NICOLELLO: So we vote.

SUPERVISOR DESENA: Madam Clerk, will you call a motion to amend this resolution?

CLERK SRIVASTAVA: We have two people here --

SUPERVISOR DESENA: Wait, I'm sorry. Did anyone from the public wish to be heard before we go --

MR. NIEWENDER: May I just make one more request?

SUPERVISOR DESENA: Yes, please.

MR. NIEWENDER: I would request that the date on the deadline of the filing or before the filing date, that, that filing be made in my office, in person with all the proper documents.

COUNCILWOMAN LIU: Okay.

COUNCILMAN WALSH: By what date? By when:

COUNCILWOMAN LIU: By April 15th.

MR. NIEWENDER: Yeah.

COUNCILMAN SCOTT: In person.

MR. NIEWENDER: Yeah.

COUNCILWOMAN LIU: Counsel, do you agree to that?

MR. SCHAUFELD: Yes.

SUPERVISOR DESENA: Thank you. Commissioner.

COUNCILWOMAN LIU: Thank you.

SUPERVISOR DESENA: Do we have public who wishes to be heard?

CLERK SRIVASTAVA: Yes, we have cards. The first is Kathleen Levine.

MS. LEVINE: Good morning. My name is Kathleen Levine. I'm a resident of University Gardens as well as president of the board. Our board members and the residents are waiting a long time for this unsafe, unsightly structure in our neighborhood to be demolished. And I just have to say thank you to Commissioner, where ever he is, and to the Board. This is so refreshing to hear that action is going to be taken. It is an unsafe structure, and I have pictures.

You can't even walk along Northern Boulevard. There is tarp flying in the wind. It's a tripping hazard. This is what you see entering Nassau County from Queens. It is disgusting. The back, when you go in there, there's a hole in the fence where children would love to go and explore. Homeless people can build a home. There is a doorway. There is no door. There are rodents there. We can see it. They have tires, pipes, just garbage strewn about, and not only are the residents in an uproar, what about the people who homes back up to this? This is really, really disgraceful that this has been going on for so many years, and nothing has been done, so I have to say we feel a little hopeful, but if this isn't done, the community wants Channel 12 News there because we've had it. It's really, really disgraceful that this has gone on so long. Thank you.

COUNCILWOMAN LIU: Thank you, Kathleen.

CLERK SRIVASTAVA: Michael Rabinowitz.

MR. RABINOWITZ: Good morning, I appreciate the Councilmembers looking at the situation for us, and after sitting here and listening, I'm grateful to the Building Commissioner. I had no idea there was much behind the scenes going — so much support going on for us, and to our Councilmember, I really do appreciate it. I just want to say, you know, I lived at 12 Somerset Drive North for -- in March this month, it's going to be 70 years, and my home is 600 feet east of this building. Just a quick history. The building started off life as Leonards. Most people don't remember that or aren't around long enough, and then it became the Old Homestead Steakhouse and it was there for many years as the Old Homestead. Later, it became after that the Claridge, and then finally, the Bombay Palace. That's the history of the place. The building's open. There's more than one door that doesn't exist on the building. It's had — the Manhasset Lakeville Company for fire department at least two times that I know of over the years with an act of fire burning inside to where they had to pump water into the building from their equipment. I know that the inside of the building, not just asbestos in there, but burned debris that also is maybe as hazardous or more hazardous than asbestos. I'm concerned that the — Mr. Wang, the owner of the building is running a con job on his attorney, and hence this Board. I'm afraid that when they do commence, if they do commence, that it's not gonna be done properly. I'm worried about if there's a — I think that building has a basement, and I'm worried about are they planning on, you know, taking — when they demolish this building and remove all the debris; I'm worried about are they gonna empty out that basement? Are we gonna be left with a hole in the ground? What exactly the condition of this is gonna be after it's done? I know the Commissioner addressed a barrier to prevent people from entering the premises afterwards. But I think delay is -- it shouldn't be on the table. I have to disagree a little bit with your delay; although, I appreciate all your efforts. But two weeks is not the end of the world. It's just that, you know, this has gone on for so long, and we've had our fill of it. My parents had to live with this, and have both passed away in the interim, so I would appreciate any consideration in a positive manner the Board gives. I don't think that Mr. Wang and his attorney are going to follow through. I just have trepidation about that. I can't — it's been so long. They may not be responsible for 18 years of the ownership of the building, but they're responsible for their ownership since they've owned it, which has been years, so -- and the fact that — the story that they found out about this yesterday is just flat-out BS. Anyway, thank you very much for hearing me.

COUNCILWOMAN LIU: Thank you.

MR. RABINOWITZ: I appreciate you.

SUPERVISOR DESENA: Thank you.

COUNCILMAN WALSH: Can I ask you a question before you step away? Have you personally seen any people living there, homeless people, or drifters, or anything living in that location? Have you personally seen that?

MR. RABINOWITZ: I have seen people enter and leave there, but not -- I haven't seen it recently. Over the years, I have seen people go in there for shelter during very, very cold weather because it is wide open. There's cats and rodents going in and out of the building. You can see large rats if you sit there and watch.

COUNCILMAN WALSH: No, I was just wondering if you personally saw any people living there.

MR. RABINOWITZ: I have seen enter and exit. I have — as far as them actually residing inside, I can't really speak to that.

COUNCILMAN WALSH: Thank you.

MR. RABINOWITZ: I don't think anyone is in there now.

COUNCILMAN WALSH: And truthfully, you don't look a day over 69-and-a-half. I can't believe you're there for 70 years.

MR. RABINOWITZ: I know somebody just told me that yesterday, but I appreciate the support. Thank you.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LIU: Thank you.

MR. RABINOWITZ: Thank you very much.

MR. NIEWENDER: I'm sorry. Just to answer that question. That foundation will be backed filled with material that cannot be easily removed, so that's not a, you know, an issue, but I will bring up that according to the town code, if I understand it correctly, anything that's going to be built there now has to go before you guys, and that's not as of right anymore. Whether it's the Planning, BZA, or the Town Board, I'm not sure, but you'll have a say on what goes there now.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LIU: Thank you.

CLERK SRIVASTAVA: Steve Perlman.

MR. PERLMAN: Good morning. I don't want to take very much time. We are all neighbors of the property. We're all very heartened by what we heard the Town Board Members saying and the Commissioner. I'd like to point out I'm the former president of the community board, and about three years ago, I was contacted by the former counsel of this, of the owners of this property at that time. They asked for our board's assistance in soliciting permits for the demolition and future construction that they were planning for the site. In particular, they were having trouble because Northern Boulevard is a State road, and they needed to get the State Highway or the State's Transportation Department's authorization because they had to go into Northern Boulevard to cut off some of the utilities coming into the building. I just hope that, that was taken into the calculation about the time that those permits or contacts are in place. They're

ready to go if we're to meet this schedule that has been discussed here. Other than that, we look forward to this demolition going forward. We thank everyone here including our former and current representatives on the Board for all their hard work on this issue. Thank you.

SUPERVISOR DESENA: Thank you.

COUNCILWOMAN LIU: Thank you.

MR. SCHAUFELD: May I be heard to clarify one issue?

COUNCILWOMAN LIU: Yes.

MR. SCHAUFELD: Jerry Wang has a minority interest in this property now. My client bought 50 percent interest from him. Right now, he has a 1/12th interest. He has no control, does not manage the property, and we're trying to buy him out entirely.

COUNCILWOMAN DALIMONTE: So your client is a new owner?

MR. SCHAUFELD: My clients —

COUNCILWOMAN DALIMONTE: How long has your client owned this property.

MR. SCHAUFELD: Less than two years.

COUNCILWOMAN DALIMONTE: So I ask you to please ask your, I'm assuming that is your client next to you, is that these residents have lived with this for 16 years or 18 years that we get this done, and he decides what he's going to do with this property because it's a quality of life issue, and it's not fair to anyone that lives in this area to have to deal with this. We pay so much money in taxes. We should be able to have a nice neighborhood and entering into Nassau County, this should be a beautiful building, so I hope that he decides all the owners decide what they're gonna do with this building, start working on it, get an architect. Let's make it nice, especially for these neighbors that are here today.

MR. SCHAUFELD: That is what we intend to do.

COUNCILWOMAN DALIMONTE: Thank you.

COUNCILMAN TROIANO: I'm sorry, I know — recognize that you're new, Counsel, but you said that the people you represent have owned the property for two years, and they've not submitted any plans to the Building Department during that time, or have they?

MR. SCHAUFELD: There were — there's a demolition permit.

COUNCILMAN TROIANO: No, I mean, plans for construction.

MR. SCHAUFELD: There were plans that were drawn. I don't know if they were submitted. I have seen them. It was office, I think, on three floors and retail on the first floor.

COUNCILMAN TROIANO: So the pictures that the current president of the Civic showed us are representative of the condition that they purchased the property in; is that correct?

MR. SCHAUFELD: I'd say more or less. I think the property had been secured since —

COUNCILMAN TROIANO: I'm sorry?

MR. SCHAUFELD: I think the property had been better secured after my clients bought in.

COUNCILMAN TROIANO: But still, it's been in a state of disrepair for the entire time that

they've owned it.

MR. SCHAUFELD: Yes, it has.

COUNCILMAN TROIANO: And the fencing along the property, along with the -- I'm not sure what you would call, but the vinyl that goes along the fencing to stop anybody from seeing the property? That's in a state of disrepair as well?

MR. SCHAUFELD: Whatever the condition is.

COUNCILMAN WALSH: I didn't hear your answer, sorry.

MR. SCHAUFELD: Whatever the current condition is .

COUNCILMAN TROIANO: So over the last two years of their ownership, they've seem to have shown a complete lack of regard for the community.

MR. SCHAUFELD: But we've been fighting with the other owners and we're at a —

COUNCILMAN TROIANO: Did they have a majority in or they just purchased a majority?

MR. SCHAUFELD: We have a 50 percent interest.

COUNCILMAN TROIANO: How long have that had that?

MR. SCHAUFELD: We bought a 50 interest.

COUNCILMAN TROIANO: For how long?

MR. SCHAUFELD: More than two —

COUNCILMAN TROIANO: How long ago?

MR. SCHAUFELD: Two years ago.

COUNCILMAN TROIANO: That's what I mean. So for the last two years, the controlling owners have done nothing but show their disregard for community.

MR. SCHAUFELD: Well, we didn't have control. We had 50 percent.

COUNCILMAN WALSH: Yeah, but you could of put up a fence for God's sake. I mean, these people have suffered for a long time, and you're here saying we had control over a fence. What are you kidding me?

MR. SCHAUFELD: We're been fighting. We're —

COUNCILMAN WALSH: You could of put up a fence.

COUNCILMAN TROIANO: Wait, I'm sorry, I know we're getting really off topic, but I have to just finish this up, okay. A controlling interest is representing when you have more than 50 percent ownership.

MR. SCHAUFELD: When you have more than 50.

COUNCILMAN TROIANO: Exactly, in the last two years.

MR. SCHAUFELD: We haven't had more than 50.

COUNCILMAN TROIANO: I thought you said —

MR. SCHAUFELD: We have 50.

COUNCILWOMAN LIU: Fifty.

COUNCILMAN TROIANO: Fifty, exactly?

MR. SCHAUFELD: We don't have controlling interest. More recently, we have made an alliance with a one-third interest, so we now have control, and that's we're able to commit to what we're committing to.

COUNCILMAN TROIANO: Thank you.

SUPERVISOR DESENA: Thank you. Would you like to

COUNCILMAN SCOTT: Excuse me, sir.

MR. SCHAUFELD: Yes.

COUNCILMAN SCOTT: Do you represent the other persons that are in the alliance with your client.

MR. SCHAUFELD: I represent 50 percent at —

COUNCILMAN SCOTT: Sir, no. Do you represent just your client or the other person that you said your in an allegiance with. Do you represent those two --

MR. SCHAUFELD: I represent the corporation because we have controlling votes.

SUPERVISOR DESENA: When you said you represent the corporation, is that the 50 percent that you've been talking about, or is it larger?

MR. SCHAUFELD: We have all except for one/sixth.

SUPERVISOR DESENA: Okay, so you are counsel for all but for one/sixth of the owners?

MR. SCHAUFELD: No, I am counsel for five-sixth of the owners, and I'm counsel for the corporation.

SUPERVISOR DESENA: Okay, so you should be able to get this done.

MR. SCHAUFELD: I intend to get it done.

SUPERVISOR DESENA: Thank you.

MR. SCHAUFELD: Thank you.

(WHEREUPON, there was a discussion held amongst the Board Members.)

COUNCILWOMAN LIU: Is there anyone else that wants to be heard?

(WHEREUPON, there was no response.)

COUNCILWOMAN LIU: If not, I will close this hearing, offer the resolution as amended --

SUPERVISOR DESENA: Wait. First, let's move to amend it.

COUNCILWOMAN LIU: Okay.

SUPERVISOR DESENA: Should she close the hearing first and then move?

ATTORNEY NICOLELLO: Sure.

COUNCILWOMAN LIU: Move to close the hearing.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Now, the motion.

COUNCILWOMAN LIU: Now, I make a motion to amend the resolution. Do you want me to read with the dates now?

ATTORNEY NICOLELLO: Yes.

COUNCILWOMAN LIU: Be resolved that in the event that the property owner shall fail not later than April 15, 2024, to file an application in proper form for a demolition permit, or shall fail not later than April 22, 2024 to satisfy the requirements of Section 28-39.1 of the town code regarding the demolition of the fire damage structure at 380 Northern Boulevard, Great Neck, New York. The Building Department either through town personnel or through outside contracting at its discretion shall arrange for the performance of work necessary to demolish the said structure and to satisfy the requirements of code Section 28-39.1.

SUPERVISOR DESENA: Would you please call the roll?

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

ATTORNEY NICOLELLO: And offer the resolution as amended.

SUPERVISOR DESENA: Now, we offer the resolution as amended.

COUNCILWOMAN LIU: Yes, now, we offer the resolution as amended.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Before I vote, I'd just like to thank all the residents for coming. I appreciate your patience during these years and all that you had to go through, but we are here today, and we are only here to decide the demolish date, and I'm happy that counsel has an agreement actually dated March 1, 2024, for a demolition to take place. We have an agreed date now. We also have our Highways Department also ready to fill in should this fall through. Again, Counsel, but you have stated on the record, Counsel, that you will be in compliance with everything that was needed for this demolition. I appreciate that you're here today, actually to make that commitment, and — so with that being said, and thank you all for your patience here, especially to our Buildings Commissioner for helping to clarify some issues and all the backend work that needed to happen for this. I'm going to thank the Highways Department in advance as well. With that said, I vote Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILWOMAN LIU: Oh, actually, I should thank our former Councilmember, David Adhami, for also making sure that we are here at this stage today.

COUNCILMAN ADHAMI: Thank you. I don't do it for the praise, but this was months and months in the workings with the Board of University Gardens and the Building Department and I'm glad that it's finally coming to an end one way or another, so I vote, Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

Councilperson Liu offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 164 - 2024

A HEARING PURSUANT TO SECTION 28-39.5 OF THE TOWN CODE IN CONNECTION WITH THE BUILDING LOCATED AT 380 NORTHERN BOULEVARD, GREAT NECK, IDENTIFIED ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU AS SECTION 2, BLOCK 85, LOT 14.

WHEREAS, the building located at 380 Northern Boulevard, Great Neck, New York, identified on the Land and Tax Map of the County of Nassau as Section 2, Block 85, Lot 14 (the "Premises") has been damaged by fires; and

WHEREAS, the property owner has notified the Department of Building, Safety Inspection and Enforcement (the "Building Department") of an intent to demolish the structure and to build a new commercial structure; and

WHEREAS, on July 26, 2021 a commercial demolition permit was issued by the Building Department; and

WHEREAS, to date the property owner has failed to comply with the requirements of Article VIA of Chapter 28 of the Town Code relating to fire-damaged buildings and has failed to demolish the building; and

WHEREAS, pursuant to Section 28-39.5A of the Town Code the Building Department notified the Town Board that the property owner has failed to demolish the building and that a safety hazard exists; and

WHEREAS, pursuant to Resolution No. 56-2024, adopted February 6, 2024, the Town Board, having reviewed the information presented by the Building Department, determined that the condition of the building poses a safety hazard and directed the Building Department to notify the property owner of a hearing before this Board on March 12, 2024, at 10:00 A.M.; and

WHEREAS, the Building Department so notified the property owner; and

WHEREAS, this Board duly conducted a hearing on March 12, 2024, at which the property owner was given an opportunity to be heard.

NOW, THEREFORE, BE IT

RESOLVED that, in the event that the property owner shall fail, not later than April 15, 2024, to file an application in proper form for a demolition permit, or shall fail, not later than April 22, 2024, to satisfy the requirements of §28-39.1 of the Town Code

regarding the demolition of the fire-damaged structure at 380 Northern Boulevard, Great Neck, New York, the Building Department, either through Town personnel, or through outside contracting at its discretion, shall arrange for the performance of work necessary to demolish the said structure and to satisfy the requirements of §28-39.1; and be it further

RESOLVED that the cost thereof shall be appropriated from Town funds; and be it further

RESOLVED that the Town shall be reimbursed therefor as provided in §28-39.5(B); and be it further

RESOLVED that, in the event that the property owner shall fail to file plans for rebuilding of the said structure not later than July 31, 2024, the owner shall be deemed to have notified the Building Official of an intent not to rebuild.

Dated: Manhasset, New York

March 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Dalimonte Councilperson Liu, Councilperson Scott, Councilperson Troiano, Councilperson Walsh, Supervisor DeSena.

Nays: None.


cc: Town Attorney Comptroller

Affidavit of Publication

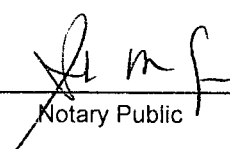
County of Nassau SS
State of New York,

Iris Picone, being duly sworn, deposes and says that she is the principal Clerk of the Publisher of
The GREAT NECK RECORD
a weekly newspaper published at Mineola in the county of Nassau, in the State of New York, and that a notice, a printed copy of which is hereunto annexed, has been published in said newspapers once in each week for

1 weeks, viz: February 28, 2024



Sworn to me this 28 day of
February-2024



Notary Public
Shari M. Egnasko
Notary Public, State of New York
No. 01EG6119807
Qualified in Nassau County
Commission Expires Dec. 6, 2024

LEGAL NOTICE
NOTICE OF HEARING
PLEASE TAKE NOTICE that a hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 12th day of March, 2024, at 10:00 A.M., to conduct a hearing pursuant to Section 28-39.5 of the Town Code in connection with the building located at 380 Northern Boulevard, Great Neck, New York, identified in the Land and Tax Map of the County of Nassau as Section 2, Block 85, Lot 14.
PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the proposed resolution at the time and place advertised.
Dated: Manhasset, New York
February 6, 2024
BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD
RAGINI SRIVASTAVA
TOWN CLERK
2-28-2024-1T-#245087-GN

CLERK SRIVASTAVA: Item number 4. A resolution and order after public hearing held on March 12, 2024, for the increase and improvement of facilities of the Port Washington Public Parking District, pursuant to Section 202-B of the town law.

SUPERVISOR DESENA: Is there anyone wishing to be heard on this?

CLERK SRIVASTAVA: We don't have cards on this item.

SUPERVISOR DESENA: I'm sorry, yes?

CLERK SRIVASTAVA: No, we don't have any cards on this item.

SUPERVISOR DESENA: Oh, no cards. Does anyone on the Board have any questions about this?

(WHEREUPON, there was no response.)

SUPERVISOR DESENA: Seeing none, I move to close the hearing and offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Item number five. A bond resolution of the Town of North Hempstead, New York, adopted March 12, 2024, appropriating \$272,741 for the increase and improvement of the facilities of the Port Washington Public Parking District, in said town, and authorizing the issuance of \$272,741 serial bonds of said town to finance said appropriation.

SUPERVISOR DESENA: I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: Aye.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you. Now, we have item number 6. A resolution rendering a decision to disapprove the application of Hillside Islamic Center for site plan review for the premises located at 300 Hillside Avenue, New Hyde Park, and designated on the Nassau County Land and Tax Map as Section 8, Block 3, Lots 6, 11 & 13, and to adopt the findings of fact annexed as an exhibit to this resolution stating the reasons for the Board's disapproval.

SUPERVISOR DESENA: Is there anyone wishing to be heard?

CLERK SRIVASTAVA: We have cards for this item.

SUPERVISOR DESENA: Any questions from the Board?

CLERK SRIVASTAVA: James McHue.

SUPERVISOR DESENA: I'm sorry, what?

CLERK SRIVASTAVA: James McHue.

MR. MCHUE: Pass.

SUPERVISOR DESENA: Oh, pass, okay. Seeing none, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Mr. Gary Heesemann.

SUPERVISOR DESENA: Oh.

MR. HEESEMANN: That's okay.

SUPERVISOR DESENA: Okay, I offer the resolution and move for its adoption.

CLERK SRIVASTAVA: Councilman Troiano?

COUNCILMAN TROIANO: No.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Yes.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: No.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: No.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

Supervisor DeSena offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 165 - 2024

A RESOLUTION RENDERING A DECISION TO DISAPPROVE THE APPLICATION OF HILLSIDE ISLAMIC CENTER FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 300 HILLSIDE AVENUE, NEW HYDE PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 8, BLOCK 3, LOTS 6, 11 & 13, AND TO ADOPT THE FINDINGS OF FACT ANNEXED AS AN EXHIBIT TO THIS RESOLUTION STATING THE REASONS FOR THE BOARD'S DISAPPROVAL.

WHEREAS, the Hillside Islamic Center (the "Applicant") (the "Application") has applied to the Town Board of the Town of North Hempstead (the "Town") to construct a three-story 6,600 s.f. addition to an existing two-story 5,428 s.f. religious building, including expansion of the parking lot into three adjoining parcels and the installation of three new curb cuts, on a 0.88-acre lot located at 300 Hillside Avenue, New Hyde Park and identified on the Nassau County Land and Tax Map as Section 8, Block 3, Lots 6, 11 and 13 and other lots as noted in the Application (the "Premises"); and

WHEREAS, it was determined that the Application is subject to site plan review pursuant to § 70-219(A)(1)(a) and (e) of the Code of the Town of North Hempstead (the "Town Code"); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code § 70-219(F)(1), has published notice of a public hearing scheduled for June 6, 2023 for the site plan review (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 273- 2023, adopted on May 2, 2023, which hearing was continued to July 11, 2023, August 8, 2023, September 5, 2023, October 3, 2023, November 14, 2023, December 5, 2023, January 9, 2024 and further continued to January 30, 2024; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval on August 15, 2022 citing the following items: (1) the application requires site plan review pursuant to Town Code § 70-219(A)(1)(a) for the construction of an addition to an existing structure of greater than 750 s.f. of floor area; and (2) the application requires site plan review pursuant to Town Code § 70-219(A)(1)(e) for a change in the number of site access/egress points, entrance/exit drives or curb cuts or a relocation of an existing access point by more than 20 feet; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearings held on June 6, 2023, July 11, 2023, August 8, 2023, September 5, 2023, October 3, 2023, November 14, 2023, December 5, 2023, January 9, 2024, and January 30, 2024, and afforded all interested persons the opportunity to be heard; and

WHEREAS, after the close of the public hearing on January 30, 2024, Supervisor DeSena offered a resolution to approve the Application for Site Plan Review, subject to certain conditions and to make a SEQRA determination that the project was an Unlisted Action and to

adopt a determination of significance that the project will not result in any adverse impact on the environment, which resolution, as proposed, was not approved, with two (2) Councilpersons voting Aye, and the Supervisor and three (3) Councilpersons voting Nay, and one Councilperson Abstaining.

WHEREAS, pursuant to Town Code § 70-219 (B)(3) this Board now wishes to render a decision disapproving this Application.

NOW, THEREFORE, BE IT

RESOLVED that this Board finds that the Application and site plan are not in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is inconsistent with the spirit and intent of Town Code § 70-219; and be it further

RESOLVED that the Board adopts the Findings of Fact annexed to this Resolution; and be it further

RESOLVED that, pursuant to Town Code § 70-219(B), the site plan is hereby disapproved; and be it further

RESOLVED that a copy of this Resolution and the Boards Findings of Fact annexed to this Resolution shall be filed with the Commissioner of Building Safety, Inspection and Enforcement (the "Building Commissioner"), and with the Town Clerk.

Dated: Manhasset, New York

March 12, 2024

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Adhami, Councilperson Scott, Councilperson Walsh, Supervisor DeSena.

Nays: Councilperson Dalimonte, Councilperson Liu, Councilperson Troiano.

SUPERVISOR DESENA: And I move to adjourn.

CLERK SRIVASTAVA: Councilman Troiano.

COUNCILMAN TROIANO: Aye.

CLERK SRIVASTAVA: Councilman Scott?

COUNCILMAN SCOTT: Aye.

CLERK SRIVASTAVA: Councilman Walsh?

COUNCILMAN WALSH: Aye.

CLERK SRIVASTAVA: Councilwoman Liu?

COUNCILWOMAN LIU: Aye.

CLERK SRIVASTAVA: Councilman Adhami?

COUNCILMAN ADHAMI: Aye.

CLERK SRIVASTAVA: Councilwoman Dalimonte?

COUNCILWOMAN DALIMONTE: If we're going to have these morning meetings, I was told that again today, there was no place for parking. The signs were not covered, and if we can make sure that there's no meetings in the Supervisor's conference room. I don't know about you guys, but I'm hearing —

SUPERVISOR DESENA: I actually didn't hear. I think it's because you're by the door.

COUNCILWOMAN DALIMONTE: It's the door. Ed is shaking his head, too. If we can make sure that in these meetings that there's no meetings in the Supervisor's conference room, and I vote, Aye, to adjourn.

CLERK SRIVASTAVA: Supervisor DeSena?

SUPERVISOR DESENA: Aye.

CLERK SRIVASTAVA: Thank you.

(Whereupon, the meeting was concluded at 11:46 a.m.)



Town Clerk