

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PUBLIC HEARING
SERITAGE APPLICATION
September 17, 2020
7:08 p.m.

HEARING - P-4-20

To consider the application of Seritage SRC Finance LLC for Special Use Permits and Site Plan Application on premises located at 195 North Broadway, Hicksville, New York. (8/4/20 #44 & 8/11/20 #10).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS P. HAND
COUNCILMAN STEVE L. LABRIOLA via phone
COUNCILWOMAN LAURA L. MAIER
COUNCILWOMAN VICKI WALSH

A L S O P R E S E N T:

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES
LEONARD SYMONS, MODERATOR

Minutes of the meeting
taken by:

OLGA RAPTIS
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good evening,
2 ladies and gentlemen.

3 On behalf of my colleagues, we welcome
4 you to this meeting of the Oyster Bay Town Board,
5 this Special Meeting of September 17, 2020.

6 I ask everyone now to please rise while
7 our Town Clerk, Rich LaMarca, will lead us in the
8 Pledge of Allegiance.

9 (Pledge of Allegiance was recited.)

10 (Moment of Silence was taken for men
11 and women in the United States Armed Services
12 serving here and abroad and in recognition of the
13 men and women in law enforcement, our firefighters,
14 our first responders and all of our healthcare
15 heroes.)

16 SUPERVISOR SALADINO: Clerk LaMarca,
17 will you please poll the Board?

18 MR. LAMARCA: Supervisor Saladino?

19 SUPERVISOR SALADINO: Present.

20 MR. LAMARCA: Councilwoman Johnson?

21 COUNCILWOMAN JOHNSON: Here.

22 MR. LAMARCA: Councilman Imbroto?

23 COUNCILMAN IMBROTO: (No response.)

24 MR. LAMARCA: Councilman Labriola?

25 COUNCILMAN LABRIOLA: Councilman

1 Labriola is here. (Via phone.)

2 MR. LAMARCA: Councilwoman Maier?

3 COUNCILWOMAN MAIER: Present.

4 MR. LAMARCA: Councilwoman Walsh?

5 COUNCILWOMAN WALSH: Present.

6 MR. LAMARCA: And Councilman Hand is
7 present.

8 COUNCILMAN HAND: Thank you.

9 SUPERVISOR SALADINO: Welcome everyone
10 in an unusual format. We thank you for being here
11 and taking part in Town Oyster Bay government.
12 There are some procedural motions that we've had to
13 make under the law.

14 But before we get started, I want to
15 remind everyone that this is, while this is
16 unusual, this is still Town of Oyster Bay
17 government. And I feel, the way our Board feels,
18 all of our elected officials, that the Town of
19 Oyster Bay is the best town on Long Island. So my
20 colleagues in other towns may disagree, but we know
21 the Town of Oyster Bay is number one because we
22 care about one another and we respect each other
23 for our similarities who have one family in the
24 Town of Oyster Bay, but we also have differences.

25 There may be an occasion where you may

1 agree with the speaker, you may disagree, you agree
2 with part of them, but what we will do tonight is
3 respect one another's views and I ask no one to
4 comment while someone else is speaking.

5 Every person here tonight who would
6 like to speak will get their turn, but it is
7 essential that we show that the Town of Oyster Bay
8 is number one by respecting each other throughout
9 this entire proceeding, whether you're here at Town
10 Hall North or you're at one of the other locations.

11 So, that is our expectation and I hope
12 and I know that everyone will comply with that.

13 So, let us begin by asking our Town
14 Clerk to please call the first hearing.

15 MR. LAMARCA: Supervisor, this hearing
16 is considered the application of Seritage SRC
17 Finance, LLC for Special Use Permits and Site Plan
18 Application on premises located 195 North Broadway,
19 Hicksville, New York.

20 SUPERVISOR SALADINO: Thank you.

21 Just some more information, as you are
22 aware, there is a Draft Environmental Impact
23 Statement, also known as a DEIS, which has been
24 prepared for this project and a Special Use Permit
25 is requested by the Seritage Growth Properties for

1 the private sector development of Seritage Village
2 in Hicksville.

3 Tonight after a presentation from the
4 developer, you, our residents, have the opportunity
5 to express your thoughts on this project. Whether
6 you're here to support the project, oppose the
7 project or are somewhere in between, we are here to
8 listen to you. Your voice is most important and
9 that's why we are hosting this meeting.

10 On behalf of the Town Board, I would
11 like to thank you in advance for your participation
12 tonight. I would like to thank you for the very
13 important courtesy that each and every one of us
14 will show to every speaker throughout this entire
15 night no matter how long it takes.

16 Like you, the Town Board and I, are
17 here to listen to the application and the specifics
18 and then we're here to listen to your views.

19 So, on behalf of the Town Board in
20 advance, I again thank you. And I also introduce
21 our moderator for the evening, former Town of
22 Oyster Bay Councilman, Leonard Symons.

23 MR. SYMONS: Thank you very much
24 Supervisor Saladino.

25 I will be your moderator tonight.

1 Again, my name is Lenny Symons. I'm
2 delighted to have the opportunity and share this
3 evening with you.

4 I have a script in front of me, and
5 those who know me, know that my history is not good
6 with scripts, which means listen to what I have to
7 say because it is important. I'm going to go over
8 some of the rules tonight. I'm going to go over
9 some of what our expectations are. It's a very
10 unique evening.

11 Let's start off with, as the Supervisor
12 has indicated, we are going to allow the developer
13 this evening to explain their project. We are
14 going to afford the public and the Town Board the
15 opportunity also to express their concerns, but
16 really in the form of good listening tonight.

17 I think the take away from that remark
18 is this is not the final dance. This is the not
19 the big hearing where it's going up or it's going
20 down. This is a Special Use Permit Hearing in
21 essence, as the Supervisor has just pointed out.

22 We are joined live tonight and remotely
23 by residents of the Hicksville Athletic Center,
24 Hicksville Community Center, as well as the Ice
25 Skating Center in Bethpage.

1 There is a large number of residents we
2 anticipate in tonight's meeting to participate.
3 And the Town Board created these remote sites to
4 help ensure public participation as well as safe
5 social distancing, mask etiquette, all to protect
6 ourselves during this public health pandemic.

7 So, here, in essence are the rules.
8 Those who wish to speak should fill out a form in
9 the back of the room, take that form and bring it
10 up to one our assistants here in the front of the
11 room and you will be expected then to, at some
12 point, be called upon to speak.

13 The staff is available in all locations
14 for your assistance, so if you have questions on
15 other topics or if you need their assistance, we
16 are well staffed, well prepared, to go forward in a
17 very orderly matter.

18 Each speaker will be allowed three
19 minutes to speak. I'll talk about that a little
20 more in a moment. The developer is going to be
21 taking notes tonight, and it is expected that the
22 developer will be answering questions that have
23 been posed by the public.

24 In the event that we run out of time,
25 the applicant will still answer those questions.

1 They will do so in writing. Those answers to those
2 questions will ultimately become part of the final
3 environmental impact statement. You, the public,
4 will be entitled to view that. And so that's an
5 important note. Don't feel in any way, shape or
6 form that you will be left out of the process.

7 Let's assume you can't stay for the
8 meeting. Something comes up or the time gets late
9 and you have to leave. Let's also assume that you
10 speak and you speak for three minutes and you sit
11 down and you realize you left something out. Let's
12 also assume you hear another speaker and it jogs
13 your memory and it's really something that you want
14 to touch upon, but you've already have spoken. If
15 you're a civic leader, you may go home and three
16 days from now wake up in the middle of the night
17 with another question.

18 The Supervisor and this Board has
19 provided a mechanism that all of us, including the
20 applicant, in the next 60 days, you can provide
21 written testimony and you can do so very easily by
22 e-mail. And I'm going to give you the e-mail site.
23 It's publiccomment@oysterbay-ny.gov. Let me say
24 that again. Publiccomment@oysterbay-ny.gov. It's
25 easier just to go to the website and find public

1 comment, e-mail us and that testimony will become
2 part of the record. It's the same thing as if you
3 came up to the speaker's podium and spoke here
4 tonight. There is no difference. The weight is
5 the same. The importance is the same.

6 So, in the event that those scenarios
7 that I have just described take place, you are not
8 going to get cut out from any participation. And,
9 of course, when I say, I speak about the residents
10 in those scenarios, it goes for the applicant also.
11 They will have 60 days as well as our residents to
12 provide additional information that will become
13 part of the record.

14 There may be some people here who want
15 to drill down a little bit and re-familiarize
16 themselves with the application. There's a DEIS,
17 Draft Environmental Impact Statement. That's on
18 our website, too. That's an important resource for
19 those who want some additional information.

20 That DEIS is lengthy. It provides a
21 wealth of information. There is certainly an
22 enormous amount of expert testimony, and I am sure
23 tonight that you will be listening to some of those
24 experts.

25 But I want to make a suggestion to all

1 who are here tonight to become part of this
2 proceeding. There is another category of expert
3 that we should think about. There are those who
4 have for years, some for a lifetime, you have
5 driven the roads in Hicksville, you have walked the
6 streets, you have breathed this air, you call
7 Hicksville home. In a certain sense, you, too, are
8 experts. And if you look at it that way, you now
9 understand why the Supervisor and the Town Board
10 have taken enormous steps in the midst of a public
11 health pandemic to have this hearing in such way,
12 that not only will we be hearing the applicant and
13 those who speak here, but at the various venues, as
14 well as providing additional information in the
15 next 60 days.

16 And If I may inquire for a moment, take
17 the liberty of asking the Supervisor a question,
18 Supervisor, I don't believe in the history of the
19 Town of Oyster Bay that we have ever conducted a
20 hearing with the kind of technology and the kind of
21 effort that has been put into the Seritage hearing.

22 SUPERVISOR SALADINO: Thank you, Len
23 Symons.

24 As I began my comments this evening, we
25 are leading Long Island and perhaps the State,

1 while many other municipalities are still at pause,
2 we continue to hold Town Board meetings, with the
3 public here and broadcast over the Internet, and
4 tonight is a first in Town of Oyster Bay history.

5 This Town has been here since 1653, and
6 we continue to lead with your cooperation. So this
7 meeting, this Special Hearing is being held in four
8 locations simultaneously. We are very proud of the
9 way it's being run. And I don't want to thank the
10 staff of the Town of Oyster Bay and my colleagues
11 for all they did in order to put this together.
12 And I know we're going to have a successful meeting
13 that other municipalities will want to emulate.

14 So we look forward to getting started.
15 Each speaker will have a three-minute speaking
16 rule. We ask you to keep that in mind, please. We
17 have a clock here that you can look at in order to
18 gauge your time.

19 And, again, as Len Symons said, the
20 public comment, you can make a public comment to
21 the Town. It will be part of the permanent record,
22 and that's by going to, one word,
23 publiccomment@oysterbay-ny.gov. All of the
24 information is available at our website,
25 oysterbaytown.com/Seritage/.

1 Our public record will be open for 60
2 days which will give people ample time to comment
3 on their feelings and their views as it relates to
4 this application.

5 Len?

6 MR. SYMONS: Ladies and gentlemen, just
7 to point out, we have a very fine court reporter
8 here tonight who is going to be taking down
9 everybody's remarks and that will become part of
10 the record.

11 Procedurally, we're going to call five
12 speakers at a time. In each venue, we will call
13 five speakers, here in Town Hall North and then
14 we'll do the same in each of the venues.

15 Again, you'll have three minutes to
16 speak. I'll give you a little nudge when I think
17 you've reached the limit. Don't be offended. You
18 want to add some additional remarks, you're going
19 to have an opportunity, but you're going to be able
20 to do that, please, in writing.

21 So the five speakers, in effect, will
22 be in the on-deck circle.

23 SUPERVISOR SALADINO: And I believe
24 it's also important to point out that we'll be
25 calling them in a rotation. First at Town Hall

1 North; the next speaker will be from the Hicksville
2 Community Center; the next speaker after that will
3 be at the Hicksville Athletic Center and then at
4 the Ice Skating Center in Bethpage. And we will
5 continue through this rotation.

6 And I thank you for putting people on
7 deck so this way we can do this as efficiently as
8 possible.

9 MR. SYMONS: I think you can visualize
10 yourselves if you're on the on-deck circle and draw
11 an analogy. Let's go to the Yankee Stadium and
12 visualize yourself on the on-deck circle with your
13 bat getting ready, as they've done the last two
14 nights, they hit the ball out of the park. Give a
15 relaxed, effective presentation. We look forward
16 to that.

17 There may be people who have made the
18 same remarks that you intend to make. The fact
19 that they have been made 15 times don't make them
20 15 times more important, so consider that, please,
21 in your approach and for the remarks you intend to
22 put upon the record.

23 I want to get to the part for a moment
24 from the script and share with you, and I really
25 want you to pay close attention to the remarks I'm

1 about to make, because it really touches upon
2 something that the Supervisor just said, and it's
3 under really the banner of best practices and
4 lessons learned.

5 I have spent many years in public
6 service, including the Nassau County DA's office
7 where I was an Assistant DA. I spent close to
8 thirteen years on the Oyster Bay Town Board. I
9 considered that an honor and a privilege. And I
10 also, I sat for many years where you sit tonight.
11 I was a civic leader. I looked through that
12 special lens of a civic leader and indeed it is
13 special lens.

14 I learned that one of the most
15 important qualities of a decisionmaker, and they're
16 behind me tonight, is the ability to listen. If
17 you listen, you learn. We have -- we, meaning
18 myself as moderate, you, as the participants -- we
19 have a joint responsibility tonight; to create an
20 atmosphere that enhances the ability of the
21 decisionmakers to listen.

22 If we start with the personal attacks,
23 inflammatory statements, and the sniping, you may
24 grab a headline in a local newspaper. But take it
25 from me, you do precious little to help the bottom

1 line.

2 I know this community. I know the
3 applicants. I know all of you well. You are too
4 smart, too sophisticated and too prepared to ever
5 let that happen.

6 I look forward this evening to a very
7 spirited discussion laced with civility and laced
8 with respect.

9 That being said, I welcome all of you,
10 ladies and gentlemen, to the Seritage hearing, and
11 we welcome the attorney for the applicant, Dominick
12 Minerva, who was going to try keep the presentation
13 in the 90 to 100-minute frame, and we look further
14 to this presentation.

15 Dominick, the floor is yours.

16 MR. MINERVA: Thank you very much.

17 Supervisor, Members of the Town Board,
18 Dominick Minerva, Minerva & D'Agostino, 107 South
19 Central Avenue, Valley Stream, New York, attorney
20 for the applicant.

21 This is a hearing to consider the
22 application for site plan approval and special use
23 permits to allow a theater, a fitness center and
24 residential units on grade level in connection with
25 the applicant's plan to demolish the existing

1 vacant Sears Department Store of approximately
2 260,000 square feet and the existing vacant Sears
3 Automotive Center for approximately 80,000 square
4 feet, inclusive of the basement, and construct a
5 mixed-use development at the premises known as
6 195 North Broadway in Hicksville. It is located at
7 the northeast corner of North Broadway and Nevada
8 Street.

9 The proposed mixed-use development will
10 contain approximately 294,000 square feet of
11 commercial space along with 425 dwelling units.
12 Commercial area includes 121,139 square feet of
13 retail, inclusive of a 25,000 square foot grocer.
14 50,854 square feet of restaurant, 38,888 square
15 feet of office space, 39,532 square foot cinema and
16 a 37,980 square foot fitness center and five new
17 main buildings and two small buildings on a pad
18 site while maintaining the existing TD Bank and
19 Chipotle Restaurant tenancies. All the buildings
20 have three stories in height or less.

21 John Clifford from S9 Architecture will
22 take the Board and the public through the design
23 and uses of the proposed new buildings and proposed
24 layout of the site shortly.

25 The subject premises is located in the

1 General Business Zone of the Town and it consists
2 of 26.4 acres of contiguous land.

3 The applicant, Seritage SRC Finance LLC
4 is a subsidiary of Seritage Growth Properties, a
5 publicly traded real estate investment trust.

6 Seritage purchased approximately 260
7 properties from Sears several years ago and has
8 either re-developed or is in the process of
9 commencing new development for approximately half
10 of their properties across the United States.

11 As we are all aware, Sears Department
12 Store closed its doors in April of 2018. With the
13 efforts of the Town and the applicant, the historic
14 mural located in the Sears Department Store was
15 preserved and relocated to the next block at the
16 Hicksville Athletic Center.

17 As you will hear probably from the
18 applicant's expert witnesses, the applicants meets
19 the criteria in Section 246-9.4 of the Town code
20 for the granted requested special use permits.

21 As stated, the architect will inform
22 you of the details of the proposed development.
23 You will also hear from James Bry from Seritage,
24 Pat Lenihan from the BHP Engineering, the
25 applicant's parking and traffic expert, Jee Mee Kim

1 from HR Advisors, the applicant's economic
2 consultant and Barry Nelson, the applicant's real
3 estate appraiser.

4 We also have with us John Ellsworth
5 from BHP Engineering, the applicant's environmental
6 consultant and David Boda Kavali from BHP
7 Engineering, the applicant's civil engineer. We
8 are here to answer questions that may arise.

9 I'd like to thank the Town, both the
10 applicant and the Town through your Planning
11 Department and your Environmental Resources
12 Department have worked extensively over a three-
13 year period to develop the plans that we are
14 presenting tonight, with an additional one year
15 community outreach prior to filing the application.

16 The applicant initially filed an
17 application proposing to construct 596 dwelling
18 units in addition to the commercial development and
19 four story buildings. That application was amended
20 four times during that three period to the current
21 plan of 425 dwelling units plus the commercial
22 development. These amendments included reductions
23 to 566 residential units and another reduction to
24 496 residential units prior to the current
25 proposal.

1 The applicant also originally discussed
2 with the local civic associations, a plan that had
3 a big box commercial development to the south and a
4 mixed use portion of the development to the north.

5 In response to community suggestions,
6 the applicant re-located the residential portion of
7 the development adjacent to the existing
8 residential area and eliminated the big box store
9 from the proposal prior to filing the initial
10 application with the Town.

11 The applicant has also engaged in what
12 is, in my opinion, an unprecedented of public
13 outreach over a period of four years meeting with
14 and presenting our plans as they developed to
15 various interested parties. There were over 30
16 total meetings with local civic associations, the
17 Hicksville Community Council, the Chamber of
18 Commerce, the fire department, the police
19 department and the school district.

20 The plans that we are presenting
21 tonight is a culmination of those efforts,
22 coordination and consultation.

23 I'm going to call up James Bry from
24 Seritage in a minute. Just a housekeeping item, I
25 understand we're cleaning the podium after every

1 speaker. I was originally going to introduce each
2 speaker, but to avoid that unnecessary process, I'm
3 just going to let you know our next speaker will be
4 James from Seritage, John Clifford from S9
5 Architecture, Pat Lenihan from BHP Engineering,
6 Barry Nelson from the Nelson Real Estate Group and
7 Jee Mee Kim from HR Advisors.

8 Supervisor, I'm going to ask, having
9 the Nassau County previously qualified Barry Nelson
10 as an expert with regard to land use and its
11 valuation and having previously qualified Pat
12 Lenihan as an expert regarding parking and traffic,
13 I'm just going to ask if you would be willing to
14 continue those qualifications?

15 SUPERVISOR SALADINO: Yes.

16 MR. MINERVA: Thank you.

17 And also for the record, I'm just going
18 to give the Town Clerk to submit as part of our
19 record, the resume for Jee Mee Kim, our economic
20 consultant.

21 Thank you.

22 At this time, I'm going to call on
23 James Bry from Seritage.

24 MR. BRY: Good evening.

25 My name is James Bry. I'm Executive

1 Vice President of Development and Construction for
2 Seritage Growth Properties. We're located at
3 500 Fifth Avenue New York, New York.

4 Good evening, Supervisor Saladino,
5 Councilwomen, Councilmen of the Town Board, people
6 of the Town of Hicksville and the people of the
7 Town of Oyster Bay.

8 We want to thank you for allowing us to
9 present our project tonight and the development of
10 the former Sears site at Hicksville.

11 We look forward to this opportunity to
12 answer your questions and hope that tonight results
13 in an all interested parties having a better
14 understanding of our mixed-use, transit-oriented
15 development plan.

16 We would like to thank the Planning and
17 Development Department of Environmental Resources
18 for coordinating and reviewing our DEIS and site
19 plans submissions.

20 Over the past four years, we have been
21 committed to having an open dialogue with the
22 community and we've met with various community
23 members and organizations who have attended our
24 presentations. The plans you will see tonight
25 reflect a lot of input from the community and

1 greatly benefited from that dialogue.

2 Since acquiring the site, Seritage has
3 been committed to becoming a part of the Hicksville
4 and Town of Oyster Bay community. Seritage removed
5 and restored the historical mural which now resides
6 in the Hicksville Athletic Center where many people
7 are watching this event tonight.

8 Seritage has provided the site as a
9 commuter parking lot, while the garage at the train
10 station was being repaired. The parking lot was
11 also used as a food distribution site during the
12 pandemic as recently as last month.

13 The property has continued to be used
14 as staging for the Memorial Day Parade and Friday
15 night car shows which raise money for local
16 charities, and the site has been used by the Town
17 of Oyster Bay fire department for training and
18 exercises throughout the year, all with the support
19 from Seritage.

20 Further, we have become a member of the
21 Chamber of Commerce. We have supported the VFW,
22 the Boys and Girls Club and the Hicksville Fire
23 Department Toy Drive.

24 Finally, we have been asked by many
25 people in the wake of the pandemic, do we believe

1 this is still the right project for this site. The
2 answer is unequivocally yes.

3 We are seeing a flight from dense
4 downtown to the suburbs through the United States
5 where people have more space to live and work, but
6 are still looking for a walkable setting where they
7 do not have to get in their car to get a cup of
8 coffee, pick up their groceries, have dinner. As
9 things return to normal, so will our behavioral
10 habits, our desire to go to the gym, socializing at
11 restaurants and enjoying entertainment venues.

12 The scale of our project, the three-
13 story buildings, the width of the sidewalks, the
14 five acres of open space, the quality of the
15 project we are proposing to build, manage and
16 maintain, the job creation and the economic
17 benefits that this project will bring, we believe
18 this is exactly what this community needs.

19 Thank you again for giving us the
20 opportunity to present our project to you tonight.

21 I will now hand it over to John
22 Clifford from S9 Architecture.

23 MR. CLIFFORD: Thank you.

24 Good evening, Supervisor, Council
25 members and members of the public.

1 My name is John Clifford. I'm a
2 founding principal of S9 Architecture and also a
3 registered engineer in the State of New York.

4 I'm going to bring you through the
5 proposal for Heritage Village. I hope everybody
6 can see the slides that are going to go up.

7 So the site is located across from
8 Broadway Commons Mall on North Broadway and bound
9 by Bay Avenue and Lenox Avenue to the South.

10 Here are some existing photos of the
11 site. It's occupied by the now closed Sears and
12 Roebuck's Store, the abandoned tire center and
13 there are two pad sites out front, the Chipotle and
14 the TD Bank. These photos were taken not when the
15 Sears were open. The cars in the parking lot, they
16 were used for commuter rail when the parking lot
17 was under construction.

18 The existing site is approximately 27
19 acres. You can see that it's almost 100 percent
20 paved parking lot with the exception of the Sears
21 building in the middle of the site, which is a
22 two-story, 262,000 square-foot building and the
23 one-story 45,000 square foot Sears Automotive
24 Center up closer to North Broadway. You can see at
25 the corner of Nevada and North Broadway the TD

1 Bank, which shall remain, and the Chipotle in the
2 bottom of the slide will also remain.

3 The proposed development is envisioned
4 as a transit-oriented development with mixed-use
5 commercial and retail buildings. There will be
6 three of those mixed-use buildings.

7 Additionally, there will be two new
8 mixed-use residential and retail buildings,
9 approximately 4.7 acres of enhanced green and
10 public space. In addition to the 4.7 acres,
11 there's approximately another half an acre of
12 private courtyard space within the residential
13 buildings. And there will be new public gathering
14 areas and seasonal event programming throughout the
15 site, which I will describe later on in the
16 presentation.

17 This is the proposed site plan just
18 identifying where the new buildings will be and how
19 the circulation within the site is envisioned. The
20 blue markers that are around the perimeter of the
21 site, where you see the blue little flesh marks,
22 are the existing curb cuts that exist on the site
23 now. I'll go through those first of all and how
24 the site will be accessed, and then I'll go through
25 how the buildings are arranged, their number of

1 stories and then we'll go floor by floor.

2 So, beginning at the bottom of the
3 slide, that's North Broadway, the existing two
4 traffic signals, the inbound and outbound signals,
5 those curb cuts will remain at those signals as
6 well as the curb cut as you go farther north on
7 North Broadway, just south of the TD Bank parallel
8 to Nevada.

9 Another curb cut that is in front of
10 the existing Sears Tire Center will be eliminated.
11 And the final, most southerly curb cut will be
12 slightly shifted so that it aligns with a service
13 drive that goes into the parking.

14 On Nevada Street, the curb cut closest
15 to North Broadway and the TD Bank will remain. The
16 second curb cut that exists closer to Bay Avenue
17 will be moved farther to the west away from Bay
18 Avenue to eliminate queuing problems that currently
19 exist at that intersection.

20 As you come around Bay Avenue, there
21 are currently three existing curb cuts and we are
22 reducing those curb cuts to two. We are aligning
23 them farther away from Nevada Avenue, again for
24 safety reasons. The first one is closest to Nevada
25 Avenue and the two that are farther to the south on

1 Bay Avenue will be combined in one and aligned with
2 Franklin Avenue on the other side of Bay Avenue.

3 Going through how the buildings are
4 proposed to be arranged, where you see the A, this
5 is proposed to be a two-story building with office
6 on the second floor, retail on the ground floor.

7 Building B is a three-story building.
8 There are two shades of yellow on the screen. The
9 lighter yellow means three stories of residential
10 facing Bay Avenue. The darker yellow means two
11 stories of residential over one story of retail
12 along the internal main street.

13 Going to Building C, again, the lighter
14 yellow that's fronting onto Bay Avenue and along
15 the rear of the Lenox Avenue residences is
16 three-story of residential. The darker yellow
17 means that there is some retail below that with two
18 stories of residential above.

19 Building E is a two-story building with
20 retail on the ground floor and fitness on the
21 second floor.

22 F is a two-story building with retail
23 on the ground floor and a cinema on the second
24 floor.

25 Two new pads that are proposed as

1 restaurant pads out at North Broadway are in the
2 area between the existing Chipotle and the existing
3 TD Bank along North Broadway.

4 This slide shows the ground floor plan
5 and the uses that you would see if you were walking
6 on the site.

7 So, again, I'm going to go with A,
8 which is approximately 25,000 square foot grocery
9 store with food and beverage uses to the right of
10 it.

11 Building B, you can see the retail and
12 food and beverage that lines the main street. And
13 again, above that are two floors of residential.
14 The rest of the building where it's all dark yellow
15 are three floors of residential. So then the
16 ground floor, there would be residential units.
17 The parking is fully enclosed within that building.
18 So it's a structured parking garage that is wrapped
19 by the residential units on Bay Avenue so no one
20 sees into the parking and wrapped by the retail
21 with the residential above it along the center main
22 street.

23 You can see in that building as well,
24 one of the three courtyards, the private courtyards
25 that I mentioned earlier, that will add up to about

1 a half an acre of private green space.

2 Building C, the darker yellow is the
3 ground floor of residential. So we have
4 residential facing Bay Avenue and residential
5 facing Lenox where we have single-family
6 residential to kind of complete Bay Avenue as a
7 residential street and provide compatible use along
8 the Lenox Avenue rear yards.

9 As we go around building C, there's a
10 retail that fronts onto Broadway with a surface
11 parking. And then within the heart of the village
12 is food and beverage and small shop space along
13 that main street in the roundabout.

14 Building F, on the ground floor, there
15 is a cinema lobby that comes in which is the purple
16 color, and then retail and food and beverage shops.

17 Building E, it's food and beverage,
18 which is the green, and retail shops, which is the
19 lighter orange color.

20 An upper floor plan, Building A is a
21 two-story building, so the upper floor is 100
22 percent office on the second floor.

23 Building B on the second and third
24 floor is residential. So all of that yellow is
25 residential apartment units that are on the second

1 and third floor.

2 Similarly for Building C, residential
3 on the second and third floor.

4 Building F is the cinema on the second
5 floor, the two-story building.

6 Building E is the final two-story
7 building which has fitness on the second floor.

8 When we were planning this project, we
9 didn't really want to call it a project. We wanted
10 to think about it as an extension of the existing
11 neighborhoods that are there. It's an unusual land
12 use case that exists right now where you have Bay
13 Avenue that has single family homes on one side of
14 the street, and on the other side of the street is
15 a large expansive asphalt and it was a commercial
16 use with Sears. So their use basically has
17 visibility, noise and light from North Broadway all
18 the way to Bay Avenue.

19 Similarly, on Lenox, the rear yards go
20 right up to the property line and right up to the
21 existing parking lot of the Sears. So in thinking
22 about this, we wanted to think how we could
23 transition the single-family residential to
24 like-kind, multifamily, three-story residential
25 with proper setbacks, which I'll go into later.

1 And then in the heart of the district to the
2 mixed-use with kind of a main street kind of feel
3 that could be used not just to visitors for the
4 former Sears, but for people from Middle Island
5 Civic and surrounding neighborhoods to go up to and
6 then as we get closer to Broadway, more commercial
7 uses.

8 So, we laid out the site plan with a
9 series of blocks and streets that are similar to
10 Oyster Bay Village. But then we had to think about
11 the architecture. And one of the things about Long
12 Island, it has amazing towns with amazing old main
13 streets like in Oyster Bay and we wanted to do a
14 modern interpretation of that, what makes them
15 special, why do people come to Oyster Bay Village
16 at night, why do they come here on weekends to hang
17 out and what makes it special.

18 So we did some research of villages,
19 successful villages, historic villages around Long
20 Island. And we looked at Oyster Bay as well as
21 some others and we went even a little bit beyond
22 Long Island to look at what makes them special and
23 memorable. And there were certain things that were
24 common to all of them.

25 One was the lengths of their streets,

1 their proper main streets. Whether it's Huntington
2 or Oyster Bay or Southampton or any of them, it's
3 about 1,200 feet long for every one of their main
4 streets before they start becoming residential.
5 Our main street, it's about 1,200 feet long.

6 The other is the buildings were built
7 over time and there's varying heights of buildings
8 along the main streets with mixed-uses along the
9 main streets, So you have office on the second
10 floor, sometimes you have residential on the second
11 or third floor. But older buildings had smaller
12 widths. They were generally 15 to 50 feet wide and
13 not hundreds of feet long as we see in newer
14 buildings and they had varying fenestration,
15 varying materiality and it gives that kind of human
16 scale and even varying storefronts on the street,
17 you know strip shopping center, all the storefronts
18 are generally the same, but if I go to Audrey
19 Avenue, they all have their own character.

20 So we look at that for inspiration and
21 this slide shows some of the inspiration that we
22 had and how, what those characteristics were are
23 outlined there.

24 So we took that and we developed an
25 architectural vocabulary for this new neighborhood.

1 At the top of the slide are pictures -- we're right
2 outside of Town Hall North, right here. We were
3 much inspired by its success and its charm. And
4 you can see the proposed elevation. This is on an
5 internal main street. So this is the building that
6 has two stories, where the building has two stories
7 of residential over the ground floor retail, and
8 you can see that we have varying cornice height,
9 that we break the building down so it looks like a
10 series of smaller buildings that are more human
11 scale, the 25 to 30-foot wide kind of human scale.
12 We vary the fenestration, so the windows aren't all
13 the same going down. And then the storefronts are
14 individual like small shops are so they don't need
15 just large signs to identify them, but you can
16 identify them by their character and by street
17 furniture instead of a uniformed strip center sign
18 ban, to have more of a village.

19 What else makes villages special on
20 Long Island are the places. It's not just the
21 buildings or the architecture or the program, it's
22 all of the little places and the public realm that
23 people remember. Sometimes they don't remember.
24 They just find it charming and they don't
25 understand why. It could be a small little

1 alleyway, like this one right over here, that kind
2 of connects the parking to the street in a really
3 pleasant way. It could be the size of the
4 sidewalks, how they are planted. It could be
5 public spaces where people gather and meet their
6 neighbors or do community events. So we wanted to
7 create the same kind of thing.

8 And there are different types of places
9 in successful villages. Some are more public and
10 some are more private, some are larger and a little
11 bit more grand and some are more intimate. So this
12 slide shows the different places that we are
13 creating here. We labeled them, the Common and
14 Market Square which is kind of along our central
15 spine of the mixed-use part of the project, the
16 Village Plaza, which we'll see how that's more of a
17 ceremonial gathering place, the Entry Circle and
18 Boulevard which is more formal and it's making a
19 transition from North Broadway, which is a major
20 arterial as you come into the neighborhood. It
21 does several things. It calms traffic. It
22 provides a psychological change when you come off
23 that major arterial. And then we have more what I
24 call quiet, private places. Hicksville Way coming
25 off of Bay Avenue opposite Franklin. The park,

1 which is an 80-foot landscape buffer along the back
2 of Lenox Avenue residences and then the Bay Avenue
3 garden niche.

4 So the first one we're going to go
5 through is the Entry Circle and Boulevard. This is
6 at the main entry where the traffic signal is as
7 you enter the site across from Broadway Commons
8 Mall.

9 The next slide shows some precedent
10 images of how this has been successfully done in
11 other places. And it's really just a ceremonial
12 front door to the neighborhood, how this is
13 different from the commercial development that
14 exists up and down North Broadway.

15 We wanted to see what that would look
16 like. So the next slide shows as you come in that
17 entry on the signal off of North Broadway, what you
18 see, this is the now closed Sears store when you
19 come in that main driveway and it's right in front
20 of the Sears, and this is the proposed rendering.
21 A large roundabout that calms traffic and directs
22 traffic on the different internal street systems.
23 The building on the right is the two-story
24 building, with the cinema on the second floor,
25 shops and restaurants on the ground floor. And the

1 building on the left is the two-story building with
2 fitness on the second floor, shops and restaurants
3 on the ground floor. And in the background is the
4 three-story building that is along Main Street that
5 I showed you the architectural elevation with shops
6 on the ground floor and two stories of residential
7 above.

8 The next area we call the Common and
9 Market Square. We think of this as probably the
10 most public, most pedestrian friendly, most used
11 placed proposed in Heritage Village.

12 The inspiration comes from places where
13 people really want to hang out all four seasons.
14 I'm going to talk about some of that as well.

15 So, what we're planning is very wide
16 sidewalks along both sides of the street,
17 approximately 17 feet wide with street plantings
18 and furniture. And then in the center of the
19 street, we have a 50-foot wide landscape/hardscape
20 kind of plaza that can be activated with community
21 events. It's proposed to have four kiosks in
22 there, kind of food kiosks. And you can see some
23 of the inspirations of some of these places around
24 the country that are like that. Outdoor seating
25 and gathering places for people to hang out on a

1 nice Summer night or where they might even be
2 playing outdoor games or seeing a free movie at
3 night.

4 The next page shows how this would be
5 constructed and what the dimension is, so it's
6 actually street section taken through that Market
7 Square section, and up above is a precedent of a
8 similar street like that with the same dimensions.
9 So, the photograph actually represents the same
10 scale.

11 So, We have one side, on the Bay Avenue
12 side is the building, the three-story building, two
13 stories of residential over the one-story retail
14 that you can see there and 17 foot wide sidewalk,
15 parallel parking lane, a one-way travel lane, a
16 50-foot wide planted median and plaza with a kiosk.
17 And then it repeats itself on the other side going
18 to the two-story building with the fitness on the
19 second floor and the retail on the ground floor.

20 If anyone needs -- some people, I'm not
21 very good with scale, I always have to have a
22 comparison -- so 50-feet wide -- Audrey Avenue is
23 60 feet wide, building to building. That's
24 sidewalks, parallel parking, travel lane, sidewalk
25 and parallel parking on the other side. So this 50

1 foot is almost as wide as Audrey Avenue. It's
2 completely pedestrian, public ground.

3 It should be noted as well that the
4 entry to the parking garages has been located so
5 that for special events this entire street can be
6 shut down, people can still get into the parking
7 garages. So, the full 125 feet, approximately
8 1,200 feet long, can be used for special community
9 events.

10 The last public place as opposed to the
11 more quiet contemplative place is Village Plaza.
12 We're calling it Village Plaza.

13 Village Plaza is located where this
14 main street intersects a new street that's coming
15 in from Bay Avenue opposite Franklin and that
16 continues to North Broadway.

17 So, again, thinking about making this
18 transit-oriented development very pedestrian
19 friendly, a lot of our planning involved traffic
20 calming which is why we have parallel parking on
21 our internal streets and the roundabouts slow
22 traffic down as well. We don't have really wide
23 streets so people aren't cutting through to go from
24 one side, from Bay Avenue to North Broadway.

25 So, again, we have inspiration photos.

1 The one on the upper right is approximately the
2 same size as the one that we are proposing to give
3 you a sense of scale again, it's about 75 feet in
4 diameter. And then we wanted to see a rendered
5 view. So this little key map -- it's probably hard
6 to see for some people on the screen, of what this
7 looks like, but this is kind of the end of our main
8 street. The cinema building is on the right. You
9 can see the two-story residential over the
10 one-story retail on the left and in the background.
11 And that new Village Plaza is in the middle, right
12 there at that terminus. And we have another view
13 on the next page. This is coming off of Bay Avenue
14 opposite Franklin. As you come farther into
15 Heritage Village, you can see that green space and
16 how the buildings are formed around this to create
17 a real gathering space of the entire community.

18 Now, all of those places, Seritage has
19 programs to activate them, not just in the Summer.
20 It's really easy to activate outdoor spaces in the
21 Summer, but we were thinking about these as being
22 very flexible to be four seasons. It's where there
23 can be pumpkin sales or tree lighting ceremony in
24 the Winter. Sometimes there's like outdoor
25 synthetic curling and things like that even in the

1 Winter to do, or hot chocolate stands and some of
2 the other things that could be proposed are here,
3 where there might be a car show down that main
4 street or some other kind of fair or outdoor
5 exercise events.

6 So those are the public places that
7 were created.

8 The more contemplative, quiet, more
9 residential spaces are Hicksville Way, the park and
10 we're going to talk about Bay Avenue as well.

11 Hicksville Way is what we are calling
12 the street extension opposite Franklin as you come
13 off Bay Avenue heading toward the west or North
14 Broadway.

15 On that part of the street, we have
16 three-story residential buildings. There's no
17 commercial uses to the east of that Village Plaza
18 roundabout on the map there. So these are some, we
19 just put these in as inspiration, not for the
20 architecture, but just for scale and how we're
21 creating these kind of front yard softened edge
22 along there making this the residential street that
23 transitions up to Bay Avenue which we want to
24 strengthen as another important residential street.

25 This is the existing view on the back

1 of the homes on Lenox Avenue. You can see the
2 fence right on the right. That's people's
3 backyards. They have small backyards, generally
4 around 30 feet in depth and then their homes are
5 there. You can see there's very little
6 landscaping. Most of that is volunteer brush
7 that's grown up and then asphalt. We really wanted
8 to make that transition from single-family land use
9 to three-story multi-family land use, but also do
10 it in a way that provided a lot more green space.

11 The next slide shows what we are doing.
12 We are proposing an 80-foot building setback that's
13 fully landscaped. At that property line fence,
14 we're adding a minimum of three-foot high landscape
15 berm that will be planted with a mix of Evergreen
16 trees and deciduous trees. Then we have an
17 additional 60 feet of planting between that and the
18 proposed three-story building, which is
19 approximately 35 feet in height.

20 So we have a little rendering of what
21 that might look like. You remember the slide I
22 just showed you? It's all asphalt and the existing
23 Sears building and this is envisioned as an 80-foot
24 wide landscaped kind of park that runs along the
25 north side of that property fence.

1 We also looked at sight lines. We
2 looked at sight lines both to and from the
3 single-family homes that exist on Lenox Avenue. So
4 one of the things we wanted to see is with the
5 landscape berm and the fence and the stuff what
6 would they see. The trees that are proposed to be
7 installed here, by the way, and I'll go into this a
8 little bit later on in landscape discussion, are
9 four-inch caliber trees that would be approximately
10 12 feet high, 15 feet high at installation
11 depending on their species. It's estimated they
12 would grow one to two feet in the first year and
13 after five years they grow an additional five feet,
14 just to give you an idea of that. But the berm is
15 about three feet high, so we're trying to use that
16 earth and that landscape to even get them higher at
17 initial impact.

18 And what you can see on the site study
19 in this section is that from the third floor of the
20 three-story residential building there won't be any
21 sight lines really to the single-family homes. And
22 then we wanted, and you certainly won't see it from
23 the backyards of the single-family homes because we
24 took it all the way over to the other side of Lenox
25 Avenue to see what would be visible from homes on

1 the south side of Lenox Avenue.

2 So the next slide shows what that view
3 would look like rendered in. We modeled this in
4 computer form showing some of the existing trees.
5 You can the darker ones behind and to the left and
6 some are newer trees that we planted in where there
7 currently were no trees, to see that in the initial
8 construction, you will have a peak of the top
9 floor, but it's really already starting to provide
10 very strong screening from those homes.

11 The last place that I'm going to talk
12 about is Bay Avenue. Bay Avenue right now, as I
13 mentioned, is single-family homes on the east side,
14 but the parking lot comes right up to the west side
15 of Bay Avenue. It doesn't really feel like a
16 residential street. In fact, the next slide shows
17 the existing condition.

18 I wouldn't say this looks like a
19 residential street. You can see that that's -- you
20 have view lines all the way to Broadway and Commons
21 Mall. So what we really wanted to do is kind of
22 complete this street as a residential street.

23 The next slide shows what that does.
24 We have a minimum 25-foot building setback that is
25 landscaped to already soften that. We are

1 installing street trees where there are none along
2 Bay Avenue and making sure that there's a proper
3 sidewalk and planting strip that's there. And then
4 we have three-story building, 35 feet in height,
5 set back and undulating. And, again, it's broken
6 down so it doesn't feel like one long building, but
7 a series of smaller buildings. And that building
8 not only provides that yard and it completes the
9 street, but now it starts blocking out all the
10 noise and light from the commercial uses that are
11 on North Broadway.

12 The last slide is just that Village
13 Plaza again just for kind of feel of the
14 architecture.

15 And with that, I'm going to go into the
16 landscape design very quickly.

17 So the landscape design, what we really
18 wanted to think about is in any kind of village or
19 neighborhood, there's different kinds of needs for
20 landscape and hardscape. We have major entries
21 along North Broadway and along the corner of Nevada
22 and Bay that we want to accentuate with really
23 strong landscape.

24 North Broadway, which does not have
25 much landscaping now for its full length of

1 frontage between the south end all the way up to
2 Nevada, really want to create a landscape buffer
3 along the highway with street trees that run its
4 full length, celebrating the main entries that I
5 told you about earlier where we come into the large
6 roundabout.

7 Most importantly, we wanted to
8 strengthen the landscape along Bay Avenue and Lenox
9 Avenue where there currently is none. We really
10 wanted to soften that existing condition that
11 exists out there where the commercial use just
12 completely comes right up to the property line and
13 start using landscape and setback and a compatible
14 use to correct that issue that is out there now.

15 And then throughout the site, parking
16 lots are all properly landscaped, but we also have
17 our internal streets that we're landscaping like
18 streets with street trees, additional planters,
19 seating areas. The medium that I talked about
20 earlier is a mixture of hardscape and landscape.
21 So there's a lot of different types of layering and
22 variety and species and diversity going on for the
23 different types of uses.

24 Just a reminder, the existing site plan
25 on the aerial, there are some trees on the site;

1 although, they're probably not very memorable when
2 you see it because there's so much asphalt, but
3 most of them, ironically, are located the farthest
4 away from the residential districts that abut them.
5 You can see on the south side of the site, there's
6 almost no trees whatsoever; that they're all on the
7 northeast corner. And we really wanted to make
8 sure that that was corrected.

9 The next page is a very high overview.
10 There's a lot of detail behind this, of the
11 proposed landscape plan for the entire parcel.
12 There will be over 400 trees installed. This is a
13 mixture of Evergreen trees and deciduous trees.

14 And as I said, they're not small trees.
15 They would be installed at 12 to 15 in height,
16 four-inch caliber. They're also a mix of trees.
17 There are different hardwood trees, ornamental
18 trees like Dogwood and Surface Berry, Evergreen
19 trees. The darker on this map shows Evergreen
20 trees and where there's need for more screening and
21 its impact, like along the back of Lenox and along
22 Bay Avenue, those are Evergreen trees, those would
23 be Holly, Cedar, Cypress and Pines. And then
24 there's grass ground cover and perennial plantings.
25 Over 20,000 plants are proposed for this.

1 Finally, just looking at what these
2 plants species are, we wanted to use a lot of
3 native plants, but also use a diverse plant pallet
4 so that it could be, again, four season of color,
5 different types of plants for different types of
6 settings. Obviously, there are some trees that do
7 much better along a street scape and others that
8 need a little bit more breathing room. So how we
9 could mix that to make sure that the landscaping
10 was appropriate and would be as healthy and as
11 sustainable as possible, so that it really went on
12 for future years.

13 And that concludes my presentation of
14 the project. And now I think we're going to talk
15 about traffic.

16 MR. LENIHAN: Good evening, Supervisor
17 Saladino, Members of the Town Council and staff.

18 My name is Patrick Lenihan and I am the
19 Director of BHP's Long Island Transportation
20 Division.

21 As often happens, they do this to me
22 all the time, I wind up slotted after the landscape
23 and architect presentation with all the pretty
24 pictures. And I do understand, that unlike myself,
25 traffic is sometimes not so exciting. But there

1 are some very important concepts that I'd like to
2 get across as a result of our study, so I ask for
3 your patience in bearing with me, as I'm sure
4 traffic is top of mind to the community, as well as
5 the Board. I'll do my best to get through it as
6 quickly as I can.

7 So, BHP has performed a detailed
8 traffic impact study to evaluate potential impacts
9 to the transportation system associated with the
10 proposed re-development of this site. This study
11 was performed in accordance with the requirements
12 of municipal reviewing and permitting agencies
13 including Nassau County DPW, New York State DOT and
14 the Town of Oyster Bay. It's been reviewed by Town
15 staff and their consultants and accepted for
16 circulation and public comment. The scope of the
17 study is in accordance with the final scope for the
18 DEIS adopted by the Town and with the public
19 involved agency input.

20 During the scoping process, involved
21 agencies expanded the proposed study area, giving
22 five additional intersections. This study
23 evaluated such elements as existing and future
24 traffic conditions, traffic safety, site access,
25 parking, future volumes and capacity.

1 I'd like to mention the effects of the
2 COVID pandemic and how it relates to transportation
3 and this study as it comes up at most hearings that
4 we performed over the last several months.

5 Clearly, while the pandemic and its
6 responses had a significant effect on traffic
7 conditions and volumes have been reduced
8 significantly, although they're starting to come
9 back, I just want to make clear all the volume data
10 used in our study was collected prior to the
11 pandemic and reflect pre-pandemic conditions,
12 pre-COVID conditions. Therefore, the study is very
13 conservative for the current conditions and remain
14 applicable when conditions, as we all hope, return
15 back to normal.

16 Looking at the existing site has been
17 discussed at some length, the former Sears site,
18 it's acknowledged that the site was home to a
19 significant retail use, a Sears Department Store
20 and Auto Center. Also on the site currently, and
21 to be retained, are a TD Bank and a Chipotle
22 restaurant that are incorporated into the
23 re-development plan. In total, the site currently
24 contains approximately 317,000 square feet of
25 retail, restaurant and bank building area.

1 It is noted that the proposed plan,
2 excluding the residential portion, includes a total
3 of approximately 294,000 square feet of building
4 area.

5 As I said, the study was performed
6 following the final scope for the DEIS. We looked
7 at traffic conditions during the weekday commuting
8 peaks, a.m. and p.m., as well as Saturday midday
9 peak as is customary. This captures the times of
10 highest volume on the roadway system as well as
11 peak trip generation at the site.

12 As far as the location is analyzed, it
13 included, and we have a graphic on the screen, 15
14 roadways, 19 intersections which includes the five
15 that we added during the scoping process and all
16 site access points. Needless to say, the scope of
17 the study is wide and comprehensive.

18 The proposed re-development plan would
19 result in major changes to the site as it currently
20 exists. The Sears Department Store and Auto Center
21 would be removed and the bank and restaurant
22 retained.

23 Additionally, new site elements would
24 result in a true multi-use development including
25 housing, various retail types, restaurants,

1 entertainment and office. The presence of this
2 variety of uses on a single site has positive
3 effects on a site's operation related to traffic
4 and parking due to an interaction that occurs
5 between uses on a single site.

6 The site is also considered transit-
7 oriented development or TOD based on its mixed-use
8 nature and proximity to a transit hub, the
9 Long Island Railroad Hicksville Station and the
10 major bus stop that is there. I'll speak more of
11 this later, but TOD development is known to reduce
12 the use of private vehicles in favor of keeping
13 public transit.

14 Vehicle trips to the site were reduced
15 as a significant number of trips occur within the
16 site without using the external roadway network and
17 most often by walking.

18 Residents of the site will patronize
19 the retail, restaurants and entertainment uses on
20 the site eliminating trips off the site that would
21 otherwise occur. Visitors to one use will visit
22 other uses in the same trip. Some office users
23 will visit restaurants for lunch and retail and
24 entertainment after work. The net effect of this
25 is to significantly reduce trips on area networks

1 as compared to single-use sites.

2 Multiple uses on a site also work to
3 smooth out traffic peaks and better balance
4 directional flow of traffic so that it is more
5 easily accommodated.

6 A pure office development, for example,
7 would exhibit high morning and afternoon peaks with
8 almost all traffic arriving in the morning and
9 departing in the afternoon. Residential has the
10 opposite pattern. However, locating both on a
11 single site balances the entering and exiting
12 traffic resulting in a condition that is more
13 easily handled on a roadway system and at the
14 access points.

15 In our study, we account for this by
16 taking modest and conservative credits in our trip
17 generation that are in keeping with those accepted
18 by reviewing agencies.

19 Also, many of the uses proposed as part
20 of this mixed-use development do not generate peak
21 traffic at the same times of day or even the same
22 day of the week. Most restaurants are closed in
23 the morning. People don't go to the movies in the
24 morning or during typical commuting peaks, but do
25 so in the evening or on weekends when office use is

1 very light. Retail uses generate very little
2 traffic in the morning as well.

3 Multi-use developments also have the
4 effect of reducing the amount of parking necessary
5 to service the site's use. As noted previously, a
6 movie theater is practically empty during the times
7 that office space is occupied. This allows for the
8 same parking space to be utilized by both of these
9 uses, precluding the need to build more spaces.
10 This staggered need for parking on multi-use sites
11 should be accounted for in site design to minimize
12 unnecessary parking spaces.

13 Another factor to be considered is the
14 site's location. The site is located on North
15 Broadway, New York 106/107, a major six-lane
16 highway and the Northern State Parkway and LIE are
17 both within approximately one half of a mile.

18 Also, the site is located a one half
19 mile walk from the Hicksville train station which
20 includes a significant level of Nassau County's
21 NYCE bus service.

22 A mixed-use site that is proximate to
23 robust transit is what is classified as
24 transit-oriented development or TOD. It is
25 anticipated that a portion of the residents,

1 employees and visitors to the site will take
2 advantage of the site's TOD nature and utilize the
3 good train and bus service, reducing personal
4 vehicle travel.

5 In addition, the applicant has
6 committed to providing a peak shuttle service
7 between the site and the train station to further
8 reduce the use of personal vehicles.

9 I believe the shuttle that the Town ran
10 from the site that was mentioned previously a
11 couple years ago while the parking garage was out
12 for service was very successful and highly
13 utilized.

14 In our study, as we said, modest
15 credits were taken for the effective TOD consistent
16 with those accepted by the reviewing agencies and
17 were only taken for the residential portion of the
18 re-development. So while there might be some TOD
19 effects on the commercial portions of the site, we
20 did not take credit for those. TOD can also have
21 the effect of lowering parking demands at a site;
22 although, no credit was taken in our analysis of
23 site parking for this.

24 The traffic study evaluated future
25 traffic conditions without the re-development.

1 That means we're contrasted to future traffic
2 conditions with the site re-development at the
3 study intersections and access points. Using
4 analysis tools accepted by the reviewing agencies,
5 the performance of each intersection was quantified
6 in the existing condition as well as in the future
7 with and without the project. The intersection
8 levels of service were determined at each
9 intersection for each condition.

10 The existing condition results reveal
11 and are consistent with what we will probably know,
12 during peak periods of the day there are locations
13 in the study area that experience congestion. This
14 is most apparent on weekday afternoons when
15 commuting and other activities, such as shopping,
16 are occurring together.

17 The objective of the study is to
18 document these conditions, look into the future and
19 forecast what effect a proposed multi-use
20 re-development plan would have on these conditions,
21 identify any significant impacts and seek to
22 develop mitigation strategies as appropriate to
23 eliminate to the extent possible, significant
24 impacts.

25 There are hundreds of pages of analysis

1 in the traffic study and the entire traffic study
2 is included in the DEIS.

3 For the purpose of this hearing, I will
4 simply summarize those results.

5 All of the proposed unsignalized site
6 access points and other unsignalized intersections
7 are expected to operate well as detailed in the
8 study. Impacts to future no-build conditions were
9 identified at several locations and mitigation
10 measures developed and evaluated. This includes
11 the following -- there should be a second slide --
12 Thank you. There we go. Thank you.

13 North Broadway at the LIE north service
14 road, this intersection currently experiences
15 significant capacity issues and delays;
16 particularly, during weekday commuter peaks in the
17 westbound direction at the north service road.

18 As part of this project, two westbound
19 lanes are proposed to be added on the north service
20 road. This provides significantly more capacity to
21 address an existing condition incrementally
22 worsened by the site's re-development.

23 In fact, with this improvement, traffic
24 conditions at this intersection will be
25 significantly improved from what they are today,

1 even without the re-development.

2 North Broadway at the south service
3 road, changes to the signal timings to coordinate
4 with the north service road as proposed here. By
5 timings, I'm referring to the seconds of green time
6 that each movement at each location is given before
7 it turns red. The north service road and south
8 service road are closely coordinated and
9 improvements at one bear the best route when
10 they're accompanied with improvements at the other.

11 North Broadway at the site entrance and
12 the Broadway Commons exit, during the weekday
13 peaks, this southbound left turn into site sees
14 delays which can be addressed by providing
15 additional green time for that movement.

16 At the site exit and Broadway Commons
17 entrance on Saturday, changes to signal timings
18 provide better coordination with other
19 intersections along North Broadway and promote
20 better travel on Broadway. The traffic signals
21 along North Broadway are coordinated to promote
22 thru traffic on the State highway. This adjustment
23 increases the uninterrupted movement of vehicles
24 along North Broadway.

25 In addition, the DOT has indicated they

1 will require reconstruction of this dated traffic
2 signal installation and provision of modern
3 pedestrian signal equipment at these crossings.

4 These changes will encourage walking
5 and enhance pedestrian safety by including moderate
6 equipment beyond just pedestrian signal displays,
7 potentially larger displays, countdown times,
8 audible signals for those with sight limitations,
9 and Americans with Disabilities Act compliant
10 sidewalk ramps.

11 In addition, during design review with
12 DOT, other elements which can affect pedestrian
13 crossings such as signal phasing and timing and
14 whether or not to permit right turns on red will be
15 evaluated.

16 Newbridge Road at West John, at this
17 location during the weekend afternoon peak, there
18 currently exists long delays in the northbound
19 direction that are incrementally increased as a
20 result of this project. The re-striping northbound
21 and southbound approaches of Newbridge Road to
22 provide an additional lane improves this condition
23 to better than without the project.

24 Newbridge at Old Country, at this
25 location there are changes to the signal timings

1 that are proposed which address any existing issue.

2 East Jones Street at Bay Avenue, this
3 unsignalized intersection was found to operate
4 fairly well in the existing condition and we did
5 not incur any impacts that would have necessitated
6 mitigation.

7 However, Nassau County Department of
8 Public Works asked us to look into whether a
9 traffic signal could be installed there. So as
10 part of our work, we performed a traffic signal
11 warrant analysis at this location. And as this
12 analysis indicates, a traffic signal would be
13 appropriate there, so we have included that in the
14 traffic study and we will be installing it as part
15 of this project.

16 The cost of all construction or all
17 mitigation to identify through our study will be
18 borne entirely by the developer with no cost to the
19 public.

20 In addition, we will continue to work
21 with the Town, the DOT and the DPW as this process
22 moves forward to ensure we comply with their
23 requirements and their needs.

24 These mitigation measures will ensure
25 that the surrounding roadway network will

1 accommodate the additional traffic without
2 resulting in significant negative impacts. The
3 study performed for this project, along with the
4 identified mitigation indicate that the project, as
5 proposed, will not induce significant negative
6 impacts given that the mitigation was put in place.

7 It was mentioned previously that it is
8 expected that a portion of the residents will
9 utilize public transportation in the form of LIRR
10 and NYCE bus service.

11 Also, the developer has committed to
12 instituting a shuttle service between the site and
13 the train station to further reduce use of personal
14 vehicles.

15 As part of our study, BHP inventoried
16 the pedestrian infrastructure that would be used --
17 and if we could go to the third slide, please --
18 between the site and Broadway Commons, as well as
19 the site and the area of the Hicksville train
20 station, to identify areas for improvement to
21 encourage walking.

22 This evaluation detailed in the study
23 identified areas where pedestrian infrastructure
24 could be improved to further encourage nonmotorized
25 travel. The graphic indicates the potential

1 walking routes to the train station and Broadway
2 Commons. Our evaluation indicates that along these
3 routes, sidewalks of a minimum five feet in width
4 is present, which is a sufficient width for this
5 type of facility.

6 There are, however, unsignalized
7 intersection crossings that do not have crosswalks,
8 as well as some crossings of signalized side
9 streets that do not have pedestrian signals. As
10 part of this project, these crosswalks will be
11 added and pedestrian signals installed where not
12 currently in place.

13 The application includes seeking a
14 relief for the Town parking code requirements in
15 the form of a parking variance. While Town code
16 requirements ensure adequate parking is provided
17 for uses within particular lane use types, it often
18 results in provision of parking beyond what is
19 actually necessary for a specific project.

20 This is particularly true when
21 considering true multi-use sites such as that
22 proposed here where the concept of shared parking
23 will have a significant effect on aggregate demand.

24 With shared parking, it's acknowledged
25 that a parking stall can be used by more than one

1 use at different times of the day or different days
2 of the week.

3 A good example of this is office and
4 entertainment. Office use requirements peak supply
5 only during the typical weekday and outside
6 requires very little parking, while as we noted
7 earlier, the movie theatre experiences peak parking
8 demands on evenings and on weekends. The office
9 and movie theatre are, therefore, complimentary and
10 show clearly how parking is shared between uses.

11 An office parking lot is mostly empty
12 on weekends, which is when the movie theatre has
13 peak demand. The site has been designed to
14 accommodate all uses as the analysis I'm about to
15 share with you shows.

16 For this project, a shared parking
17 analysis was prepared for the proposed development
18 mix and is summarized in this site. This analysis
19 was performed in accordance with accepted ULI and
20 Institute of Transportation Engineers' methods and
21 criteria.

22 The results of this analysis indicate
23 that the 2,240 proposed constructed spaces exceeds
24 the total site demand at peak times of just over
25 1,400 stalls by a significant margin. The site

1 plan provides parking for the residential component
2 at a rate of 1.5 spaces per unit, exceeding code
3 requirements of 1 space per unit.

4 With a balance of 1,606 constructed
5 stalls for the commercial portions of the site, the
6 plan provides parking at a rate of approximately
7 5.5 stalls per 1,000 square feet of building area.
8 Another way of saying that, a 20,000 square foot
9 retail space would require 110 parking stalls.
10 We're almost there.

11 In closing, the traffic and parking
12 studies detailed in our report looked at the
13 potential for traffic impacts due to the proposed
14 re-development and recommend a mitigation package
15 to ensure that no significant impacts or conditions
16 would develop.

17 It is my professional opinion that the
18 approval and operation of the site as proposed will
19 not result in significant negative impacts on
20 traffic conditions.

21 Furthermore, an analysis of site
22 parking conditions indicates more than adequate
23 parking will be provided.

24 At this point in the process, we have
25 received public comment on the transportation

1 aspects of the application from involved and
2 interested agencies, as well as members of the
3 general public that sought to have their comments
4 heard. These comments and concerns will be
5 addressed in the final EIS, and we look forward to
6 working with these agencies, the Town and the
7 public as the project moves forward.

8 And I thank you for your time and the
9 opportunity to present. Hopefully, I didn't take
10 too long.

11 I would like to introduce Barry Nelson,
12 our real estate expert.

13 SUPERVISOR SALADINO: Thank you very
14 much for your presentation.

15 MR. NELSON: Good evening, Supervisor
16 Saladino, Members of the Town Board.

17 My name is Barry Nelson, offices at
18 220 Pettit Avenue, Bellmore, New York 11710.

19 I'm not sure if the new members of the
20 Board know me, but I am a licensed real estate
21 appraiser and a licensed New York State broker.
22 I've been testifying for many years. I've been
23 before Supervisor Saladino in the past recently.

24 The subject property, as the Board is
25 very familiar with the location and vicinity, is

1 entirely within a GB district. The zoning found
2 within the immediate vicinity, and that would
3 include North Broadway, Bethpage Road, Bay Avenue,
4 generally we have the GB business district along
5 North Broadway and that will run further south to
6 almost Old Country Road. But right around the
7 Long Island Railroad is the NB, Neighborhood
8 Business. As we go north to Northern State
9 Parkway, the GB district, the westerly side, you
10 have some Neighborhood Business, NB. You do have
11 small parcels, the RMF, 16 multi-family zoning.

12 The residential districts would include
13 the R17 and the R16 Districts. R17 generally is
14 east of the subject property and west of Broadway
15 Mall. To the south southeast of the subject
16 property is the R17 District -- I'm sorry, the R16
17 District. You do have some LI, light industry, in
18 the vicinity nearer to the railroad, east of
19 subject property and south near Duffy and John
20 Street.

21 What's before, part of the application
22 tonight before the Board would be the Special Use
23 Permits, and that would be for the movie theatre
24 cinema, for the fitness center, the first level
25 apartments in Buildings B and C and apartments over

1 parking.

2 The development along Broadway
3 throughout the Town of Oyster Bay, you will find
4 many Special Use Permit uses and that would include
5 restaurants, larger restaurants, drive-thrus,
6 automotive-related uses and so on. The site
7 itself, the former automotive repair center as well
8 as a McDonald's internal, both had Special Use
9 Permits on the site.

10 The interesting aspect of the proposal
11 is that it's gone through transitions over the
12 years and it was voiced by the community how the
13 residential would be laid out being closer to Bay
14 Avenue, Bethpage Road and to protect and mitigate
15 any impacts to the residences on Lenox Avenue and
16 the adjacent residential streets to the south.

17 So what you have in Buildings B and C,
18 which would be on the renderings that is before the
19 Board before the audience tonight, would locate on
20 the first floors the easterly portion of B along
21 Bay Avenue for the residential apartments on the
22 first floor, and in Building C along Bay Avenue,
23 the easterly side of that building and the
24 southerly side where it's adjacent to the
25 residences on the north side of Lenox Avenue.

1 That serves to benefit the community by
2 maintaining a residential appearance. Earlier
3 tonight you saw what the property looks like along
4 Bay Avenue and what the residences on Lenox Avenue
5 view. While the applicant is proposing a
6 substantial landscaping buffer and set back from
7 the property line to Building C to protect the
8 residential homes on the north side of Lenox
9 Avenue, 80 feet, a berm of 3 feet and substantial
10 plantings at planting.

11 This will continue along Bay Avenue for
12 the entire property line or property line from the
13 North Nevada to the south of our residential
14 appearance which you have on the easterly side of
15 Bay Avenue right up to Bethpage Road and further
16 south, all residential dwellings.

17 The parking -- apartments over the
18 parking would be incorporated in the center
19 portions of the building. They'll mitigate any
20 appearance of a parking field which is now present
21 on the site and will protect, again, the values and
22 quality of life for the residential community.

23 There is also the, as I mentioned
24 earlier and mentioned previously, the Special Use
25 Permits for the cinema and the fitness center. The

1 cinema would be within Building F, and you'll note
2 the location, it's substantially away from Bay
3 Avenue; it's substantially away from the residences
4 on Lenox Avenue.

5 The cinema is approximately 39,500
6 square feet. That is approximately only 13 percent
7 of the commercial development and about 5 percent
8 of the total proposed development on the site, so
9 it's a minimum, minimum use on the property.

10 Similar, for the fitness center, which
11 is almost 38,000 square feet, approximately 13
12 percent of the total commercial and about 5 percent
13 of the total development proposed for the site.

14 The orientation would be for those two
15 uses to focus to Broadway and away from the
16 residential. Those uses as a Special Use Permit;
17 it is not a rezoning. It's a Special Use; it's not
18 a variance, as found throughout the Town,
19 throughout the County on the much smaller sites
20 adjacent to residential and on main arterial roads.
21 This site is 26.4 acres. In respect, that's over
22 1,100,000 square feet of land area that measured
23 against the proposed uses for the cinema and the
24 fitness is almost de minimus.

25 Nevertheless, this location is opposite

1 Broadway Mall, Broadway Commons which have similar
2 type uses that have been before this Board for a
3 special exception, have been granted and is in
4 operation.

5 The Special Use criteria I examined,
6 again, the area, I've been before this Board on
7 similar type uses in locations where the parcels
8 are substantially less in size. Again, 26 acres.
9 The Special Use Permit is strictly a show of
10 compliance. It's a permitted use. And as compared
11 to other permitted uses that are allowed within the
12 GP district, I believe it is harmonious with the
13 surrounding community. It is harmonious for the
14 uses on the property and has been located in other
15 locations in Town without harm to the residential
16 or commercial districts. That will include one and
17 two families nearby.

18 The criteria under the code -- I don't
19 know if the Board would favor me reading each of
20 it, but I looked at the Special Use Permit which is
21 under 246.9 and there's about fifteen items that
22 the code has in -- it's online and I'm sure this
23 Board is very familiar with it -- it's 9.4, fifteen
24 items. 9.4-1 through 9.4-15. And I've gone
25 through each one of those criteria and I would note

1 as the proposal is for the cinema and fitness
2 center being in the center of the property, away
3 from the residential, closer to Broadway, easy
4 access in and out of the site, is a reasonable
5 request by the applicant for this site.

6 Again, the criteria addresses specific
7 items, the safety, the health, the welfare, the
8 comfort, the convenience and the order of the Town
9 will not be adversely affected by the proposed use.
10 The Special Use in itself is located on a site
11 reasonable for those uses.

12 The applicant meets and exceeds all of
13 those requirements throughout that section. I have
14 also looked at as-of-right uses that might come to
15 this site and that would even include a new car
16 dealership. I believe that is being proposed as a
17 mixed-use is more favorable and encourages the
18 growth and development of the area.

19 I looked at property values
20 pre-COVID-19 and now currently. Property values
21 have been appreciating in this part of Hicksville.
22 Single-family homes generally started pre-COVID-19
23 around 450 and it's gone up to approximately
24 \$900,000.

25 Property values now, asking prices and

1 selling practice, contract prices now have
2 increased substantially with the influx of more
3 people moving from the city to Long Island. This
4 is a pattern that's consistent throughout Nassau
5 and Suffolk County, as well as other areas.
6 Appreciation is great now in this area.

7 I've driven the residential streets
8 surrounding the subject property and I will note
9 there is new spot building of single-family homes
10 throughout the residential streets. I've noted
11 there's substantial amount of improvements and
12 upgrading to existing homes.

13 With that said, those situations occur
14 while the property has been vacant. It has been
15 vacant for several years. And it's my opinion that
16 if this proposed development goes forward as
17 approved, it's not going to be detrimental to the
18 surrounding residential community. It's got to be
19 harmonious with the existing commercial that is
20 found along Broadway. It will maintain the
21 residential appearance along Bay Avenue and
22 Bethpage Road.

23 Thank you.

24 Any questions, I would be more than
25 happy to answer.

1 SUPERVISOR SALADINO: Thank you,
2 Mr. Nelson.

3 Much appreciated. Good evening.

4 MS. KIM: Good evening, Supervisor
5 Saladino, Council members, staff.

6 My name is Jee Mee Kim. I am a
7 principal with HR&A Advisors, a real estate and
8 economic development consulting firm. We're based
9 in New York City, 99 Hudson. I am a certified
10 planner. I have twenty years of experience in land
11 use and development planning, including six years
12 at HR&A advising municipalities and private clients
13 on a variety of issues.

14 Our firm has extensive experience
15 working on development projects all across Long
16 Island for both public and private clients. In
17 fact, this past Summer HR&A prepared a
18 comprehensive study on behalf of Nassau and Suffolk
19 Counties to analyze the impact of COVID-19 on Long
20 Island's economy and we outlined recovery
21 projection and strategies.

22 We were retained by Seritage to conduct
23 the following tasks to inform the project planning
24 process and to support the preparation of the DEIS.

25 We conducted an economic impact

1 analysis to look at jobs and spending. We prepared
2 a market study to understand the potential demand
3 for the mix of uses. We prepared a fiscal analysis
4 to study the tax revenue implications and we
5 conducted a school district analysis to estimate
6 the potential number of school age kids generated
7 by the project.

8 Economic benefits, we found that the
9 project will create significant economic benefits
10 to the Town and the region.

11 During construction, the development is
12 expected to generate \$376 million in total economic
13 activity, \$170 million in compensation and 2,500
14 construction-related full-time equivalent jobs
15 during this three-year construction phase.

16 When the project is complete and
17 operational, the development will create \$132
18 million in ongoing annual economic activity
19 including \$51 million in total annual compensation
20 and 1,100 total jobs.

21 We prepared these studies prior to
22 March 2020 when local COVID-19 lockdown measures
23 were implemented.

24 As we studied in our July 2020 COVID-19
25 economic impact study on behalf of both counties,

1 we found that Long Island shed jobs faster than
2 New York City and all other suburban counties in
3 the state.

4 As of July, the Island had lost 220,000
5 jobs and this number may reach as many as 375,000
6 jobs by the end of the year. This is a reduction
7 in local earning by as much as \$21 billion and
8 local economic activity by \$61 billion.

9 This project will support Nassau County
10 and Long Island's economic recovery by creating
11 hundreds of construction jobs in the short-term and
12 adding new permanent residents and workers.

13 I'm going to talk about our market
14 study findings. We looked at multi-family, that's
15 another way to describe apartments. We found that
16 multi-family housing inventory and production has
17 been unable to meet the needs of the growing
18 population in Nassau County.

19 In 2016, we conducted a study for the
20 Long Island Index. It's called Long Island's Needs
21 for Multi-family Housing and found there is an
22 enormous gap being what is produced and what the
23 region needs. The study found that Long Island may
24 gain up to 158,000 households over the next 15
25 years, but is likely to develop only 64,000 new

1 housing units in the most optimistic scenario. And
2 that's a 94,000 unit gap.

3 Additionally, changing preferences
4 indicated that over two-thirds of the Island's
5 158,000 new households will prefer mixed-use areas.

6 Between 2000 and 2019, the only group
7 age cohort that grew within the study area that we
8 looked at, that's a 30-minute drive from the
9 Hicksville station, were the 200,000 residents in
10 the 55-and-over category which reflects a growing
11 population at aging in place.

12 In contrast, the area lost about
13 120,000 residents in the 44-and-younger cohort.
14 The study also found that more than 80 percent of
15 the multi-family housing stock in this study area
16 was built before 1979, which shows a significant
17 lack of new multi-family development. In fact, the
18 median age for multi-family homes in the study area
19 is 1956.

20 Our market study also showed there's
21 low vacancies in the study area, especially when
22 you look at newer quality multi-family
23 developments, especially near train stations.
24 Supply and demand trends for transit-oriented
25 mid-rise and high-rise apartment buildings over the

1 last few year have been similar to overall
2 multi-family trends with almost all units coming
3 online being quickly leased up. Demand for these
4 developments are coming from young professionals
5 and empty-nesters and these folks are less likely
6 to have children and they want to live in mixed-use
7 transit-accessible residential buildings.

8 We looked at theatre and fitness and we
9 recognized that they are important components of
10 the development's merchandising mix. The
11 development's proposed 380-foot specialty theatre
12 would add a unique full-service theatre and dining
13 experience to the area. The only dine-in movie
14 theatre experience in Nassau County is the AMC
15 dining in Levittown, which is about fifteen minutes
16 away by car from the site.

17 The developments would also include a
18 proposed fitness center. This facility would serve
19 local residents and workers who desire a convenient
20 and quality fitness experience. It would
21 complement the retail and grocery options for time
22 constrained gym-goers who want to compress exercise
23 and shopping errands in one trip. When you
24 co-locate it with office space, you also draw
25 workers who seek a fitness solution with minimal to

1 no commuting time.

2 When you look at the office space, the
3 proposed space would support smaller business
4 tenants, including co-working space for creative
5 and tech businesses and entrepreneurs in a walkable
6 transit-oriented district.

7 When you combine this office with a
8 fitness center, food and beverage options, a grocer
9 and entertainment in this walkable environment,
10 this office space is distinct from every other
11 office space in the market.

12 As you all know, most of Long Island
13 has single-use self-contained business parks that
14 have no other uses on the property. The proposed
15 development would help attract and retain
16 millennials that the Island is currently losing.

17 And since the COVID-19 lockdown, we've
18 seen publications like the Harvard Business Review
19 and National Real Estate Experts observing that
20 office real estate has actually shifted from
21 strictly urban to a broad range of alternative
22 locations, including the suburbs.

23 Cushman Wakefield, a national real
24 estate firm, observed the next big thing is not
25 only the big new development in an urban core, but

1 also a walkable suburban development near a transit
2 hub. Workers will seek more flexibility
3 post-pandemic whether to work at home, work from
4 the Manhattan corporate location or work from a
5 nearby suburban outpost.

6 When you see the bulk of the office
7 supply in the area, it's mostly older and was built
8 over twenty years ago. Only 12 percent of all that
9 office space has actually come online since 2000.

10 By being close to the LIRR Hicksville
11 station and major thoroughfares makes the location
12 accessible to a variety of urban and suburban
13 workers.

14 Finally, the office space would offer
15 convenient access to dining and shopping, unlike
16 many traditional suburban office developments in
17 the county.

18 I'm going to talk about the fiscal
19 analysis we conducted. We found that the real
20 estate taxes, and we estimate that real estate
21 taxes would be paid on a significant portion of the
22 development site, plus the potential partial pilot
23 if approved by the IDA, and that together would be
24 significantly greater than the taxes that are
25 currently paid on the existing site.

1 We studied the scenario, as documented
2 in the DEIS, in which the developer would receive
3 an abatement covering the entire property.

4 However, the developer would actually apply to the
5 IDA for a pilot on only the mixed-use buildings on
6 the site. To be clear, a portion of the property
7 would remain on the tax roles and over a 25-year
8 period, total new property taxes and the pilot
9 would result in more than \$120 million than what
10 would be collected on the current site.

11 Finally, we looked at the impact on the
12 school district. Our model estimated that the
13 development could result in about 778 residents and
14 those residents would potentially bring 40
15 school-aged children. The actual number of
16 school-aged kids, however, we think, based on the
17 ratios we've observed in similar multi-family
18 residential developments on Long Island would
19 actually be between 17 and 39 students. Our
20 projection is fairly conservative.

21 We also reviewed another recent study
22 that examined the number of school kids generated
23 by TOD projects in Long Island and that study found
24 that the ratio was even smaller.

25 These 40 kids represent a 1.8 percent

1 increase in the 2018 population of the Hicksville
2 census area or a .3 percent increase over the Town
3 of Oyster Bay's 2018 population and less than 1
4 percent increase over the Hicksville Unified School
5 District's total enrollment.

6 When we look at the cost per pupil, we
7 found that the estimated cost per pupil in the
8 school district is \$25,600. The total budgeted
9 cost per student, based on local property tax and
10 the levy alone is about 19,000.

11 So, conservatively, a total per pupil
12 expenditure of 19,000 based on instructional
13 program costs as a percentage of the total budget
14 for the 2017/2018 school year was used to calculate
15 the project impacts to the school district,
16 approximately \$762,000 would need to be raised in
17 property taxes to support the projected enrollment
18 of these students.

19 In year one of the development, the
20 increase in real estate tax revenue and the
21 potential pilot would more than cover the cost of
22 educating these new students.

23 In subsequent years, even more tax
24 revenue from the development would be assigned to
25 the school district. Therefore, with the addition

1 of new students across many grades and the
2 significant surplus tax revenue or pilot revenue
3 generated by the proposed development, no
4 significant impacts to the Unified School District
5 are anticipated.

6 Thank you.

7 SUPERVISOR SALADINO: Ms. Kim, just one
8 quick question.

9 Earlier you had mentioned that you felt
10 as though your analysis spoke to the loss of jobs
11 due COVID. And if I heard you correctly, that this
12 region or this county lost jobs more quickly than
13 anywhere else in the state.

14 Is that the statement that you made?

15 MS. KIM: Our study showed that Long
16 Island shed jobs faster than New York City and the
17 surrounding suburban counties in the State, so not
18 the entire state, but the nearby suburban counties.

19 SUPERVISOR SALADINO: By shed jobs, you
20 mean the loss of jobs?

21 MS. KIM: Yes, the pace.

22 SUPERVISOR SALADINO: Why? Why so fast
23 here on Long Island as compared to the other
24 suburban counties, compared to New York City?

25 MS. KIM: I'm not the author of the

1 report, but based on my discussions with my
2 colleagues, I think part of it could be, is likely
3 to be the types of jobs that were on the Island,
4 including service jobs and the retail jobs that
5 were most impacted most immediately when the
6 lockdown measures began.

7 SUPERVISOR SALADINO: So we have a more
8 of a higher percentage of those jobs than say
9 Westchester or Rockland Counties?

10 MS. KIM: I think that's the case.

11 Again, I'm not the author of the
12 report. I'm happy to come back and provide a more
13 detailed response based on our report findings.

14 SUPERVISOR SALADINO: Thank you.

15 MS. KIM: Any other questions?

16 (No response.)

17 SUPERVISOR SALADINO: Thank you.

18 (Whereupon, a brief recess was taken
19 from 9:00 p.m. to 9:02 p.m.)

20 SUPERVISOR SALADINO: Counselor, please
21 proceed.

22 MR. MINERVA: Thank you, Supervisor.

23 I just have one letter I want to submit
24 for the record and a few closing remarks. The
25 letter I want to submit for the record, I'll submit

1 to the Town Clerk and I will just briefly read it.

2 It's addressed to the Town Board, Town
3 of Oyster Bay.

4 It says, "Regarding application of
5 Seritage SRC Finance, LLC, and it's from the
6 Broadway Commons, and it indicates that KRE
7 Broadway Owner, LLC, owner and operator of the
8 closed mall located at 358 North Broadway in
9 Hicksville, New York, known as Broadway Commons,
10 consents to the granting of the above-referenced
11 applications. It's our position that the proposed
12 development will support and strengthen the entire
13 area and will not have any detrimental effect on
14 Broadway Commons.

15 "Thank you for consideration of our
16 position."

17 I will submit that for the record to
18 the Town Clerk.

19 SUPERVISOR SALADINO: Could you just
20 repeat, please, the author of that letter?

21 MR. MINERVA: It's from KRE Broadway
22 Owner, LLC, Paul Wasserman, Broadway Commons.

23 SUPERVISOR SALADINO: Thank you.

24 MR. MINERVA: That concludes the
25 applicant's direct case.

1 Again, I thank the Board for your time.

2 We request your favorable consideration
3 of our application. We will remain available and
4 we would like the opportunity to respond to public
5 comment and any questions that the Board may have.

6 I would just ask procedurally, you
7 know, depending on the question I may have
8 different speakers who would be the appropriate
9 person to answer that, so you let us know how you
10 want us to bring up those different speakers to
11 respond to these questions when you're ready.

12 SUPERVISOR SALADINO: Counsel, first we
13 are going to give everyone an opportunity to be
14 heard and see what time it is at that point.

15 MR. MINERVA: Sure. Absolutely.

16 Thank you.

17 SUPERVISOR SALADINO: Thank you.

18 Thank you for your application and
19 presentation.

20 Ladies and gentlemen, we're going to
21 take about a five or ten-minute recess now. I know
22 a number of people would like to take a very quick
23 break. We will be back very quickly.

24 We appreciate your patience and we will
25 be starting quickly with public comment.

1 (Whereupon, a recess was taken at
2 9:04 p.m. and the proceedings resumed at 9:21 p.m.)

3 SUPERVISOR SALADINO: Thank you, ladies
4 and gentlemen for your patience. I ask if everyone
5 can please return to their seats.

6 At this point, we will be asking the
7 residents who have put in slips to speak to come
8 forward. This would be the order that we will be
9 bringing people up so you can be prepared to come.

10 It will be first here in Oyster Bay
11 Town Hall, it will be Joel Berse, followed by Rich
12 Pfaender, followed by Matty Aracich, followed by
13 Tom Pheiffer, followed by Rich Pfaender.

14 So Joel Berse, would you please step
15 forward?

16 Just so I make a quick correction, the
17 second speaker will be Rich Pheiffer, the fifth
18 speaker will Rich Pfaender.

19 SUPERVISOR SALADINO: Good evening,
20 Joel. How are you?

21 MR. BERSE: I'm trying to be as good as
22 anybody can be in this wonderful world we're
23 currently living in.

24 Let me just take care of some
25 preliminary business here to give --

1 SUPERVISOR SALADINO: Mr. Moderator,
2 every speaker will have three minutes to speak. We
3 ask that you do your utmost to respect the time
4 constraints and for everyone else and, of course,
5 our expectations that we will be respectful of each
6 and every speaker this evening.

7 MR. BERSE: Good evening,
8 Mr. Supervisor and Council Members. Lenny, it's
9 also good to see you. The last time we were both
10 going in for eye procedures at the eye center.
11 It's good that we both can see other.

12 MR. SYMONS: That's correct.

13 MR. BERSE: It's nice to see everybody.
14 Regards to those at the remote locations and I will
15 get started.

16 As both, being immediate past president
17 and representing the Northwest Civic Association of
18 Hicksville, we would like this document that I
19 handed in included in the official records along
20 with our prior correspondence and verbal testimony.
21 We have been involved in this particular plan for
22 about five years to date.

23 The applicant's proposal is still not
24 in the best interests of the Hicksville community
25 completely. We continue to be of the opinion that

1 only what is "as of right" to construct should be
2 allowed. There should not be any commercial
3 variances permitted for parking; particularly, a
4 movie theater, nor a fitness center.

5 Given the letter that came from
6 Mr. Wasserman at KRE, we still have the opinion
7 that he's out in California and does not fully
8 understand the climate of what's going on here.

9 We are cognizant that development must
10 occur on this former Sears location property.
11 However, we have previously stated it must be
12 planned harmoniously with our community. We will
13 leave it to others for comments regarding traffic,
14 emergency vehicle access and response, School
15 District volume, number of apartments, snow removal
16 and storage, LIRR shuttle service, and overall
17 safety and security of the grounds. We are
18 available to discuss these issues as needed moving
19 forward.

20 Today's major area of our concern
21 continues to be the effects on the tax base in
22 Hicksville for our homes. Broadway Commons, or
23 whatever incarnation anyone chooses to call it,
24 referring to former names such as Mid-Island Plaza,
25 contributes in excess of \$4 million of property

1 taxes annually. This is a mainstay of the
2 commercial real estate taxes that offsets the
3 homeowner's portion of the tax burden.

4 For several years, the retail economic
5 climate has suffered due to the public making more
6 purchases remotely rather than in person. This
7 has, unfortunately, grown exponentially with the
8 COVID-19 Pandemic this year.

9 To combat this problem, Broadway
10 Commons made major concessions during 2019 on
11 existing leases to assist stores to continue doing
12 business at the mall. Reduced revenues we fear,
13 could reduce the mall's property values and,
14 therefore, their tax burden.

15 Broadway Commons is currently working
16 hard in the current pandemic climate for survival.

17 MR. SYMONS: Joel, please wrap it up.

18 MR. BERSE: Excuse me?

19 MR. SYMONS: Try to wrap it up.

20 MR. BERSE: Okay. They were the second
21 mall on Long Island only behind Roosevelt Field, to
22 qualify to re-open, having updated their
23 ventilation system.

24 Attendance to the mall is currently at
25 about 30 percent of normal as compared to past

1 data. The movie theater which draws many customers
2 to the mall, continues to be closed until New York
3 State regulations allow it to reopen. Blink
4 Fitness just recently was allowed to reopen, but in
5 a limited capacity. Several other fitness centers
6 already exist in the Hicksville area and are also
7 suffering as they work within the current
8 limitations.

9 MR. SYMONS: Joel, excuse me for
10 interrupting, but we have a number of speakers that
11 are going to follow you. You are well over the
12 three minutes.

13 If you can, supplement your remarks by
14 using the e-mail to send your written remarks in,
15 they will be incorporated into the record, they
16 carry the same weight, please.

17 MR. BERSE: The problem is that not
18 everybody hears them and I understand what you're
19 saying so I won't look to --

20 MR. SYMONS: Everyone is going to hear
21 them and I'll tell you why -- and I'm sorry to
22 interrupt.

23 The video of this entire hearing is
24 going to be posted in two or three days on line and
25 kept on line so people will --

1 MR. BERSE: I'm talking about the stuff
2 that I didn't get to. It's only another 30 seconds
3 or so, but --

4 SUPERVISOR SALADINO: Why don't you do
5 this, Joel?

6 In a sentence or two, what is your
7 message to this Board?

8 MR. BERSE: Well, the Special Use
9 Permits for the movie theater or the fitness center
10 will hurt ultimately the community because movie
11 theaters as a whole before the pandemic were not
12 doing as well because of public entertainment being
13 so accessible in other modes of watching movies.
14 And the mall depends on that and we're worried
15 about them not going back to the way it was before
16 KRE took it over a few years ago when they were on
17 a downturn.

18 SUPERVISOR SALADINO: So if we
19 understand you correctly, Joel, it's movie theater
20 component that is your --

21 MR. BERSE: And the fitness center.

22 SUPERVISOR SALADINO: Okay.

23 Well, thank you for your information
24 and your presentation.

25 The next speaker will be Rich Pfeiffer.

1 UNIDENTIFIED SPEAKER: Are we staying
2 here or --

3 SUPERVISOR SALADINO: What we're going
4 to do, we are going to do five names here. We're
5 going to make a small changeover from Town Hall
6 North over to -- there is one or two speakers at
7 the skating rink, and then from there to Hicksville
8 Community Center, and then to the Hicksville
9 Athletic Center and then back here.

10 MR. PFEIFFER: Good evening, everyone.

11 Supervisor Saladino, the Board.

12 I'm the closest resident to this
13 property that's being developed, probably the
14 oldest and closest resident to this property. I
15 have been there since 1976.

16 That be it, I was called in about four
17 and half years ago, which I believe is when the
18 situation started with Seritage, and at the time,
19 they came to us, to the Oyster Bay Civic
20 Association, and to tell you that they have been
21 nothing but fine and fabulous in everything they
22 have done. Every kind of recommendation that I
23 brought up to them being the closest to the
24 property, I asked them to move -- I guess, they
25 were going to put some kind of a grocery store on

1 the corner and I said don't put it there, it's
2 right by the residents. Move it somewhere else.

3 The next time they called us back, it
4 was moved down by Red Lobster. Everything that
5 I've asked them to do, they've been right there and
6 they've done everything that I've asked for.

7 I've been living there, like I said,
8 since '77 and something's got to be done with this
9 property. I mean, it's a mess. We don't want
10 drugs to be dealt over there. We don't people over
11 there in their cars riding around in circles and
12 everything. There was people breaking into the
13 building last week, which I had to call Deb Coltin
14 (phonetic) about and get the police over there.
15 It's an ongoing thing. We need this project in
16 there and we need it now. It's something that they
17 have developed and I've also said to them I don't
18 want that property to look like -- I don't know if
19 you people know Graybar out on 110. I said to them
20 and they listened to me right down to everything I
21 said. I said I don't want it to look like a
22 Graybar. It has to have some kind of contour.
23 It's got to be good looking for the community, for
24 us residents right off Bay Avenue and they did. I
25 said you have to have a berm, you have to have a

1 development, they put it in. Everything I've asked
2 them to do, they've done.

3 So I'm in full support of this being
4 done and I hope you will take my recommendations to
5 heart because they have been ultimately great to
6 all of us. And even the person they've assigned,
7 Deb Coltin, to the community and myself, I have her
8 cell number and she has mine, and hopefully after
9 this they'll have somebody so we as a Civic
10 Association could deal with any problems because up
11 until now they have been great. I just wanted you
12 all to know that.

13 Thank you very much. I appreciate it.

14 SUPERVISOR SALADINO: Thank you for
15 your participation, Mr. Pfeiffer.

16 Our next speaker will be Matty Aracich.

17 MR. ARACICH: Good evening, Members of
18 the council, Supervisor Saladino, Lenny, Jeff,
19 Richard, ma'am. Thank you for the opportunity to
20 speak here.

21 Before I go any further, the one thing
22 that I want to say is that I commend the Town of
23 Oyster Bay on providing these opportunities for
24 people to speak. You do not let COVID stop the
25 business in your Town, and as a member of the Labor

1 Council, which you co-chair with me, these are
2 positions that make sure that everything works and
3 everything starts to get back to normal. So then
4 again, I commend you on that.

5 You heard a presentation done by the
6 woman just before break which was somewhat
7 depressing at some point because you heard about
8 all the people that were moving, et cetera, or the
9 people that were actually losing their jobs.

10 I will tell you that as the President
11 of Council representing 65,000 members, it's a
12 little bit different for me and I'll tell you why.

13 My goal is to go ahead and come to
14 meetings and actually take a look at the projects
15 that you have, but aside from that, it's to report
16 any information that we actually get from
17 developers, contractors and the like. And what we
18 are finding here is those businesses that were
19 talked about as leaving New York City, are actually
20 starting to move towards this direction.

21 I have been approached by developers
22 and contractors about looking to rejuvenate space
23 because people that needed 400,000 square-foot in
24 the City are only going to need 40,000. And they
25 are looking to say those people who worked for me

1 there, I'd like them not to commute to the City and
2 they can stay home. That would be a better thing
3 for them.

4 After looking at this particular
5 development, I will tell you that I have seen many
6 developments. This definitely ranks in the top
7 ten. It has everything you need, it's
8 transit-oriented to the development. There's a lot
9 of things that go in favor with this. If anybody
10 understands how a transit-oriented development can
11 actually transform a village or a town, all you
12 need do is look at Patchogue.

13 Patchogue was a place where nobody
14 really wanted to go. Now, it is vibrant. People
15 like to go there for food. It's transit oriented
16 so people who don't even own cars, they have a
17 walking process. These are the exact elements that
18 you have available to you here.

19 In addition to that, you're not alone
20 in looking at new developments on trying to gather
21 people and make your tax base better. The same is
22 happening actually in Long Beach, a town that for
23 37 years could not get a project off the ground.
24 That is now a thing of the past. The reason is
25 because that model that we used there is the same

1 model that we used with the Town of Oyster Bay.
2 It's about transparency, it's about partnership,
3 it's about making sure that you have a conversation
4 and communication with the developers.

5 Now, I do not have the ability to go in
6 and endorse this project. The reason is because we
7 did not know much about it, but I could tell you,
8 just by even coming here and finding that I was
9 welcomed by the people of Seritage, as well as
10 seeing people like Mr. Currey here gives me
11 complete confidence that we're stepping in the
12 right direction.

13 Now, I know that they will contact me
14 in the next couple of days. That I am both
15 grateful for and optimistic that we can come to
16 some kind of term so that you can get the jobs you
17 need and the income that you want. But here's the
18 other thing, the one thing that I realize is that
19 when the clock says zero, like Thanksgiving, this
20 turkey is done.

21 SUPERVISOR SALADINO: Thank you, Matty.

22 I appreciate your time this evening.

23 Our next speaker will be Tom Pfeiffer.

24 Good evening, Mr. Pfeiffer.

25 MR. PFEIFFER: Good evening, Supervisor

1 Saladino and Members of the Town Council.

2 I come here representing the Middle
3 Island Civic Association which actually envelopes
4 this entire project, except for the North Broadway
5 itself, but we're on the other three sides.

6 As a civic association, there was
7 initially a lot of trepidation when we heard
8 somewhere near 600 renters could be part of this
9 project. It actually would represent almost the
10 doubling of our neighborhood civic association so
11 we said, wow, that's a lot of people. So one of
12 our concerns was numbers.

13 The other things have to do with things
14 that we saw tonight in the beautiful slides and I
15 say they're beautiful because as with Richard
16 Pfeiffer, my neighbor, but as far as we know we're
17 not relatives, we did get responses as to our
18 concerns. Not only with those numbers, but with
19 many of the things we talked about tonight; the
20 beautification, the heights of the buildings,
21 entrance and egress to the site. We thought most
22 those changes were very reasonable. So after over
23 four years of working with Seritage, and I guess at
24 the Town's direction, they came to us and met with
25 us on numerous occasions. They met with the

1 Hicksville Community Council as well and other
2 groups as Dominick spoke about earlier.

3 So, in general -- as far as the Civic,
4 we never took a vote on this project, but we spent
5 a lot of time communicating with all our civic
6 members and others that came to our meetings and
7 everyone has been fully informed about what was
8 proposed.

9 So, any comments and things you'll get
10 will come from folks in our neighborhood that are
11 fairly well educated on this project.

12 Now, speaking for myself, since we
13 never took a vote from the Civic itself on it, I
14 would like to say that with one small comment, that
15 I support this plan.

16 You know, I've lived here since 1973 in
17 Hicksville and we've seen a lot of change and I
18 might have really preferred to have Sears be there
19 all along, but Sears is gone, and I miss it having
20 been a dedicated customer there. But at the same
21 time, I think that with the response we've gotten,
22 I seems that Seritage is composed of very
23 responsible people and they've been -- they
24 certainly appear that way to us, so I support the
25 plan.

1 I have one comment and a comment a
2 number of us share regarding traffic. We know
3 there's been no traffic other than when they
4 allowed us to bus people from the parking area near
5 the Sears over to the train station. We can't
6 compare it now. We know there's going to be an
7 increase in traffic. One of the locations we're
8 concerned about is the intersection of North
9 Broadway and Bethpage Road. There's a lot of
10 problems at that intersection now, some of the area
11 right there by the Broadway Diner and all, it just
12 seems to be overused already. And that's one of
13 our concerns.

14 So, we are very much concerned about
15 how the Seritage folks will address traffic at that
16 corner. It did not seem to be one of the knows
17 that they were using in their study.

18 Thank you very much.

19 SUPERVISOR SALADINO: Thank you.

20 You reminisced about Sears and I can
21 tell you I have fond memories of back in the day.
22 The three sites I remember as a young boy was
23 visiting Sears, visiting the Farmer's Market down
24 the street in Bethpage and visiting Smiley's
25 Happyland, so thank you for helping to reel in the

1 years.

2 MR. PFEIFFER: Thank you, Supervisor.

3 SUPERVISOR SALADINO: Thank you very
4 much for your time.

5 Our next speaker will be Rich Pfaender.

6 MR. PFAENDER: It usually takes me more
7 than three minutes to do anything, but I will try
8 to comply with the three-minute rule.

9 My name is Richard Pfaender, and I will
10 spell it, P-F-A-E-N-D-E-R, Waters Avenue,
11 Hicksville.

12 I'll give you a little background. I
13 moved to Hicksville at the age of three in 1953.
14 I've lived two blocks from the former Sears
15 property since 1976. I've been active in the
16 Hicksville community including eleven years'
17 service on the Hicksville Board of Education and a
18 member of the Middle Island Civic Association since
19 the 1980s. I'm old.

20 I'm here tonight to add my voice in
21 supporting this new direction for the current sea
22 of asphalt, the former Hicksville Sears property.
23 I would like to refer to the proposed project as
24 Uptown Revitalization for this section of
25 Hicksville.

1 Over the past twenty-plus years, there
2 have been a number of proposals to develop the
3 acreage surrounding the Sears building, none of
4 which were ever completed, except for the two pad
5 leases facing Route 107. This project starts with
6 a clean slate, something new and exciting. The
7 folks from Seritage have worked with the community
8 in refining the plan since day one. They have
9 listened and acted upon sound and reasonable
10 suggestions.

11 Let me give you an example. The first
12 draft concept indicated a free-standing 100,000
13 square-foot supermarket facing 107 and bordering
14 the rear yards of residents' on Lenox Avenue.

15 Without hesitation, Seritage redesigned
16 the layout to reduce the size of the supermarket
17 and to relocate it to the other corner of the
18 property adjacent to Nevada Street closer to the
19 existing commercial establishments.

20 I support the concept of a self-
21 contained self-sustained village within the Hamlet
22 of Hicksville, the start of a major revitalization
23 of this community, a new source of additional tax
24 revenue for the school district in town and the
25 county, an economic boost to the local community in

1 terms of construction jobs and opportunities for
2 permanent employment once completed.

3 Let's bring life back to this dormant
4 site; approve this application.

5 Thank you very much.

6 SUPERVISOR SALADINO: Thank you.

7 At this time, we will go to the Town's
8 ice skating center. The speaker there will be
9 heard over our system, our audio system.

10 We ask you to begin by giving your full
11 name and spelling of it and if there is no one
12 nearby you, then you can remove your mask and it
13 will make it easier for us to hear you. Please
14 remove your mask. We can't hear you yet. We're
15 asking our audio team to please make adjustments so
16 we can hear you.

17 MR. SHERIDAN: I live in Bethpage.
18 I've been here for seventy years. I came from
19 Queens. I'm retired for twenty-five years and for
20 the last sixty years, I was with the ironworker, so
21 I have knowledge of wheeling and dealing.

22 The one thing I'm here about is the
23 apartments. I think if you're to do this well and
24 if you're going to do apartments, there's two
25 things should be happen. You only rent them to

1 veterans or to natural born citizens. We have too
2 many people coming from other countries that are
3 trying to run our country like theirs and that will
4 help.

5 Now, as far as the movies, I don't know
6 why we need another movie. And has anybody ever
7 calculated what would happen to the mall when this
8 is done or how long would it be before Hicksville
9 becomes the same as Garden City.

10 That's all. God bless America and good
11 luck to all of you.

12 SUPERVISOR SALADINO: Thank you for
13 your participation.

14 May we have your full name and can you
15 spell that, please? We did not hear that in the
16 beginning.

17 MR. SHERIDAN: Charles, C-H-A-R-L-E-S,
18 P., S-H-E-R-I-D-A-N.

19 SUPERVISOR SALADINO: Thank you,
20 Mr. Sheridan.

21 We are under the impression that there
22 is not a second speaker at the ice rink; is that
23 correct?

24 That's correct. Thank you.

25 SUPERVISOR SALADINO: We will now to go

1 to the Hicksville Community Center.

2 And again a reminder, please allow time
3 for the audio to engage and then please would each
4 speaker begin by giving us your full name and
5 address.

6 There's a lag on the audio so we just
7 need a little more time to engage the audio so we
8 can hear it here and perhaps in the other
9 locations.

10 UNIDENTIFIED SPEAKER: (Inaudible.)

11 SUPERVISOR SALADINO: I'm sorry. We
12 cannot yet hear you speak, and I'm going to ask you
13 to pause until we can get this remedied.

14 UNIDENTIFIED SPEAKER: Supervisor, can
15 we jump to the athletic center and we will come
16 back to the community center?

17 SUPERVISOR SALADINO: Sir, we are going
18 to have to switch to the athletic center until we
19 can get the audio squared away. We apologize for
20 the inconvenience. If you would wait a moment or
21 two more and we will come back to you soon as the
22 audio is working properly.

23 So, at this time, we are going to go to
24 our first speaker at the Hicksville Athletic
25 Center.

1 Again, we ask that our residents begin
2 by giving us their name and address.

3 MR. HEYER: Can you guys hear me?

4 SUPERVISOR SALADINO: Yes, we can.

5 MR. HEYER: Perfect.

6 Good evening. My name is Michael
7 Heyer. I live at 82 Brook Street in Hicksville.
8 I'm a member of the Hicksville Gardens Civic
9 Association and I'm a third generation Hicksville
10 Resident. Thank you. I have prepared a statement.

11 This project is going to create a
12 traffic nightmare. Traffic from the Hicksville
13 Railroad Station, LIE, and Northern State. It's
14 already very congested and it's going only to get
15 worse.

16 One thing I don't understand is that
17 many amenities that are being proposed are already
18 right cross the street in the Broadway Mall. There
19 are some alternatives that can better suited to
20 this property and the residents. How about a green
21 energy park, we can build to solar (inaudible) and
22 battery storage systems. There are existing
23 electric and navigation facilities in the area so
24 connecting them would be very easy. We can power
25 Hicksville with clean energy and remove traffic.

1 How about converting that property into a nature
2 reserve. (Inaudible) purchase the property, we can
3 plant trees, and make walking paths, biking paths,
4 dog parks, dog fields. (Inaudible.) How about
5 creating a restaurant row, create a row of shops
6 and restaurants on 106/107, instead of this being
7 all apartments. Maybe possibly a combination of
8 those will work.

9 One more thing (inaudible).

10 SUPERVISOR SALADINO: The stenograph
11 just wants to get -- I believe it was Mr. Michael
12 Heyer, if we can get the spelling of Mr. Heyer's
13 last name so the stenographer has it correctly.

14 MR. HEYER: H-E-Y-E-R.

15 SUPERVISOR SALADINO: Could you bring
16 the next speaker up, please, at the Hicksville
17 Athletic Center?

18 MR. JOHNSON: Good evening.

19 My name is Neil Johnson. I'm a
20 resident of Hicksville for thirty-five plus years.
21 I live at 16 Valley Avenue in Hicksville, New York.

22 First thing I'd like to say is that,
23 remember, the so-called experts that have been
24 brought to these meetings tonight are all paid by
25 Seritage or retained by them.

1 First thing is, the curb cuts on Nevada
2 and Bay Avenue, they say, will remain open. Those
3 street are dangerous already with multiple
4 accidents throughout the year that are serious in
5 nature. The traffic in the area is horrendous.
6 Some mornings it takes me twenty minutes to get
7 from Bethpage Road onto 107. There is no traffic
8 light at the corner of Bethpage Road onto 107 and
9 you can sit there for fifteen to twenty minutes to
10 get out when it's busy during rush hour traffic and
11 there is rush hour traffic in the area. Saying
12 there is no rush hour is a falsehood. The traffic
13 on 107 and Newbridge Road is horrendous, as stated
14 before, and it will only get worse if this goes
15 through.

16 In addition, there were statements made
17 that 462 apartments will only bring approximately
18 thirty-plus students into the Hicksville school
19 system. I'd say that's impossible. 460 young
20 families moving into apartments, not townhouses or
21 condos, will bring more than 40 students into the
22 system. The area right now, we had a tropical
23 storm that came through, PSEG Long Island could not
24 even respond to the complaints in the area. The
25 tower systems are very outdated. Our electric

1 system needs to be updated. It can't support the
2 existing residents now. Our sewerage systems can't
3 support the existing residents that exist now. Our
4 streets are flooded after any major storms that
5 come through here and I worry about it only getting
6 worse with 462 additional apartments causing even
7 more sewage through our streets.

8 Something has to be done to stop this
9 at all costs. It will be detrimental to the entire
10 area of the Hicksville location. Other TOD sites
11 have had increases in exponential values, crimes.
12 Huntington Station is one. We've had gang violence
13 increase in those areas. (Inaudible) station is
14 another one. These TODs do not work. Short-term
15 residents do not work in (inaudible).

16 I also ask how many of the apartments
17 will be County-placed residents and short-term
18 apartments again are a one or two-year rentals. I
19 would probably support more evenly if there was
20 townhouses or condos that people had to buy into
21 and then have responsibility with and for to keep
22 those neat and clean because they were an owner and
23 not just a short-term resident.

24 I thank you very much for your time
25 this evening. Unfortunately we're running very

1 late.

2 I do have to say one other thing to the
3 Town Board. All of these so-called experts were
4 not given a three-minute limit on how long they got
5 to talk. They were given a carte blanche time to
6 do so. We want to hear from the residents of the
7 people that come to these meetings, not the
8 so-called experts paid by the developer. We need
9 more time to talk, not half hour long speeches by
10 paid proponents of these developments.

11 I thank you again.

12 (Applause.)

13 SUPERVISOR SALADINO: We would just
14 like to point out to ease everyone's concerns that
15 are of your comments are part of the permanent
16 record and our stenographer is documenting all of
17 these comments and please be assured that they will
18 be considered and they will be addressed and I ask
19 everyone to please be respectful of all of the
20 speakers here tonight as we proceed in a very
21 professional manner.

22 So I thank you and I will also point
23 out that if anyone feels as though they don't have
24 enough time for their comments, they can forward
25 their comments in writing to

1 publiccomment@oysterbayny.gov and your comments of
2 any length will become part of the permanent record
3 and we will keep the record open to receive your
4 comment for sixty days.

5 Would the next speaker please proceed
6 and start by giving us your name and I think the
7 stenographer is asking if you would spell your name
8 as well?

9 MS. STANA: Good evening.

10 My name is Carol Stana, C-A-R-O-L,
11 S-T-A-N-A.

12 I've been resident of Hicksville since
13 1989. I have two young sons. A lot of my friends
14 live in the community. They have actually taken
15 the homes over from their families, of their
16 parents. My kid said to me the other day, mom, are
17 you going to sell the house to me. I said, well,
18 can you afford the taxes.

19 With Seritage coming in, okay, and are
20 going to give us these apartments. Who's paying
21 the taxes on everything that is going to go up?
22 Those roads that are going to get built by the LIE,
23 you know, those two roads at the service lane,
24 we're paying for that, not Seritage.

25 Do they have the tax abatement? How

1 long, how long do we have to pick up the tab for
2 them?

3 I have a couple of comments.

4 John Clifford, you made a great
5 presentation about the architecture regarding how
6 you're going to sell this to people. Don't sell it
7 to us. We live here. We don't need you.

8 We don't need those big trees that are
9 12 feet tall and with the next storm they're going
10 to fall into our roads where PSEG is not going to
11 be able to take care of it. The Town of Oyster Bay
12 doesn't clean it up.

13 I have a family friend down the block
14 from me. The tree fell, okay, when we had the last
15 storm. We still have the roots up above the
16 sidewalk. The street is in chaos and no one has
17 come to remove the tree. And kids can ride their
18 bicycles right there and no one in the Town is
19 listening to us.

20 Please help us. Let's not add this.
21 We don't need apartments. We need housing like the
22 gentleman just said that are going to pay the
23 taxes, take care of the taxes for the schools, for
24 the new students coming in, for the new roads.

25 Oh, Seritage's said that we can come

1 here and talk on our behalf to try and fight this.
2 Why don't they change the turning light on 107
3 already, just to appease their new policies and
4 their new development?

5 I ask the Board, I ask Rose Walker, I
6 ask residents of Hicksville, please stand by me and
7 many other residents and fight this. Try to keep
8 our community for our children and our future.

9 Thank you.

10 SUPERVISOR SALADINO: Mrs. Stana, I can
11 assure you that the Town of Oyster Bay Town Board,
12 the Town Board is listening. That's the purpose of
13 these hearings. This is why we have made this
14 available to everyone at multiple locations.

15 And in addition to that, I will
16 reaching out to our Highway Deputy Commissioner to
17 address that tree situation, and if I understand
18 correctly, the tree has already been removed, but
19 the stump of the tree remains. We will address
20 that tomorrow and I thank you for bringing that to
21 our attention, but I want the public to know we are
22 listening to you. That's the purpose of this and
23 that you can be guaranteed of.

24 Sir, would you please start off by
25 saying and spelling your name for our stenographer.

1 MR. FALLON: Patrick Fallon,
2 P-A-T-R-I-C-K, F-A-L-L-O-N.

3 Good evening, Supervisor and Members of
4 the Board.

5 While I can't say I believe Seritage's
6 proposal to redevelop the Sear site is the best
7 option for the residents of Hicksville, I do
8 understand and respect Seritage's right as a
9 property owner to develop a site in such a way that
10 it maximizes their potential property.

11 However, I do have two concerns today
12 that I believe should be addressed by the Board
13 before giving approval to the site plan.

14 Residents have repeatedly been
15 reassured by Seritage that one of the ways they
16 will alleviate additional strain on Hicksville's
17 already clogged roads and oversubscribed train
18 parking is that they will provide residents of the
19 proposed development with shuttle bus service to
20 and from Hicksville Train Station.

21 I would suggest that any approval of
22 their site plan should include a covenant that
23 outlines that hours of operation and frequency of
24 the shuttle service and requires Seritage or any
25 future owner to maintain this service.

1 More importantly, at multiple meetings
2 including tonight, Seritage had declared their
3 intention to apply for Nassau County IDA, for
4 corporate welfare in a form of a pilot for this
5 project.

6 Given the IDA's track record of
7 improving and all in all frivolous applications,
8 there is little reason to believe that they will
9 not approve Seritage's request when they submit it.

10 As of 2018, there were 13 active IDA
11 projects in Hicksville with a total net tax
12 exemption of \$4,619,770.00 of which \$2,653,000.00
13 were taken out of the Hicksville school district.
14 An additional \$1,109,641.00 was for Town tax. This
15 number has only increased as additional projects
16 have been approved for Hicksville since then,
17 including for Home Depot, a company that reported
18 an \$11.2 billion profit in 2019.

19 While Hicksville represents roughly 3.5
20 percent of Nassau County's population, the total
21 net tax exemptions for IDA projects in Hicksville
22 represent roughly 80 percent of all tax giveaways
23 handed out by the IDA.

24 Further, there are multiple projects in
25 other hamlets that are further eroding the Town's

1 taxes. To be clear, these tax breaks amount to
2 nothing less than tax increases for the residents
3 of Hicksville and the Town as a whole.

4 Therefore, I believe that the Town
5 should only approve Seritage's proposal with the
6 condition that the approval be null and void if
7 Seritage applies for or is otherwise granted any
8 tax breaks for this development.

9 Further, I believe the Town should
10 adopt the policy of only approving site plans with
11 this provision. Doing anything less amounts to
12 raising the already onerous taxes on the hard-
13 working residents of Hicksville and the Town as a
14 whole.

15 One last thing I would like to add, the
16 economic development consultants tonight mentioned
17 that they are only applying for a pilot for the
18 residential unit, but as far as I know, New York
19 State law states that IDA's cannot give pilots or
20 commercial retail development.

21 Thank you.

22 SUPERVISOR SALADINO: Thank you,
23 Mr. Fallon.

24 For everyone's clarity, I want to point
25 out that the IDA is not a function of the Town of

1 Oyster Bay, but of Nassau County, a separate
2 municipality.

3 Please ask the next speaker to join us.

4 MR. SHAULYS: Joseph Shaulys,
5 S-H-A-U-L-Y-S. I live at 76 Princess Street,
6 Hicksville. I've been a resident there since 1968.
7 I moved into --

8 SUPERVISOR SALADINO: Sir, I'm going to
9 ask you to repeat your name again for the
10 stenographer.

11 MR. SHAULYS: Joseph S-H-A-U-L-Y-S.

12 SUPERVISOR SALADINO: Thank you, sir.

13 MR. SHAULYS: I moved into a lovely
14 suburban area. Now, they talk about a concept of
15 this wonderful change in the community.

16 If you look at the buildings that they
17 propose, as far as I'm concerned, it's blank.
18 They're anything but suburban. It is totally urban
19 and it makes the town look like Brooklyn. Not that
20 there's anything wrong with Brooklyn, but that's
21 not suburbia.

22 The second thing I'd like to comment
23 about is the traffic situation. It is unbearable
24 as it is. Terribly unbearable. Now, they're
25 saying that there will be no impact because of this

1 new development. Impossible. You are going to put
2 probably about 700 cars on the road. There's going
3 to be a terrible detriment to the traffic that is
4 already unbearable.

5 Why haven't changes been made already?
6 Have the commissioners been asleep on this? No
7 changes were made. I do not expect any improvement
8 in the traffic at all, only worse.

9 Thank you.

10 SUPERVISOR SALADINO: At this time, we
11 would like to go back to the Hicksville Community
12 Center and let's see if we have our audio
13 functioning at this point.

14 Would someone speak so we can check if
15 the audio is working?

16 UNIDENTIFIED SPEAKER: There is no
17 audio at the moment at the community center. We
18 can go back to the athletic center if you'd like.

19 SUPERVISOR SALADINO: Okay. Our
20 apologies.

21 We have a technical difficulty and
22 we're getting to the community center up and
23 running, the audio there, and we will currently go
24 back to the Hicksville Athletic Center for the next
25 speaker.

1 UNIDENTIFIED SPEAKER: Annetta Korszun
2 and after would be Kathy Hansen, if you'd like the
3 line up on that.

4 MS. KORSZUN: Good evening.

5 My name is Annetta Korszun,
6 A-N-N-E-T-T-A, K-O-R-S-Z-U-N.

7 Today I find myself having one foot in
8 Long Island, New York, and the other foot ready to
9 leave Long Island.

10 Born and raised in Nassau County,
11 New York, I find myself utterly disgusted at the
12 living conditions today, especially as a resident
13 of Hicksville for nearly twenty years.

14 So many years ago, even if you were
15 considered poor, there was one thing you had that
16 no longer exists today and that is quality of life.

17 Nassau County, New York has become a
18 bottomless financial pit in which no amount of
19 money will ever satisfy its hunger, and in which
20 each decision made by the elected officials today
21 and in the past, keep putting the people that made
22 Nassau County their home, deeper into financial
23 debt and ruin as well as an environmental nightmare
24 in the likes of which Long Island has yet to see.

25 I can say this because of a vast

1 healthcare experience, including being a nurse and
2 having an MBA in corporate finance, which I've
3 expended such service repeatedly since May to date
4 at a cost of \$1 an hour concerning the COVID-19
5 outbreak, yet to receive a response from any of
6 you. For every dollar you believe this County will
7 benefit via taxes by developing this property, it
8 will cost the taxpayer at least \$100 to fix the
9 environmental and health catastrophe you're about
10 to unleash.

11 My simple question to all of you is,
12 where do you plan on putting the shit?

13 Based on rather simple mathematical
14 calculations, 145 apartments at an average of 2.5
15 people residing in each of the apartments,
16 estimates a person goes on an average 3.5 times per
17 a ten-hour period, if not more, now multiply that
18 by 145 apartments. That is a whopping 456,750
19 times per year the toilet will be flushed and not
20 including the ancillary business and activity on
21 the development.

22 It's evident that none of you ever
23 bothered to check with the waste management problem
24 Huntington has incurred after the development when
25 the waste capacity reaches its threshold by 12:00

1 noon each day. Especially failing to recognize the
2 health epidemic of cholera and other diseases that
3 occurred during the turn of the century in New York
4 City due to insufficient waste removal, which
5 resulted in New York City absorbing healthcare
6 costs associated with illness and deaths, as well
7 as initiating the strictest of Department of Health
8 protocols concerning waste management in the
9 nation, forcing public officials to follow such
10 strict waste including removal protocols in order
11 to prevent human history from repeating itself.

12 Furthermore, did anyone even bother
13 asking Vinnie who wears a T-shirt, boots, and
14 probably smokes a cigarette making his livelihood
15 in the waste removal business, or did you ask the
16 guy in the \$5000 Gianni suit that is only looking
17 to make a buck promising this County what an
18 economic windfall it would be?

19 The mere fact this meeting is even
20 being held during an international health pandemic
21 clearly shows you have learned nothing and believe
22 that you are immune somehow because of the money
23 you have in your bank account, or better yet, the
24 elected positions you hold. Reality check. This
25 virus has not even begun to rear its ugly head and

1 it could not care less about what political
2 positions you hold or the amount of money in your
3 bank account. What do I know. I'm just a nurse
4 who works with infectious disease patients and
5 enjoys analyzing numbers in my free time.

6 Has not the COVID-19 pandemic caused
7 enough devastation in this community? Every day
8 Nassau County looks like Queens; however, the
9 difference is based on Mother Nature's design as
10 this island can only sustain a certain amount of
11 people in which beyond such capacity will cause
12 disease.

13 Especially, on top of the serious
14 environmental infrastructure problems in which the
15 sea level continues to rise two inches each year in
16 which nothing has been done, a lack of clean water
17 due to the countless toxic waste dumps that exist
18 on Long Island, New York, especially concentrated
19 in Nassau County, as well as the nitrogen pollution
20 problem that exists throughout Long Island directly
21 resulting from human waste.

22 If ever there were to be a food or
23 water supply disruption -- which there is an
24 indication to be one -- where would we get our
25 water to drink, from the toxic waste dumps or

1 better yet from where unregulated pesticides are
2 placed on the lawn throughout the county?

3 MR. SYMONS: If you would be kind
4 enough to wrap it up.

5 MS. KORSZUN: Yet we're having a
6 meeting about developing yet another piece of
7 property to add to our own financial and
8 environmental detriment.

9 MR. SYMONS: (Inaudible.)

10 MS. KORSZUN: I propose that a
11 moratorium (inaudible) and begin to undevelop the
12 vast amount of abandoned buildings and parking lots
13 no one even uses, and simply plant a tree in its
14 place?

15 MR. SYMONS: Excuse me, if you would be
16 kind enough to wrap up your remarks.

17 MS. KORSZUN: (Inaudible) a thriving
18 economy on this island, especially with an
19 impending financial tsunami that has yet to affect
20 everyone, but I assure you, it will. It's only a
21 matter of time.

22 What do I know? I'm just a nurse with
23 an MBA in corporate finance, no one has even
24 bothered to call who has offered to work for \$1 an
25 hour. Maybe now I should charge you \$1,000 an

1 hour.

2 Thank you for your time.

3 UNIDENTIFIED SPEAKER: (Inaudible.)

4 Matt Kucker?

5 MR. KUCKER: Good evening.

6 My name is Matthew Kucker. Last name,
7 K-U-C-K-E-R.

8 I did not think I would be here this
9 late, but I'm a new resident of Hicksville. I'm a
10 commercial real estate agent. I work for Colliers
11 International. Part of the project that we work on
12 -- my team is actually working on the
13 revitalization of The Source Mall. We have about
14 750,000 square feet of commercial retail property
15 that I'm tasked on revitalizing, which is the
16 reason why I wanted to come out here and speak
17 about my expertise in the market, studies that we
18 have done.

19 That property has been the stress of
20 the Fortunoff family and Fortunoff lost that
21 property and it was sold for about \$92 million to a
22 Chinese corporation that came here and wanted to
23 revitalize that property.

24 My team has been working for about the
25 past two years in order to make that project

1 viable. I want to say it has not been easy. We
2 have landed Bloomingdale's, Macy's Furniture that
3 is opening up an outlet center. They opened up on
4 Labor Day. Which is great for the property, we are
5 converting the front to a restaurant row as some
6 people proposed here.

7 The reason why I'm here is that I
8 believe that this project over here can be a
9 positive effect to the Hicksville community. I
10 think that the way retail works is, it requires a
11 synergy to be created between the mall across the
12 street, Broadway Mall. I was on the phone two days
13 ago with Broadway Mall to discussed the Macy's box
14 that unfortunately became vacant.

15 The way that retail is changing, we're
16 seeing a lot more Amazon, a lot more Walmart and
17 Costco that is taking over the large box
18 properties. There still remains a large square
19 footage of space here. I would love to see Sears
20 and a similar company come here and take that, but
21 the reality of that happening is not likely.

22 I also represent Kohl's on a national
23 level with the vacant space that is at the Valley
24 Stream Mall, Green Acres Mall. I could say that
25 after working on the project for about a year, it

1 is not easy to lease 100,000 square feet there.

2 Having 200,000 square feet on Broadway
3 and having a large mixed use urban facility that
4 has been rebuilt and bringing in 400 apartments
5 will actually create a positive effect to the mall
6 across the street. Those new residents that are
7 renting in Hicksville will probably become
8 residents on a long-term basis and actually
9 purchase property and houses within the Hicksville
10 community.

11 In essence, this project will be a
12 positive plus to the housing crisis here in
13 Hicksville. It will be creating, I think, a lot of
14 jobs for the local businesses. They're going to
15 eat, they're going to shop and the office component
16 will be a positive effect.

17 If you have any questions regarding
18 what I do in this market, I'm happy to offer my
19 services. Again, I'm not here on behalf of any
20 company and I've not been paid by Seritage. I've
21 not been financially supported in any way. I'm
22 here as strictly a resident of Hicksville.

23 Thank you.

24 SUPERVISOR SALADINO: Thank you.

25 Would the next speaker please come

1 forward?

2 MR. KWAS: Matthew Kwas.

3 (Inaudible.)

4 I guess it's you in the middle there,
5 Mr. Saladino?

6 SUPERVISOR SALADINO: Yes, I am.

7 Could you please repeat your name and
8 spell it for the stenographer?

9 MR. KWAS: Yes, my name is Matthew
10 Kwas, M-A-T-T-H-E-W, K-W-A-S. I'm a resident of
11 Murray Road, Hicksville, New York, for a little
12 over ten years.

13 I last met you, Mr. Saladino, at the
14 celebrity ball in Woodbury so this is going to be a
15 little off cue from what I had prepared to speak.

16 You said that Hicksville was going to
17 be your crown jewel. It was going to be your
18 development center. I understand that. I
19 understand the influx of people that are moving in
20 here and the population that has grown
21 exponentially.

22 There was a speaker before me who took
23 some lines out of my playbook, but that's fine,
24 because we're all here for the same reason. I
25 don't think we want this to go forward, except the

1 speaker that was here before me, the real estate
2 agent, commercial real agent, that was here before
3 me.

4 You had a speaker that was hired by
5 Seritage by the name of Jee Mee that HR Advisors
6 from NYC Hudson Yards, and obviously, they're going
7 to be in favor of this development. Not one
8 speaker you had here said anything about the
9 environmental impact other than traffic, sidewalk
10 signs, traffic lights. Nothing. Nothing about, as
11 a prior speaker said, human waste.

12 Natale & Scholnick on Broadhollow Road
13 in Melville have been hired by the local residents
14 because in the other environmental disaster that
15 occurred just down the road with the chemical plant
16 and won. And I spoke to you about that. I did.
17 You said you were going to contact us about that.
18 There has been several proposals by your -- not you
19 but by the proponents of this property that want to
20 move it forward.

21 And I'm just a little confused because,
22 and maybe they can clarify that, that there was
23 over eight codes, ordinances, permits, special use
24 permits, offers, setbacks, aggregates, variances,
25 and zoning regulations and use permits that have to

1 go through your Board, the panel, before this gets
2 approved. So how in the world if there's eight or
3 nine of those that have to be addressed or
4 readdressed or readjusted when there is only two
5 processing plants on the South Shore to accept all
6 the doodie and pee-pee. There is no way that you
7 can put this on the line. There's just no way.

8 So, the TOB -- and I respect you,
9 Mr. Saladino -- but the TOB has the largest
10 environmental lie because of that (inaudible)
11 chemical problem and Grumman.

12 So, it would your duty to say, well,
13 wait a second, do we really want to let this fly --
14 I don't care about Seritage and what they did in
15 the development company or how much money they
16 spent on their consultants that would obviously lie
17 (inaudible), but you could really make a big
18 difference by saying "no" to this project.

19 That's all I have to say.

20 SUPERVISOR SALADINO: Matt, it's very
21 obvious that you're in opposition, and I want to
22 thank you for the very professional way that you
23 presented your views. It's very much appreciated.

24 UNIDENTIFIED SPEAKER: Ali Naqvi.

25 Gene Williams.

1 Andrea Smith.

2 MS. SMITH: 29 Lawrence Street,
3 Hicksville.

4 I actually like the idea. Something
5 has to go on this property. I don't like the idea
6 of rental. I think senior housing or condos would
7 be good.

8 My real concern is the traffic. I
9 don't know if any of you live in Hicksville. I
10 don't think you do. But Hicksville can't take any
11 more traffic. The fact that the study was done by
12 Seritage is not good. I would like an unbiased
13 study done of traffic. That's it.

14 SUPERVISOR SALADINO: Thank you,
15 Mrs. Smith.

16 UNIDENTIFIED SPEAKER: We have one more
17 speaker.

18 MR. NAQVI: Hi, guys. I know we're
19 here late.

20 The reason I wanted to come up -- I
21 wasn't planning on coming up, but I think that it's
22 important to get a young adult's view of what's on
23 going on -- I'm sorry. This isn't loud enough?

24 The reason I wanted to come up --

25 SUPERVISOR SALADINO: Let me just

1 interrupt you for one moment, please. I apologize.

2 For our stenographer, for the record,
3 could you begin by pronouncing and spelling your
4 full name, please?

5 MR. NAQVI: Sure.

6 It's Ali Naqvi, A-L-I, last name is
7 N-A-Q-V-I.

8 The reason why I came up now -- I
9 wasn't planning on do so -- is because I think it's
10 important to get a young adult's view on this
11 project.

12 As you know, most of the people that
13 have come here and spoken are not necessarily in
14 the same age gap, I guess, as I am so just to kind
15 of get my thoughts out there to take this
16 opportunity to just kind of put it out there.

17 I think what Seritage is looking to do
18 is -- can and is beneficial to Hicksville. I'm a
19 resident of Hicksville. I've lived here a little
20 over five years and I've commuted to and from
21 Hicksville into the City for school, for work, and
22 Hicksville offers an amazing opportunity for young
23 adults due to the convenience of the train station,
24 as well as convenience to the highways, and I think
25 a lot of people benefit from that and I think a lot

1 of more young people can benefit from that. And I
2 think a development like this, you know, does do a
3 lot to draw in a lot of young talent, especially in
4 a day and age where technology allows for us to not
5 necessarily have to always commute to the City, but
6 to have that sort of option is something that I
7 think is super valuable.

8 And that Sears property is not pleasant
9 to look at, and I think something more has to be
10 done there. Two of the things that I think, you
11 know, we would need more information on, which I
12 think from today's presentation wasn't really given
13 as detailed maybe due to time restraint is the
14 traffic. I know that's probably one of the biggest
15 concerns for a lot of residents that Hicksville is
16 having to deal with the traffic that's already, you
17 know, pretty bad and, you know, I think we could be
18 given a little bit more insight or alternatives to
19 what could be done.

20 Especially, as, for example, where
21 Bethpage meets North Broadway. That was not even
22 mentioned. I think a gentleman here before spoke
23 about how that can be up to delay up to twenty,
24 thirty minutes of the morning and it's a
25 quarter-mile of road that gets backed up.

1 In addition to that, maybe some
2 alternative on waste disposal. I think there's
3 technologies out there to deal, you know, with the
4 issues at hand. Of course with the oncoming of a
5 lot of residents, tenants, the new retail, of
6 course, waste is a major issue and that, again, was
7 not really talked much about.

8 So those are two are important areas,
9 you know, where we could use some more information.
10 From a young person's perspective, I think
11 Hicksville is awesome, and I would love to see
12 something really be done at that property that, you
13 know, benefits the young talent that's out there.

14 That's about it. Thank you.

15 SUPERVISOR SALADINO: Thank you.

16 We have the means by which to listen to
17 speakers at the Hicksville Community Center --
18 okay, let's go here first.

19 So our next speaker will be Dev Ratnam.

20 MR. RATNAM: D-E-V, R-A-T-N-A-M. I
21 live in Middle Neck Village, but I have property
22 pretty close to the project at 76 North Broadway.

23 For all the single-family homeowners
24 who are objecting to this project, I want to say
25 that people such as us with business properties, in

1 a one-acre property, I pay \$330,000 in taxes
2 helping single-family owners, too.

3 So I really propose and encourage the
4 new project. We need a lot more multifamily
5 projects in Hicksville.

6 I remember that the Board and,
7 Supervisor Saladino, did you ever wonder from
8 1653 how come there are no apartment buildings near
9 Hicksville train station which is the busiest train
10 station in all of Long Island? We have none.

11 So we need more projects such as this.
12 That's why I'm trying to say because I'm part of it
13 and it needs a lot more encouragement to help the
14 millennial people from the City to live in
15 Hicksville, making an urban center, not just be
16 suburban. It doesn't have to be only suburban. It
17 needs to organize and make it more vibrant.

18 Cities, small towns like Wyandanch,
19 Westbury, they all have more apartment buildings
20 than Hicksville ever had.

21 Did you ever wonder why didn't this
22 happen from 1653 'til now, no apartment buildings
23 near Hicksville train station, with all the
24 expressways, parkways, all around?

25 So I want more progress in Hicksville

1 for the betterment of the people. It will also the
2 tax base so the signal family homeowners will pay a
3 little less taxes.

4 Thank you.

5 SUPERVISOR SALADINO: Thank you, sir.

6 Our next speaker is Art Gipson.

7 MR. GIPSON: Good evening,

8 Mr. Supervisor.

9 Art Gipson, G-I-P-S-O-N, Business Agent
10 for Plumbers Local Union 200, and good evening to
11 the Town Board as well. It's good to see
12 everybody. We've been on lockdown for too long.
13 It's good to be here, even if it's late, Joe.

14 I'm here to speak in favor of the
15 Seritage project. I think that this is going to
16 turn into a lot of jobs. The construction
17 industry, as essentials, we kept this economy going
18 with the jobs that we performed out there on a
19 day-to-day basis, all of our trades. We keep the
20 economy moving.

21 These could turn into good, solid,
22 union jobs for my members and many other men and
23 women, local jobs, for local people for the next
24 three years.

25 Sewer treatment, waste water treatment,

1 that can be addressed, if that's an issue. As far
2 as the 20,000 plantings, I love that. Irrigation
3 is the work of the plumber. I'd be more than happy
4 to take care of their bushes and their trees.

5 So I stand here before you today in
6 support of this project and I thank you very much
7 for your time tonight.

8 Good night.

9 SUPERVISOR SALADINO: Thank you.

10 Sir, we have a few other people --

11 UNIDENTIFIED SPEAKER: A point to make.

12 For those people who can't communicate
13 with the community center, it's just a short drive.
14 We could walk.

15 SUPERVISOR SALADINO: We're getting
16 that up and running. We're getting that resolved,
17 and as I stated earlier, if for any reason the
18 technology in place doesn't work, we're going to do
19 it by cell phone, but they will be heard tonight.

20 Thank you.

21 Jack, are you hear? Come on up.

22 MR. MAJKUT: Good evening, Supervisor
23 Saladino and Members of the Board.

24 My name is Jack Majkut, business
25 representative for the International Brotherhood of

1 Electric Workers, Local 25. Local 25 represent
2 several thousand working families here in Long
3 Island.

4 I'm here tonight to speak in favor of
5 the Heritage Village project. This project could
6 not have come at a better time for the residents of
7 the Town of Oyster Bay. Not only will this project
8 help increase the tax revenue for Oyster Bay on the
9 heels of a worldwide pandemic, it will create
10 hundreds of jobs, if not thousands.

11 Seritage has taken the time to develop
12 a smart plan that improves this blighted site so
13 that it conforms more to its surrounding community.

14 As you've heard tonight, they have even
15 taken suggestions from some of the longtime
16 residents of Bay Avenue and are committed to
17 accommodate their requests. There is an absolute
18 need for this mixed use development to help retain
19 its young and urban professionals.

20 On a personal note, my mother was a
21 longtime resident of the Town of Oyster Bay for
22 about 45 years. When she retired twenty years ago
23 or so, she looked to downsize to a maintenance-free
24 situation. However, when she looked in the Town of
25 Oyster Bay, there were no mixed-use developments

1 like Heritage Village or even senior housing
2 available to her. She ended up on a waiting list
3 for senior housing, but to no avail she had to
4 relocate.

5 Ten years later the Town of Oyster Bay
6 called her to let her know that she finally made it
7 to the top of the list, but it was too late. She
8 had already relocated, made a life for herself, you
9 know, in another state, actually. If only there
10 was a place like Heritage Village for her to move
11 to at that time.

12 This project is a necessity for the
13 residents of the Town of Oyster Bay. Once again,
14 IBW Local 25 fully supports this project as we look
15 forward to working with Seritage.

16 Thank you for your time and the
17 opportunity to speak.

18 SUPERVISOR SALADINO: Thank you.

19 Ryan Ackerman?

20 MR. ACKERMAN: Good evening, Super,
21 Councilmen and women.

22 My name is Ryan Ackerman. I'm with the
23 Local 200 plumbers union.

24 I want to thank our Supervisor, Joseph
25 Saladino, for the many years of support for our

1 Town and friend of labor.

2 Being a lifelong Oyster Bay resident,
3 it's always been a very family-friendly place to
4 live. The Town of Oyster Bay has a lot of
5 historical value; great shops, great places to eat
6 and speaking of support, it adds more historical
7 value.

8 There's a plan in process for the
9 redevelopment of a 26-acre construction for 425
10 residences, 294,000 square feet of commercial
11 space, including grocery store, office space, food
12 and beverage, cinema, fitness and retail.

13 This construction project will generate
14 \$376 million, with a total of real estate value of
15 \$170 million. When complete and operating, the
16 development is projected to generate over one
17 thousand full-time jobs. This planned development
18 would mean our future success for the Town of
19 Oyster Bay.

20 Thank you for your consideration.

21 SUPERVISOR SALADINO: Thank you, sir.

22 MR. LEO: Good evening, Supervisor,
23 distinguished Members of the Board.

24 Paul Leo, L-E-O. I am an Town of
25 Oyster Bay resident. I live in Farmingdale and I

1 was born and raised in Hicksville for 28 years.

2 I'm also the president of Carpenters Local 290 here
3 on Long Island.

4 As many people have stated in the past
5 this evening, this project is paramount for the
6 Town of Oyster Bay. As one gentleman said this is
7 a show piece. It certainly is. They put a lot of
8 work and determination to make it accommodating for
9 the people that are in the surrounding community.
10 The jobs would be phenomenal and it certainly needs
11 the growth. It seems to be the right kind of
12 growth.

13 Having two millennial boys at home, I
14 noticed that it's something that would right up
15 their alley to be able to have a rental community
16 that they can actually hang out in, work in and if
17 they wanted to get into the City and get a little
18 wild, they have that as well.

19 As far as the carpenters union goes, we
20 are in full support of Seritage and we're looking
21 forward to working with them.

22 Thank you.

23 SUPERVISOR SALADINO: Thank you.

24 I'm being told that we're now ready to
25 hear from residents at the community center.

1 (Inaudible.)

2 MR. STALKSI: Charles Stalski,
3 48 Elmwood Avenue in Hicksville.

4 I agree that something has to be done
5 with that site because Sears is not there and it is
6 what it is. It's hard to argue with the tax
7 numbers.

8 I guess what I want to say is I think
9 we need the Board and council to hold everybody who
10 has those numbers accountable, maybe to hold them
11 to the accuracy of the numbers and the reports
12 because whoever is hired by them is supposed to be
13 impartial and I suspect that they are.

14 Like I said, it's hard to argue with
15 those tax revenues that will come out of that. I
16 think the plan was in depth -- I didn't read the
17 3000-page document, but it seems that you guys have
18 planned retail in there.

19 Also, I'd like to say that I think --
20 we did not hear enough about the impact upon the
21 physical nature like sewerage and water, as well as
22 the schools. I think the numbers that were also
23 presented seemed highly unlikely, 40 students per
24 200 and X number of apartments, that seemed odd to
25 me, but I think if it's laid out over a longer

1 period of time that affects twelve years of public
2 school.

3 I think the biggest thing about the
4 plan that I'm sort of questioning about is, it does
5 not look like suburban to me. I've lived in
6 Plainview in Hicksville my home life, for 57 years.
7 There's always some but it is significant and, you
8 know, why not just houses?

9 Again, maybe there's tax revenue or
10 more revenue forthcoming by this development there,
11 but it just doesn't look like suburban to me. I
12 think other towns that have a main street with
13 mixed use, places like Bay Shore, Wyandanch,
14 Patchogue was mentioned, I think they're different.
15 Maybe Patchogue is more like this but, you know,
16 the center of it as the main street is with retail
17 and restaurant and then the houses are built around
18 it. I'd like to see something more like that.
19 They spoke tonight and hopefully you can hold them
20 to true to their word and the facts would be
21 presented.

22 Thank you for setting this up. I think
23 it's important.

24 The last thing I think is the
25 apartments. There wasn't a lot of time spent on

1 that. We have been fighting multifamily use
2 housing for a while. I remember that as in my
3 childhood, I remember the difficulties of getting
4 that done and I had one since 1990 until I moved
5 into my house in Hicksville.

6 And what are those apartments going to
7 cost, because that's going to affect who is there?

8 I appreciate the younger person who
9 talked at the community center. I think that's
10 important to see. It's a view that maybe that I
11 didn't have because of where I am in my life. I
12 think it's important to see because the future of
13 Hicksville and Oyster Bay is very is important. It
14 just doesn't seem like my view and some of the view
15 of the people that are here tonight.

16 Thank you very much.

17 SUPERVISOR SALADINO: Thank you for
18 participating.

19 MR. KITRAS: My name is George Kitras.
20 I live on Bamboo Lane in Hicksville, New York.

21 I just want to let you know that I'm
22 here by my own free will. I'm not been paid by
23 anyone. I've lived in Hicksville for about sixteen
24 years. I actually worked for Sears as a
25 contractor, home services for about twenty years,

1 and, you know, it saddens me every time I pass by
2 that property. The property needs to have a
3 purpose again and I honestly believe that Seritage
4 is definitely the solution, but we have to involve
5 all Hicksville residents, including myself, to
6 support this project in every way shape and form.

7 Thank you.

8 SUPERVISOR SALADINO: Thank you.

9 Could you please repeat and spell your
10 last name?

11 MR. KITRAS: Yes.

12 George Kitras, K-I-T-R-A-S.

13 SUPERVISOR SALADINO: Thank you.

14 MR. KITRAS: You're very welcome.

15 Have a good night.

16 SUPERVISOR SALADINO: You too, sir.

17 Is there anyone there at the Hicksville
18 Community Center who would like to speak? Is there
19 anyone left?

20 (No response.)

21 SUPERVISOR SALADINO: As you can see,
22 all the chairs are distanced out appropriately for
23 social distancing and we appreciate all of the
24 cooperation of everyone there and everyone at the
25 athletic center and the ice rink.

1 Okay. No more speakers there.

2 Are there any speakers left at the
3 athletic center? No?

4 (No response.)

5 SUPERVISOR SALADINO: Is there anyone
6 there at the athletic center that would still like
7 to speak? No one has identified themselves.

8 (No response.)

9 SUPERVISOR SALADINO: No one has
10 identified themselves.

11 Is there anyone left here in Town Hall
12 who would still like to speak?

13 Counselor?

14 MR. MINERVA: Thank you, Supervisor.

15 SUPERVISOR SALADINO: I'm sorry.

16 It's my understanding that there's no
17 one left at the ice rink. I just want to give
18 anyone at the ice rink an opportunity to speak if
19 that is the case, but it's my understanding that it
20 was one speaker, one person who wanted to speak, we
21 heard from him and there's no one else there.

22 Okay. That's the case.

23 Please continue.

24 MR. MINERVA: Thank you, Supervisor.

25 There were various topics discussed in

1 public comment. I have a variety of experts here
2 who can respond to some of those comments. If
3 you'd like me to do that on the record tonight,
4 we'd be happy to do that.

5 SUPERVISOR SALADINO: Would you like to
6 take that up yourself?

7 MR. MINERVA: Yes.

8 A few comments I want to address before
9 I call up the experts.

10 The question about sewage --

11 SUPERVISOR SALADINO: I actually asked
12 would you like to take care of the comments at this
13 late hour? Would you take care of those responses
14 yourself?

15 MR. MINERVA: I will address a few of
16 them and then we can have the experts respond in
17 more detail in the written submission if that would
18 work better.

19 SUPERVISOR SALADINO: The hour is late
20 and I'm thinking of the residents and the people
21 who would look like to hear any summary at this
22 time before they're done -- excuse me.

23 (Whereupon, a discussion was held off
24 the record.)

25 SUPERVISOR SALADINO: Sir, I'm informed

1 by counsel that our best option is for you to sum
2 this up in as brief a form as you chose, but we
3 would certainly appreciate it.

4 The hour is late, there are many
5 residents watching from home, and I know that it
6 would be appreciated if you summed up in a brief
7 fashion.

8 MR. MINERVA: Thank you, Supervisor. I
9 will do just that.

10 So some of the comments that we
11 received tonight, we will respond, of course, to
12 all of those in the DEIS with detailed responses.

13 I just want to know, the sewer capacity
14 issue was raised a few times. There is a letter
15 from the Nassau County Department of Public Works
16 that they have the capacity to accommodate the
17 sewage that's ejected from this development.

18 We also did study North Broadway and
19 Bethpage Road, and we will highlight in that
20 response because that intersection was looked at.

21 And also we will reiterate in the
22 response that we are not seeking the pilot on the
23 entire development. We are entitled to that even
24 though there's a portion that is retained, it's
25 because we're under a certain threshold, we could

1 apply for the whole development, but we're not
2 doing that, and we will further detail that
3 commitment in the written response and again
4 rehighlight those positive economic impacts that
5 will be produced even with the pilot.

6 Other than that, I just want to thank
7 the Board and everybody else for their time tonight
8 and for setting this up. We thank you. And again
9 we hope you look fair to our application.

10 SUPERVISOR SALADINO: Thank you for
11 your brevity and thank you for your application.

12 At this time, I would like to remind
13 all of the residents as well as those who spoke
14 this evening that your comments are in the
15 permanent record. The stenographer has been
16 documenting all of your comments and please be
17 assured that they will be considered and addressed.

18 It's also important to remind everyone
19 watching here, watching from home or at any of our
20 locations that we will be keeping the record open
21 for 60 days, which is November 17th. You can
22 comment further. Whether you spoke tonight or not,
23 you can comment by sending your comments to
24 publiccomment@oysterbay-ny.gov. You can also visit
25 us at oysterbaytown.com/Seritage/. You can contact

1 us by phone or by letter and all of that
2 information is available on how to contact us at
3 oysterbaytown.com, and in this way, you can
4 continue to be a part of the permanent record.

5 And once again, it's very important
6 that I assure everyone that all of your comments
7 will be made part of the permanent record and we
8 can continue to assure you that your comments will
9 be considered and addressed.

10 I would like to thank everyone and I
11 also ask our Town Clerk, Rich LaMarca, for any
12 further information at this time.

13 MR. LAMARCA: The attorneys for the
14 applicant have filed their Affidavit of Service and
15 Disclosure.

16 The communications are as follows. We
17 have memos from the Department of Planning &
18 Development. The Nassau County Land and Tax Map
19 indicates that the property is Section 12, Block B,
20 Lot 185.

21 According to the Town of Oyster Bay
22 zoning maps, the property is located within the GB,
23 general business zone. There are no open code
24 compliance cases; however, there are variances in
25 the Town Board resolutions on file.

1 We have affidavits of posting and
2 publication. There is correspondence on file from
3 residents which have been distributed to the Town
4 Board and the content of which shall form part of
5 the permanent record of this hearing.

6 There is no further correspondence.

7 SUPERVISOR SALADINO: Thank you, Rich
8 LaMarca.

9 While there's no further
10 correspondence, we have provided an opportunity for
11 anyone, resident or not, to add their comments to
12 via publiccomment@oysterbay-ny.gov.

13 I would like to personally thank and
14 thank on behalf of our Board, our Town Clerk and
15 our Receiver, our Town of Oyster Bay team who put
16 this together. This is a milestone evening, the
17 first time that we have done a hearing in four
18 different locations; Town Hall North, Hicksville
19 Community Center, Hicksville Athletic Center and
20 the ice skating center.

21 We would like to thank the applicant,
22 but most of all, we would like to thank all of the
23 participants, be it residents or not, for coming
24 here, for participating in a professional manner.

25 I want to thank everyone for their

1 respect of each other and for doing this a way that
2 continues to show that Oyster Bay leads Long Island
3 as a municipality where people respect one another,
4 care for one another and conduct themselves
5 appropriately and professionally.

6 So thank you to each and every one of
7 you, and at this time, Councilwoman, may I have a
8 motion?

9 COUNCILWOMAN JOHNSON: Supervisor, I
10 will make a motion that this public hearing be
11 closed, that the record remain open for 60 days,
12 which I am told is November 16th. I believe you
13 had said the 17th. So, November 16th.

14 SUPERVISOR SALADINO: May I have a
15 second?

16 COUNCILMAN HAND: Second.

17 SUPERVISOR SALADINO: All in favor,
18 please signify by saying, "Aye."

19 ALL COUNCIL MEMBERS: "Aye."

20 SUPERVISOR SALADINO: Those opposed,
21 "Nay."

22 (No verbal response.)

23 SUPERVISOR SALADINO: The "Ayes" have
24 it.

25 Once again, thank you for your

1 participation, thank you to the staff for putting
2 together this milestone hearing and, once again,
3 thank you for everyone being here today.

4 Please get home safely.

5 (TIME NOTED: 10:56 P.M.)

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