

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
December 8, 2020
7:17 p.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to Amend Chapter 246 Zoning, of the Code of the Town of Oyster Bay, to remove Central Zoning District and create Hicksville Downtown Zoning District. (M.D. 11/3/20 #20).

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
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

Minutes of the meeting
taken by:

HOLLY DALOIA OSTEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good evening,
2 ladies and gentlemen. Welcome to the Town of
3 Oyster Bay's Hicksville Athletic Center.

4 On behalf of my colleagues, I want to
5 welcome you to this meeting of the Oyster Bay Town
6 Board on December 8th at 7:00 p.m. here in
7 Hicksville.

8 Two of our members, Councilwoman
9 Johnson and Councilwoman Maier are participating
10 here with us by telephone.

11 Before we begin and as we begin all our
12 Town Board meetings, we always begin with the
13 Pledge of Allegiance. And I would ask you to
14 please stand and I'll ask our Town Clerk Rich
15 LaMarca to please lead us in the Pledge.

16 (Whereupon, the Pledge of Allegiance
17 was then recited followed by a moment of silence.)

18 SUPERVISOR SALADINO: Thank you.

19 To begin this meeting, I ask that our
20 Town Clerk Rich LaMarca please poll the Board.

21 MR. LaMARCA: Supervisor Saladino?

22 SUPERVISOR SALADINO: Present.

23 MR. LaMARCA: Councilwoman Johnson?

24 COUNCILWOMAN JOHNSON: Present.

25 MR. LaMARCA: Councilman Imbroto?

1 COUNCILMAN IMBROTO: Present.

2 MR. LaMARCA: Councilman Hand?

3 COUNCILMAN HAND: Present.

4 MR. LaMARCA: Councilman Labriola?

5 COUNCILMAN LABRIOLA: Present.

6 MR. LaMARCA: Councilwoman Maier?

7 Councilwoman Maier?

8 COUNCILWOMAN MAIER: Councilwoman

9 Maier, present.

10 MR. LaMARCA: Councilwoman Walsh?

11 COUNCILWOMAN WALSH: Present.

12 SUPERVISOR SALADINO: Thank you to our
13 Town Clerk. I want to also thank Rich LaMarca for
14 the wonderful job you did this evening during our
15 Town Board meeting when you started our day, and
16 I'd also like to thank our Receiver Jeff Pravato
17 for your continued support to this Town Board.

18 So I will ask for a motion at this time
19 to reopen the December 8th Town Board meetings for
20 the purpose of this Town Board hearing.

21 COUNCILMAN IMBROTO: So moved.

22 SUPERVISOR SALADINO: May I have a
23 second?

24 COUNCILMAN HAND: Second.

25 SUPERVISOR SALADINO: All in favor,

1 please signify by saying, "Aye."

2 ALL: "Aye."

3 SUPERVISOR SALADINO: All opposed,
4 "Nay."

5 (No response.)

6 SUPERVISOR SALADINO: The "Ayes" have
7 it.

8 In relation to these hearings, the Town
9 of Oyster Bay economic development professional
10 James McCaffrey will be providing us with an
11 overview of the proposed new zoning laws for the
12 Downtown of Hicksville, and we will also see a
13 slide presentation that I think will be very
14 descriptive and helpful for everyone, whether they
15 are viewing here in this room or online to fully
16 understand what is being proposed.

17 From then, we will hear from Kathy
18 Eiseman, a Certified Planner at Nelson, Pope &
19 Voorhis with over 25 years of experience in
20 environmental planning.

21 We appreciate all of those efforts.

22 Before we get started, as a reminder,
23 the zoning proposal that is before us incorporates
24 years of collaboration. And when I say years, more
25 than ten years has gone into this, and as I look

1 across the room, I see the faces, be they behind
2 the masks, of so many who have been a part of this
3 and through the planning process, those from the
4 community, those from organizations representing
5 the community, those working as employees of the
6 Town of Oyster Bay, professionals all and the
7 outside professional consultants who make such a
8 difference in making this work.

9 The proposal includes a great deal of
10 feedback of community stakeholders with the goal of
11 creating a vibrant and walkable Downtown here in
12 Hicksville that includes new housing opportunities,
13 restaurants, shops, office spaces and all of the
14 amenities that the community brought to our
15 attention during hearings and during a wonderful
16 process some three years ago in our Downtown
17 Revitalization.

18 This zoning proposal would set forth
19 design guidelines to create the right aesthetics
20 and create a cohesive feel in the Downtown with
21 specific details to items such as storefronts,
22 signage, light bulbs, awnings and much, much more.

23 This is an important step in the
24 process for Hicksville's Renaissance. And it
25 compliments the recently completed traffic study

1 performed by Nassau County. I see a representative
2 of Nassau County and our good friends here in
3 Hicksville Ed Linal and we appreciate your
4 participation.

5 As you know, the Town of Oyster Bay
6 secured a \$10 million grant from the New York State
7 Downtown Revitalization Initiative. That didn't
8 take place easily. That took place because of the
9 work of professionals, because of the work of our
10 elected officials, because of the work of our
11 community. And I'm very proud to be working with a
12 team that won that competitive grant of \$10 million
13 for our Downtown here in Hicksville.

14 Additionally, we secured a \$150,000
15 grant from Nassau County for improvements along
16 Broadway and we've set aside another \$1.1 million
17 of federal funding toward the Revitalization of the
18 Downtown.

19 Remember, tonight's hearing is in
20 relation to the zoning of this Downtown. If
21 approved, that does not mean New York -- new
22 projects have been approved. What it does is it
23 sets a pathway for that to take place.

24 As any new project would still require
25 approval, including review of the environmental

1 needs, water availability, sewage capacity, the
2 impact on traffic flow and many other issues
3 important to you, important to us and, obviously,
4 important to all of Hicksville.

5 In regards to the program this evening,
6 after the presentation from our Commissioner and
7 Planner, residents, all of you, will have the
8 opportunity to express your feedback on these
9 proposals. Whether you're here to support the
10 proposal, oppose it or seek additional information,
11 we are here to listen to you.

12 I've said it many times. This Town
13 Board works for you. Quite frankly, whether you're
14 here at the Athletic Center in Hicksville, you're
15 watching at home or even those who aren't able to
16 do either this evening, we work for you and we will
17 have an outcome that everyone can rejoice in.

18 So we made it clear that your voice is
19 important, the reason why we are hosting this
20 meeting here while adhering to the rules of social
21 distancing and protecting the public.

22 But here are the rules for this
23 evening: We ask that residents wishing to speak
24 fill out a card located in the back of the room and
25 submit it to our staff in front of the room.

1 Raise your hand if you have the cards
2 for this evening so everyone is assured where to
3 go. We are looking for -- right outside the door,
4 you can get those cards and fill them out. I'm
5 assuming most of you have done that already.

6 Each resident is allotted five minutes
7 to speak after each of the two hearings. If you're
8 unable to stay for the entire meeting or if you're
9 watching it from home, you can submit written
10 testimony to us via e-mail to publiccomment@
11 oysterbay-ny.gov. I'll say that again and we
12 repeat that during most of our hearings,
13 publiccomment@oysterbay-ny.gov. If you didn't get
14 that, you can go to our website and the information
15 is there.

16 Don't fret because our record will
17 remain open for 30 days providing people plenty of
18 time to get the information to us we will keep that
19 open through the close of business on January 7,
20 2021. Boy, it sounds pretty good to say 2021.

21 Is anybody looking forward to next year
22 and getting 2020 behind us?

23 (Applause.)

24 SUPERVISOR SALADINO: Comments said
25 during the hearing or provided in writing carry

1 equal weight. So we want everyone to know whether
2 you're here or not doesn't make a difference. If
3 you want to provide us testimony, provide us
4 information, you don't have to be here. You will
5 get equal weight to your testimony if you submit it
6 via publiccomment@oysterbay-ny.gov.

7 With us this evening is a court
8 reporter -- there she is -- a court reporter that
9 documents statements made through the evening so
10 your statements will be part of the permanent
11 record.

12 Throughout the evening speakers will be
13 called upon one at a time to the microphone located
14 in front of the room, and we ask, as always, that
15 we show respect to the speaker so that they can be
16 heard, and we will ensure that everyone has their
17 opportunity to be heard. When your time has
18 expired, we will notify you of such and kindly ask
19 you to wrap up your remarks.

20 On behalf of all of my colleagues on
21 the Town Board and all of the elected officials,
22 all of the professionals in the Town of Oyster Bay,
23 who quite frankly have been working very, very
24 diligently on this project, we would like to thank
25 you for your participation this evening.

1 At this time, I would like to introduce
2 the Oyster Bay Town Attorney Frank Scalera who will
3 provide us an overview of the proposed Local Law.

4 Thank you, Frank.

5 MR. SCALERA: Thank you. Good evening.

6 Frank Scalera Town Attorney, Town of
7 Oyster Bay.

8 I'm just going to handle the procedural
9 aspects of this Local Law. This a hearing for a
10 Local Law --

11 SUPERVISOR SALADINO: Excuse me, Frank,
12 can you just turn the microphone toward you more?

13 MR. SCALERA: Can you hear me?

14 SUPERVISOR SALADINO: Now, much better.

15 Thank you.

16 MR. SCALERA: This is a public hearing
17 for a -- to consider a Local Law to amend Chapter
18 246 of the Oyster Bay Code and that chapter is
19 entitled Zoning. And this is to the remove Central
20 Business Zoning District and create a Hicksville
21 Downtown zoning district and subdistricts.

22 Just for housekeeping and procedural
23 reasons and I'll turn it over to Mr. McCaffrey,
24 that pursuant to the directions of the Town Board
25 by Resolution previous to today, we published the

1 Town of Oyster Bay with the Office of the Town
2 Attorney and the Office of the Town Clerk prepared
3 and published the Public Notice notifying the
4 public that this meeting was occurring this
5 evening. That Resolution of Public Notice was
6 posted on the bulletin board at the Town. It was
7 also published in Newsday, a paper of general
8 circulation, and was also placed on the Town of
9 Oyster Bay website.

10 With respect to the website, a copy of
11 the proposed Local Law was also uploaded for the
12 public to review and, of course, pursuant to Public
13 Notice the Local Law -- the proposed Local Law is
14 available at the Town Clerk's office, both in the
15 North and South Office -- Town Hall South and Town
16 Hall North.

17 So, the Town Clerk Rich LaMarca has all
18 the -- he'll indicate later at the end of the
19 hearing that he has all the Affidavits of
20 Publication and the proof that such public notice
21 was given.

22 Now, that that procedural aspect has
23 been stated on this record, I now pass over the
24 substance of this hearing, the substantive part of
25 this hearing, the meat and potatoes of this

1 hearing, I'll pass it over to Deputy Commissioner
2 of Planning and Development and also of Economic
3 Development that James McCaffrey. He'll take it
4 from here and discuss and have this -- have the
5 actual presentation of this Local Law.

6 Thank you.

7 MR. McCAFFREY: Thank you, Mr. Town
8 Attorney for the introduction.

9 Supervisor Saladino, Members of the
10 Town Board, I'm going to be here tonight just
11 giving you a quick overview of how we got to
12 tonight. This has been a long process. It started
13 over a decade ago, back in 2010. And one of the
14 major points that I would like to discuss is that
15 this has been a bottom-up study from the very
16 beginning. It had very humble origins back in
17 2010. A lot of times municipalities do a topdown
18 study. Planning firms come in, they make a
19 recommendation to the Town Board and it's done.
20 That's not the way this was done.

21 Back in 2010, members of the Hicksville
22 community formed the Hicksville Downtown
23 Revitalization Committee and that involved the
24 Hicksville Chamber of Commerce, as well as the
25 Hicksville Community Council, and several community

1 members that were very interested, they wanted to
2 see change take place in Hicksville and get it back
3 to where it used to be in its Hay Day. They
4 commissioned Vision Long Island to help them with
5 this planning process.

6 Back in 2010, they held a meeting at
7 the American Legion that was very well attended.
8 They asked people from the community what's right
9 with Hicksville and what's wrong with Hicksville.
10 They got a lot of different answers and a lot of
11 support. Out of that, the committee continued to
12 meet for next several years, but they did publish a
13 report in 2013 and 2015, which then led the Town to
14 commission a planning study of their own in 2015.

15 That study was worked on and it was
16 completed in 2017, and it was almost ready to
17 present it to the Town of Oyster Bay for adoption,
18 but then the DRI process came along.

19 And I'd just like to mention when we
20 spoke about that proposal in the 2015 to 2017
21 study, we had a public meeting at Hicksville High
22 School. We didn't expect that large of a crowd.
23 It was going to be in the cafeteria and it turned
24 out over 700 people showed up and we moved it to
25 the gymnasium. So a lot of these things that

1 you'll see today came from the study created from
2 Vision Long Island, the original study done in
3 2017, and then, like I said, in 2017, the DRI came
4 along and another study was commissioned.

5 The State partnered with the Town of
6 Oyster Bay, and about two years later, that report
7 was released. The study built upon previous
8 studies, as well as brought us some several new
9 ideas, more about creating open space and civic
10 areas and connection to the Downtown. It really
11 focused on the fact that Hicksville should be more
12 than just a commuter stop on the railroad.

13 It should be about the Downtown and was
14 trying to capitalize some of the commuter traffic
15 and get them to experience the Downtown and return
16 Hicksville to its glory.

17 Which then brings us to the current
18 study, which was done -- commissioned in 2019 and
19 ran through 2020.

20 I'll be bringing up very shortly
21 Kathryn Eiseman from Nelson Pope & Voorhis. She'll
22 get into the details of that study, but, once
23 again, this involved a lot of community input.

24 That's the point I can't stress enough.
25 The community has been sending in ideas and

1 suggestions, and every step along the way, each
2 plan built upon the previous plans.

3 So, at this point in time, I would like
4 to say that the train has finally arrived at the
5 station and we are ready to present to you the
6 latest Hicksville Downtown Revitalization
7 Initiative proposals. Just like the LIRR, we've
8 had some delays along the way, but we have finally
9 arrived.

10 And the one other point I would like to
11 mention, although we did have delays and it has
12 taken a decade, we have take that time to learn
13 from other Downtowns, the pioneers of Downtown
14 development and it's offered us an opportunity to
15 see some of the issues that were raised such as
16 parking. So we've taken those concerns and
17 incorporated it into the proposal that you're going
18 to see tonight.

19 So some of the slides you're going to
20 see, you may recognize slides from other Downtowns.
21 You'll see Ronkonkoma, you'll see Wyandanch, you'll
22 see Farmingdale. We think we've taken the best of
23 the best and also tried to reduce some of the
24 problems that these downtowns have experienced as
25 they've grown.

1 So, with that, I'd like to introduce
2 Kathy Eiseman a Certified Planner from Nelson,
3 Pope & Voorhis, and she's going to take us through
4 the draft proposal.

5 MS. EISEMAN: Good evening, everyone.

6 SUPERVISOR SALADINO: Good evening.

7 MS. EISEMAN: As Jim has said, my name
8 is Kathy Eiseman. I'm a Certified Planner. I'm a
9 partner at Nelson, Pope & Voorhis.

10 And we've been working cooperatively
11 with the Town for about two years on the -- on
12 draft, Code Amendments and design guidelines, as
13 well as the SEQR analysis that was required for
14 this.

15 I have a presentation to give. I am
16 going to add -- it's very brief. I know you guys
17 have been sitting -- sitting in those chairs since
18 10:00 this morning, basically. My presentation
19 will be about fifteen minutes, I think. And I'm
20 going to talk a little bit about the Code
21 Amendments, the design guidelines and the SEQR
22 analysis. The analysis that's required under the
23 State Environmental Quality Review Act.

24 As you've heard, Downtown Hicksville is
25 ready for a Renaissance. It's a prime location for

1 Downtown Revitalization and that is -- that's
2 solidified by that New York State DRI grant of
3 \$10 million. That's a very competitive program.
4 Obviously, Hicksville is right for this type of
5 investment.

6 This area is right for a transit-
7 oriented development code to promote the type of
8 mixed use that would bring a vibrancy to this
9 Downtown where people can walk safely, comfortably
10 and have places where they want to linger. It's
11 all about place.

12 A couple of these images are the
13 Hicksville we see today which one of the things
14 that we heard through the community is why does
15 Downtown Hicksville feel like a parking lot. And
16 there are many parking lots in Downtown Hicksville
17 and that's because of the focus on commuters. The
18 commuters now bring very little to the Downtown.
19 They come in the morning. They get on the train.
20 They go New York City. They come back. They get
21 in their cars and they leave. That's a shame for a
22 place like Downtown Hicksville which really did
23 have a great main street that people still
24 remember.

25 So the goal of the DRI plan, as well as

1 the plans that were done previously going back more
2 than ten years is to create a walkable, vibrant
3 Downtown with a mix of uses and that benefits from
4 its location, New York Transit.

5 As Jim McCaffrey said, this does go way
6 back and there has been plenty of public input and
7 very positive input towards creating mixed use and
8 walkability.

9 The Hicksville DRI Strategic Investment
10 Plan, the actual plan that was adopted through --
11 with the Committee and the State as part of the
12 \$10 million grant promotes people living, working,
13 shopping and spending leisure time in the Downtown.
14 That's something that's not happening today --
15 well, maybe it's starting to happen.

16 This slide shows a few of the
17 recommended implementation projects that will occur
18 with the DRI funding. The actual places that will
19 be created, plazas and parks and connections where
20 people can linger outside. Why aren't there any
21 places to linger outside right now in Hicksville?
22 That's what the DRI Funding is going to accomplish.
23 The code that's going to be adopted, very
24 hopefully, will encourage the type of development
25 that will create mixed use, residential,

1 nonresidential and then the walkability.

2 So the DRI plan talks about the
3 existing zoning in CB District which is only
4 existent in the Town of Oyster Bay in Downtown
5 Hicksville. The majority of this area is zoned for
6 Central Business District.

7 I did want to just linger on this slide
8 a little bit. This slide shows the area that is
9 presently zoned CB. Let's see, I have a pointer.
10 Old Country Road down here, West John Street.
11 Let's see, Newbridge Road and then the railroad
12 tracks just east of Broadway. This entire area
13 right now is zoned CB District, and under the
14 current zoning, the maximum height is 60 feet which
15 is potentially six stories. And to think about
16 this entire area being developed in such a way
17 without any kind of design guidelines in place,
18 this is something to think about.

19 So the next slide actually shows the
20 proposed zone changes, which it's not just the CB
21 District, it also involves the Light Industrial
22 District along West John Street. There are also
23 some areas that are presently zoned for residential
24 that are really not residential areas along --
25 sorry, Newbridge Road and Jerusalem Avenue, and

1 then there are also some areas that are presently
2 zoned CB district that aren't appropriate to be
3 within the Hicksville Downtown subdistricts as
4 recommended, specifically along Old Country Road.

5 The tan area is the HD-I District. One
6 thing, this slide just shows the different existing
7 zoning areas and proposed zoning districts. Not
8 very -- I can't think of the right word, but it's
9 -- it doesn't really illustrate it as well as the
10 labels do in that map.

11 So I'm not going to do this for every
12 -- every district, but the CB District, I just
13 wanted to just compare the permitted uses under the
14 current zone and the proposed zone for the HD-I
15 District, which is very similar to the HD District
16 except for scale.

17 Permitted uses are not very different
18 that what is being proposed. The major
19 differences, apartments over stores and offices are
20 permitted in the CB District, and that will be
21 opened up a little more in the HD-I District and
22 HD-II District. And, currently, the dimensional
23 regulations, the maximum coverage is -- is
24 regulated in the CB District, as well as maximum
25 height, which is 60 feet, as I said, and possibly

1 six stories, and where the dimensional regulations
2 are going to change for the HD-I District. And
3 I'll talk about that a little bit more on the next
4 slide.

5 Here is the proposed HD-I District. On
6 the colorful zoning map that was shown in tan, it's
7 generally the northern area of this study area
8 which is closest to the railroad station. This
9 area, the maximum height will be 50 feet and the
10 maximum number of stories will be four stories.
11 This would allow a mix of uses, mixed uses as well
12 as residential buildings. And there would be a
13 focus on -- again, on the pedestrian realm.

14 The Hicksville Downtown Gateway
15 District is what we're calling HD-II. That was
16 shown in blue on the -- on the overall zone change
17 map. That's further south, a little bit further
18 away from the train station, and it's a similar
19 mixed of uses except in a smaller scale. And the
20 other -- the other component is that on the side
21 streets, townhouse development would be permitted.

22 Finally, the HD-III Residential
23 Subdistrict is kind of a unique one. The reason
24 for this one is due to the fact that the south side
25 of East John Street is currently zoned GB, and even

1 though both north and south sides of John Street
2 are residential single-family homes, so we felt it
3 was important to create a transition between the
4 Downtown area and the residential areas to the
5 north and also provide some opportunity for
6 investment in this -- on this block as well.

7 So, the proposal is for HD-III to allow
8 townhomes, but in a way that is a little different
9 than in the HD-II area to mimic the front yard
10 setbacks that are on the existing residences along
11 East John Street so it wouldn't look too different.

12 So it's a little different here. We're
13 talking about regulating the public realm in front
14 of buildings and so we have created something
15 called street types which is -- which is different.
16 This is something new for the Town of Oyster Bay.
17 The street types will regulate the public frontage,
18 so to speak, and to create a build-to zone. So
19 that way, the buildings are generally in line and
20 it creates a uniform sidewalk area for pedestrians.
21 This slide shows the different street types and it
22 takes little bit of studying to look at it, but
23 there are -- there is the ABCD and N&S street types
24 and the widest of these are the A, the B and the C.
25 In this diagram, those are the green, the blue and

1 the red dotted lines.

2 The width of the public frontage goes
3 between 16 feet and 22 feet depending on the street
4 type. There's three different zones. There's the
5 infrastructure zone, which is the area where people
6 are familiar with having, you know, the utilities
7 as well as street trees. And then there's the
8 sidewalk zone. And then there is a transition zone
9 which is pretty much where you would, you know,
10 allow door swings and awnings to occur. So there's
11 a little bit of flexibility of what happens in the
12 transition zone.

13 In the neighborhood connector, the
14 connecting streets, the street widths in the public
15 realm are narrower. Those are generally between --
16 those are in the orange and the pink and the black.
17 They're kind of connector streets, so you don't
18 need as wide a sidewalk there.

19 The next aspect that's really important
20 is aesthetics. When you're creating a place where
21 people want to be, aesthetics are important. And
22 so the new code references design guidelines that
23 include standards for review for such things as
24 building design, materials, the type of windows,
25 the extent of windows, landscaping are some -- a

1 couple of examples here. Paving, street furniture
2 which could be functional as well as attractive.
3 Standards for outdoor dining. Awnings, signs.
4 Signs are important. You know, you can have -- you
5 can have a sidewalk that has a proliferation of
6 sandwich signs which are not going to be allowed,
7 but, you know, you want some flexibility to have
8 some hanging and projected signs that mimic the
9 architecture.

10 Street lighting and building light is
11 also important. Another aspect, as you had said,
12 is the Nassau County -- Nassau County had done a
13 complete streets program, and part of what we're
14 looking at here is creating an environment where
15 it's safe to walk, where it's comfortable to walk
16 and where it's attractive.

17 And the County's recommendation
18 includes recommendations that improve the
19 aesthetics, improve the walkability, improve
20 lighting and the drop-off zones for the train, for
21 instance. And this also included a traffic impact
22 study which evaluated how does the implementation
23 of these complete street aspects affect traffic
24 flow.

25 So tonight I have Osmond Berry. He's a

1 professional engineer with Nelson and Pope. He has
2 evaluated a complete street traffic impact study.
3 He also reviewed the analysis that we did for the
4 zoning code. So he's here to answer questions if
5 you have questions about that.

6 So, finally, this -- any code
7 modification requires evaluation under the State
8 Environmental Quality Review Act. We assist the
9 Town in this aspect of the project. We did a full
10 environmental assessment form and then expanded an
11 environmental assessment document. And part of the
12 -- when you evaluate a code change, it's -- there's
13 a numerical exercise that you -- you perform,
14 called a build-out analysis, where you assess the
15 amount of the potential development, maximum
16 potential development that could occur based on the
17 zoning bulk regulations.

18 So, you do that first for the existing
19 code and you do it for the proposed code and then
20 you compare those numbers. And, like I said, this
21 is a mathematical exercise only. This is, you
22 know, pie in the sky, everything is developed to
23 the maximum extent possible.

24 So we had looked at and this is a very
25 small chart, but if you print it out, you can see

1 the -- first of all, I should go back. The
2 assumptions that we made were conservative.

3 Under the CB District, the maximum
4 building coverage allowed is 70 percent. We had
5 assumed that for the build-out purposes that there
6 would be five stories just to be -- just not to
7 push it to the absolute limit. Also, for the GB
8 District for those areas that are going from CD to
9 GB, the assumed number of stories were two stories
10 and actually you can get three stories with the
11 35-foot height limit.

12 So we were conservative in this
13 analysis and as we -- when we plugged in the
14 numbers and we found that under the existing zoning
15 as compared to the future zoning, there's actually
16 a net reduction in the potential square footage
17 that could occur under the proposed zoning.

18 So the question is what is that -- what
19 does that mean for the purpose of SEQR and the
20 adoption of the zoning code.

21 As you had mentioned, every application
22 that comes before the Town, regardless of whether
23 it's under the existing zoning or the proposed
24 zoning, any site plan application is going to be
25 subject to SEQR.

1 For the purposes of traffic, whether
2 it's an application under the current zoning or the
3 future zoning, they -- they would have to evaluate
4 the potential for traffic impacts under SEQ. So
5 there's no change there for the purpose of adopting
6 the zoning; however, there is a net reduction in
7 the amount of potential development and, therefore,
8 we recommend that a negative declaration be
9 adopted.

10 Lastly, and I love this quote, I wanted
11 to end with this quote, and this is from the local
12 Planning Committee, and it's in the DRI Strategic
13 Investment Plan, "Our vision is the creation of a
14 vibrant Downtown that returns to its Main Street
15 character while improving opportunities for local
16 business owners and incorporate new housing markets
17 to create a model community with an emphasis on
18 walkability, open space, places to congregate and
19 engaging commuters to view Hicksville as a
20 designation, not merely a transit hub."

21 With that, I will conclude.

22 SUPERVISOR SALADINO: Thank you.

23 MS. EISEMAN: Thank you very much.

24 I'm here for any questions.

25 SUPERVISOR SALADINO: An excellent

1 presentation by Kathy Eiseman. We appreciate that
2 very much. It's very informative. So now we have
3 a sense of the proposals that are in this proposed
4 law and we want to hear from the public.

5 I believe we have a list of speakers.
6 If someone can bring me that list, we can get that
7 process started.

8 Okay. First of all, again, big thanks
9 to Kathy Eiseman for that presentation, as well as
10 Osmond Berry, thank you for you work on this as
11 well. Of course, James McCaffrey, our Economic
12 Development professional. You have been working
13 tirelessly on this. The teams of environmental
14 resources which deal with the SEQR process deal
15 with all of the studies that have to take place.
16 Our Department of Planning and Development. I see
17 our Deputy Commissioner Tim Zike is here. He has
18 been someone who is an advocate and a steward of
19 this process. And it is no surprise, people should
20 know our Deputy Commissioner of the Department of
21 Planning and Development has been a lifelong
22 resident of Hicksville. I appreciate you being
23 there, and I know our Commissioner is also watching
24 this live online.

25 So we spoke about the rules, and we

1 showed you the microphone. People get five minutes
2 each and our first speaker will be Greg Alvarez.

3 MR. ALVAREZ: Good evening, Supervisor
4 Saladino, Council members.

5 My name is Greg Alvarez from Amato Law
6 Group, 666 Old Country Road, Garden City, New York.
7 And I'm here on behalf on of the developers in the
8 area G2D Development.

9 They are in the process of redeveloping
10 35 Broadway in Hicksville, just a few blocks
11 actually to the north. It's on the southeast
12 corner of East Barclay and Broadway.

13 We're here this evening first to say
14 that in general, G2D is in support of this
15 application -- in support of this proposal and
16 looks forward to the vision that it is going
17 provide to Hicksville.

18 I'm here more for a few nuts and bolts
19 issues that we'd like to present to the Board and
20 we've incorporated in the handout that I presented
21 tonight and has already been submitted with
22 Mr. McCaffrey's office.

23 Right now, the site is being developed
24 -- redeveloped using the existing building which is
25 a four-story building within -- on a property that

1 is slated to be zoned HD-II. In that zone, the
2 proposed height limit is going to be or is proposed
3 to be three stories and 40 feet.

4 So, as you can see, the existing
5 building would be in a nonconforming situation. As
6 this process was continuing as well, G2D has been
7 in the process of the design phase for a second
8 phase to this project which would include a second
9 building on the easterly portion of the property.
10 The existing building is on Broadway and it is
11 meant to knit in with that existing building to be
12 consistent with it. And so they were hoping to
13 develop it so that it would be matching with the
14 existing building which would be four stories.

15 So that brings me here tonight to
16 present to you a few proposals for consideration in
17 relation to the height standard that is currently
18 proposed for the HD-II District. And so I'll just
19 present those real briefly.

20 First, one proposal which we'd like to
21 put forth is to suggest that the HD-II height
22 provision actually retain the 40-foot maximum that
23 is currently proposed but allow for four stories in
24 this instance.

25 And in the instance of the HD-II Zone,

1 to account for these existing conditions that are
2 already a part of the community and being that in
3 particular G2D is proposing something that is
4 proposed to fit into the spirit of the proposal
5 here.

6 It's a multifamily development with a
7 street-scape use that would be installed on the
8 ground floor. So that's the first alternative that
9 we'd like to present tonight as a possible
10 suggestion.

11 The second alternative may even better.
12 It would propose instead of putting in the
13 four-story standard into the HD-II requirements,
14 instead it would install a special permit which
15 would allow for one more story to be installed in
16 those situations where it would be appropriate and
17 if an applicant can demonstrate based on the zoning
18 code provisions at 246-9.4 which is already in your
19 zoning code, it would create a situation where
20 instead of seeking an area variance which may have
21 that stigma of precedent, it would allow for a
22 process to be incorporated to allow for that
23 extension in the event it is appropriate. You
24 know, in this case for G2D, they think they can
25 present an appropriate presentation.

1 One more thing I'd just like to point
2 out as well that we wrote in our letter as well,
3 has to do permitted encroachments. As mentioned
4 during the presentation, the goal of flexibility.
5 So, as of right now, the proposal does include
6 provisions for permitted encroachments into the
7 street scapes and into rooftops to allow for
8 flexibility and design.

9 What I'd like to propose tonight on
10 behalf of G2D and for the other developers for
11 Hicksville is to create that flexibility for
12 encroachments in side yards and rear yards for
13 things such as stairwells, mechanicals perhaps,
14 that would allow for design flexibility in
15 instances -- and to allow for, you know, that
16 flexibility that we're -- that we're trying to
17 strive for.

18 But again, in the end, G2D is
19 supportive of the proposal. They look forward to
20 the deliberations and decision of this Board, and I
21 appreciate your time tonight. I hope you consider
22 these proposals as part of your decision-making
23 process.

24 So, thank you very much.

25 SUPERVISOR SALADINO: Thank you for

1 your testimony. Thank you for the information.
2 Please know we're listening to everyone about all
3 of your ideas and your responses to our proposal.

4 Our next speaker will be someone I've
5 known for quite some time, someone I'd like to
6 thank because he's always at the ready to provide
7 input, his opinions, his experience and his
8 observations and that is our friend and a friend to
9 Hicksville, Joel Berse.

10 MR. BERSE: Good evening, everyone.

11 I hope you're enjoying your long day.

12 Downtown Revitalization in one sort or
13 another has been attempted several times since 1961
14 in Hicksville. I became involved during the 1998
15 vision 2020 plan that basically never materialized.
16 This current proposal has seen myself and many
17 Hicksville residents working on it for about ten
18 years.

19 We have been waiting for the completion
20 of this zoning so something can finally get
21 accomplished. I only hope that I see something
22 actually completed during my lifetime. Many
23 residents who are older than me have shared these
24 concerns. Let's -- let's please accomplish
25 something.

1 Now, to what the prior speaker said
2 about the height of the buildings, I know that when
3 we were meeting with the Revitalization Committee
4 originally, it was going back and forth about the
5 height. Four stories seems to be what the maximum
6 it should be here. We still know that we have to
7 grow, but we don't want it to become a Queens or a
8 city suburb in that fashion. We want to still be a
9 suburban, not an urban area with this new flavor.

10 Something that I put into my comments
11 regarding the Seritage property had to do with the
12 traffic study that it was proposed to put a new
13 traffic signal on the intersection of Bay Avenue
14 and East John Street. This would be disaster.

15 If you take in comparison something I
16 reported to Mike Montesano's office back about a
17 year and a half ago, a fire truck came from West
18 John Street turning south onto Newbridge Road. It
19 had its lights and siren on. It was just before
20 6:00 p.m. and it took it almost six minutes to get
21 to Old Country Road to turn westbound because of
22 the gridlock.

23 Now, the gridlock was caused because
24 New York State DOT overdid their Newbridge Road
25 solution. The intersection of West Marie and

1 Newbridge clearly needed signalization and new
2 crosswalks of that nature, but they also added an
3 extra signal at West Nicoli one block away and did
4 not time everything together creating this gridlock
5 almost every day that you're there in the evening.

6 That traffic light at West Nicoli was
7 totally unnecessary, and basically when the DOT did
8 that recommendation and decided to put it in, they
9 did it without actually talking to the public and
10 the Duffy Park Civic had become dormant at that
11 time that by the time they may have realized it,
12 there was nobody there to scream, yell, jump up and
13 shout.

14 So I don't want to see a light going to
15 Bay Avenue and East John because that, again, would
16 be overkill. If you went regularly where people
17 were going to do the cut-thru from 107 that ends up
18 to go to Woodbury Road heading east or vice versa,
19 you'll see right now there are times -- because of
20 the Guru's place on the corner of 107 and East John
21 that at times they create a lot of traffic in the
22 block, but it's handleable.

23 If you added that traffic light, it
24 would create a stop gridlock all the way back to
25 107, even when there's nothing else going on. So

1 it should not be allowed to be a part of our
2 community like they did the wrong thing on
3 Newbridge and West Nicoli, and that was something
4 that I know came out of that traffic study.

5 The other stuff, just want to see not
6 only the zoning get passed, but something out there
7 happen and be finished. We've been talking about
8 this and talking about this and beating a dead
9 horse for too many years. We would like to see
10 Hicksville developed and improved.

11 So, starting Thursday, happy holidays
12 everybody.

13 COUNCILMAN IMBROTO: You too, Joel.

14 Thank you.

15 SUPERVISOR SALADINO: Thank you, Joel.

16 Thank you for participating today and
17 each every time.

18 At this time, I am waiting for other
19 slips that I'm told may possibly come in. I have
20 two we received. Slips from two speakers and,
21 Eric, if you've just put your slip in, no need to
22 sit down. You can step right up.

23 We have Eric Alexander from Vision Long
24 Island, who also has been an integral part of the
25 development and the good ideas in Downtown

1 Hicksville. He's provided a lot of incite and is
2 one of the important parts of the DRI process,
3 quite frankly, even before that. So please, Eric,
4 thank you for being with us. Please share your
5 thoughts.

6 MR. ALEXANDER: Thank you, Supervisor
7 Saladino, Members of the Town Board.

8 This has been a long journey that we've
9 all been on. I actually sprained my foot and my
10 wife's like where are you going, you've got to
11 elevate it or whatever. I'm not missing this
12 hearing.

13 I want to thank the Planning team and
14 certainly Kevin McCaffrey for carrying and the
15 whole planning team and the Town of Oyster Baying
16 for carrying this forward.

17 COUNCILMAN IMBROTO: Jim McCaffrey.

18 MR. ALEXANDER: I'm sorry, excuse me,
19 Jim McCaffrey. I know, I know, I'm sorry, Jim
20 McCaffrey. I'm losing my mind tonight. It's the
21 ibuprofen. I'm sorry.

22 SUPERVISOR SALADINO: He's the good
23 looking McCaffrey.

24 MR. ALEXANDER: No, he's done a great
25 job of keeping this going. So we've been on a long

1 journey. The Hicksville Chamber and Hicksville
2 Community Council started with the Hicksville
3 Downtown Revitalization Committee. We've certainly
4 been a part of that. We're glad that you're
5 prioritizing the train station area and what the
6 community has told us as far as the improvements
7 they want to see.

8 We've reached out in our initial phase
9 of over 1,000 residents. We heard they want
10 maintenance of the area, traffic timing and
11 walkability, replacing old buildings, bring the old
12 Downtown back, clean up the train station area and
13 expand the public space, create a plaza, new
14 retail, new housing, keep building heights three
15 and four stories.

16 Joel said it best, they don't want a
17 Queens experience. Limit development. Put a cap
18 on apartments. In fact, we heard there's a
19 reduction in overall density with the zoning code.
20 They didn't want to see apartments also beyond the
21 train station area. They want improvements in
22 design, and we see that in this code, and a new
23 code that would reflect the changing needs of
24 Hicksville.

25 We released a report. We released an

1 economic report. There were two subsequent
2 meetings. One was 700 people, another with 400
3 people at Hicksville High School that verified the
4 vision. Three out of four comment cards that came
5 out of those meetings from the public were positive
6 in the initial vision that the Town put forward
7 which is also ultimately reflected in this code.

8 The New York State DRI came along.
9 They did their own process. It largely followed
10 the vision of the Hicksville residents. There were
11 some points where they veered off into talking
12 about five and six story buildings. Those were
13 corrected. And now we're getting back to basics.

14 The Long Island Railroad did some
15 station improvements. They didn't follow through
16 on a garage. The County did follow through with
17 their traffic calming plan. 300 people
18 participated overall in those meetings
19 recommendations. They're in place.

20 We've reached out through the years to
21 the Hicksville Chamber of Commerce, the Hicksville
22 Community Council, Northwest Civic, Midland Civic,
23 Hicksville Gardens, the School Board, both the
24 President and Board members, South Hicksville
25 Rotary, South Asian Chamber. We tabled at nine

1 street fairs. That showed a 95 percent approval
2 for images and recommendations that were put
3 forward to redevelop Hicksville's Downtown
4 properly.

5 Thousands of Hicksville residents
6 participated in our surveys. We did a small
7 business survey that showed 75 percent support for
8 changes Downtown. With the addition -- a couple of
9 changes that could be made. There should be a
10 discussion of a 10 percent affordable housing
11 component to conform with New York State Law. Some
12 people feel there's need to for even get to 20
13 percent. We would agree with that. Again, it's up
14 to the Board to consider.

15 But we are pleased to say that this
16 code confirms the original community vision, the
17 vision that we've heard throughout. The market is
18 still there. All Transit-Oriented Development
19 projects across Long Island have financing in
20 strong demand even through the pandemic. None have
21 been stopped.

22 So, we believe these will be an
23 economic engine to revitalize the community after a
24 long wait.

25 One great example, the G2D group did

1 get Worksmart with apartments over it at
2 35 Broadway. That received a Smart Growth Award
3 from us. We're excited to see that project move
4 forward. We know there's more coming forward in
5 the train station area.

6 And, again, we support these zoning
7 improvements. We do have some tweaks, to design
8 guidelines and also the zoning code that could
9 allow a range of sizes on smaller lots. Won't get
10 into details with that because my time's about up,
11 but we did issue a memo on that. That's from
12 Elissa Kyle, our Planning Director, who has also
13 worked with us and the Hicksville community for
14 over ten years.

15 I grew up in Hicksville and like most
16 residents and business owners, we want our Downtown
17 back. We want to see -- we want to see it come
18 back. We're happy to see the progress and the Town
19 of Oyster Bay do the work they're doing and we look
20 forward to future -- to successful projects to
21 stand in front of it and see -- grow the Downtown
22 area.

23 Thank you.

24 COUNCILMAN IMBROTO: Thank you, Eric.

25 SUPERVISOR SALADINO: Thank you very

1 much, Eric.

2 COUNCILMAN IMBROTO: Thank you for all
3 the work you put into this, too.

4 COUNCILMAN LABRIOLA: Supervisor, if I
5 can just take a moment of special privilege.

6 I just want to acknowledge all the work
7 that Eric Alexander and Vision Long Island has been
8 doing throughout Long Island.

9 Speaking about Smart Growth before that
10 became a very familiar term and they've helped
11 educate many of us in government to understand the
12 value of Downtown Revitalization. Tremendous
13 successes we've seen. We've also had the
14 opportunity to learn from the mistakes of Downtowns
15 where we have some problems that we observed, and I
16 just want you to know that I appreciate all the
17 work that you've done. Also the lobbying efforts,
18 of course, helping to educate myself, and although
19 I heard you say that you have some issues, and
20 there are some tweaks that are necessary. This is
21 a living, breathing document. I know that we are
22 going to move forward, but at the same time have
23 the opportunity to make the changes that are
24 necessary to make this work.

25 SPEAKER FROM AUDIENCE: Thank you.

1 SUPERVISOR SALADINO: Thank you,
2 Councilman.

3 Our next speaker will be Sunil Gogia.

4 MR. GOGIA: Good evening, ladies and
5 gents.

6 I'm in support of everything that's
7 been stated in here tonight. Nonetheless, I also
8 feel that the rezoning doesn't cover the necessary
9 areas that should have been covered. Specifically
10 speaking, I'm talking about the west side of
11 Newbridge Road. Which essentially the east side
12 has been covered with rezoning and the west side
13 has been totally ignored. I'm talking about the
14 intersection from West Marie Street to East Nicoli
15 and, in fact, maybe even from East Nicoli to even
16 West Old Country Road.

17 I specifically own the parcel from West
18 Marie to East Nicoli and that's a entire block that
19 I would like to redevelopment into an apartment/
20 retail.

21 Nonetheless, if I have to go for
22 variances, I feel, you know, that's going to be
23 very complicated, and maybe I don't even have the
24 resources or the know or the skills, in fact, to
25 further get the variances that are needed in that

1 space.

2 So while I'm in support of it, I do
3 feel that the Newbridge Road from the train station
4 to Old Country Road should have been completely
5 covered, because there may be other businesses out
6 there who might be in need of such rezoning to
7 develop the properties that exist as is to do
8 something that the Town would want it to do.

9 That's all. Thank you.

10 SUPERVISOR SALADINO: Thank you, sir.

11 Certainly, we'll take that under
12 consideration. We appreciate you bringing the
13 information.

14 Who would like to go next?

15 Who would like to go next?

16 Is there anyone who would like to be
17 heard?

18 We've been putting this proposal
19 together. Your thoughts are important, comments,
20 interests.

21 COMMISSIONER McCAFFREY: Supervisor, I
22 think if there are no other comments --

23 SUPERVISOR SALADINO: There is one --

24 COUNCILMAN IMBROTO: A gentleman is
25 filling out a slip.

1 SUPERVISOR SALADINO: A gentleman is
2 filling out a slip.

3 COMMISSIONER McCAFFREY: I'll just take
4 the opportunity while we're waiting for him to come
5 in. As I'm looking at the crowd I see some of the
6 faces that were here from day one. There's one
7 quiet one that's sitting back there, but that was a
8 driving force behind this as well, Lionel Chitty,
9 past President of the Hicksville Chamber of
10 COMMERCE along with Eric and Cheryl, who's sitting
11 there, too, and a lot of others. This planning
12 process may have stalled out, but they've have kept
13 it moving, and driving forward throughout.

14 As I see a couple of other faces, I
15 forgot to mention my other presentation earlier.
16 One of the other additional steps we had taken when
17 the initial plan was proposed, sometimes when
18 people see a PowerPoint, they really can't get a
19 full grasp what it is. So we had actually done a
20 bus tour with several of the residents from the
21 community that had questions and concerns. And we
22 actually did a bus tour of some of the other
23 developments and showed them exactly what it was
24 that we were talking about and explained the vision
25 of how you can have a park in the middle of

1 Downtown by a train station and let them actually
2 see four stories compared to five stories and six
3 stories. And we think that was very helpful. The
4 residents that participated in that tour were very
5 excited about it as well.

6 SUPERVISOR SALADINO: Thank you, James.

7 I'd like to at this time ask Dev Rutnam
8 to come forward to address us on this hearing.

9 MR. RUTNAM: Supervisor Saladino, Board
10 members and Jim McCaffrey, my good friend.

11 I bought some property right in the
12 zone, just north of John Street and Newbridge Road.
13 I've been waiting for the last twelve years
14 spending millions and millions of dollars hoping
15 something will change in Hicksville.

16 I always wonder why in every town like
17 Westbury, Farmingdale, Wyandanch, did they build so
18 many apartment buildings and why our Town with all
19 the Board members and obvious advantage of this
20 location were not able to come up with a good
21 development.

22 And I congratulate Supervisor Saladino
23 for active taking part. I have a lot of hope under
24 his leadership that finally things will change. I
25 really hope for that.

1 So I want the Board, too, to work hard.
2 It took two and a half years to do what looks like
3 could be done in three months from the outside.
4 And, hopefully, from now, the Board will really
5 speed up under your leadership and get this project
6 going.

7 That's all my hope.

8 SUPERVISOR SALADINO: Thank you, Dev.

9 I appreciate your words and your
10 compliments to the Town. That's exactly what we
11 have been working on, but, you know, it takes a
12 while to build a car properly before you can turn
13 the key and have it running smoothly.

14 So while most residents may not have
15 seen all the work that goes on behind the scenes,
16 they were there for those hearings and participated
17 in the DRI process. That process as was mentioned
18 by Eric Alexander and I believe Councilman Labriola
19 and others, that process has been very important in
20 bringing us to this day, because through a number
21 of creative exercises, we were able to not only
22 listen to the residents, which is critical and
23 which we've been doing all along, but the creative
24 process invoked many ideas that came forth in a
25 great way.

1 So we've been working on this for some
2 time. It is building momentum. The public hearing
3 piece has -- continues to unfold in a number of
4 ways and tonight is just one of the pieces to the
5 puzzle, but we certainly are seeing the vision now
6 as the puzzle pieces are coming together and as was
7 said so many people who have a tremendous stake in
8 Hicksville, in our Town, in our economics and so
9 forth, have been playing a big role.

10 One of those people who shows her
11 leadership on a regular basis, I'm proud to call
12 her my colleague and my friend, is Hicksville
13 resident Rose Walker. Many of you -- everyone
14 knows Rose Walker. Not many, everyone knows Rose
15 Walker and appreciates her.

16 Rose is taking part this evening via
17 live stream. Rose is our Nassau County
18 legislature, a former Town of Oyster Bay
19 Councilwomen, and we'd be here until midnight if I
20 listed all of her credentials, but most importantly,
21 she is an experienced leader who understands the
22 process and the needs in Hicksville because she is
23 such an intricate part of the fabric in Hicksville.

24 She was not able to speak today, but
25 she did send over a statement and I would like to

1 read it to all of you.

2 So I say, thank you, Rose, for being a
3 part of this evening through electronic means.

4 Technology is wonderful thing. One of the things
5 we can take away from this pandemic is how much we
6 can accomplish through electronics. Zoom and
7 telephone conferences I hope will be one of the
8 standards that we continue to embrace after this
9 pandemic is over.

10 So thank you to Rose and she says that
11 I'm here via live stream, and she did have another
12 meeting with Nassau County Police Department that
13 kept her from being here in person. And she is
14 very happy that the Town is listening to our
15 residents. And she looks forward to moving forward
16 to see the positive changes that are going to come
17 to fruition on this project and in Hicksville, and
18 she states as Councilman Labriola said, this is a
19 living, breathing document and changes can be
20 tweaked along the way.

21 Thank you, Rose.

22 It's a very important message that you
23 have to have a starting place somewhere on paper to
24 work from. Of course, the start was many years ago
25 and you and the community council and the Civic

1 Association and a long list of wonderful
2 professionals and concerned and bright residents
3 got this ball rolling many years ago, and now we
4 are thrilled to work with you, Rose, and with the
5 community to bring this all together and to get it
6 done. Something everyone is anxious to see. So
7 I'm proud and pleased with the process with all of
8 our professionals and to be working with Legislator
9 Rose Walker, as well as Nassau County Legislator
10 Laura Schaefer, who represents a part of Hicksville
11 as well.

12 Thank you, Rose. We know you're out
13 there. We know you're there for us and we know you
14 are just a phone call away. So, thank you for your
15 participation this evening.

16 As I look through our list of speakers,
17 I ask you, is there someone else who would like to
18 be heard on this.

19 COUNCILMAN IMBROTO: Supervisor, I just
20 want to speak to something Mr. Rutnam said before.

21 Yes, this has been long process, but in
22 my experience in government I've never seen a
23 rezoning, a project, I've never seen anything like
24 this where there's so much public participation
25 over years and years and years and years, hundreds

1 and hundreds of members of the community involved
2 with this. So it's been slow and we appreciate the
3 community being patient. And everybody here being
4 patient. And we really appreciate everybody giving
5 their input, but I'm proud to say that this has
6 involved the public on every step of the process
7 and I've never seen so much public participation in
8 a rezoning or a single project. So this is a
9 culmination of really something special.

10 SUPERVISOR SALADINO: Kudos to the
11 community, Lou. You're so right. You hit the nail
12 on the head.

13 So if there is anyone else from the
14 community who would like to be -- anyone else in
15 the general who would like to be heard on this, now
16 is your opportunity.

17 We will be leaving the rolls open on
18 this hearing. I did mention in the beginning that
19 everyone can comment on this at -- by -- through
20 e-mail by going to publiccomment@oysterbay-ny.gov.
21 That again is publiccomment@oysterbay, one word,
22 hyphen ny.gov.

23 And we thank you everyone for their
24 participation in this discussion, and if there are
25 no other elected officials who would like to be

1 heard at this time -- of course, Councilman
2 Labriola.

3 COUNCILMAN LABRIOLA: Thank you,
4 Supervisor, for this opportunity.

5 I really just wanted to speak to the
6 residents who are listening at home, as well as the
7 residents who are here, about the monumental task
8 that is happening right. Now, this is epic what
9 we're doing in terms of zoning. Of course, if my
10 colleagues approve this -- this rezoning project,
11 it's epic in its proportion to scale and impact for
12 many, many decades to come.

13 We, of course, are hoping and praying
14 and also having the knowledge and faith in our
15 professionals that helped us along the way that
16 this is going to be a fantastic rebirth and
17 regrowth for Hicksville.

18 I want the residents at home to take a
19 look at our website and go over to the site where
20 I'm sure our Deputy Commissioner will be able to
21 tell you exactly where the link is, but it's called
22 the Hicksville Downtown Design Guidelines and
23 Development Standards. I think this is such an
24 important and key document which makes this really
25 work and is going to make Hicksville a beautiful

1 place.

2 We -- you know, when I first saw them,
3 I saw the word guideline, and I was concerned about
4 that because I think it's important that developers
5 and the property owners understand that they are
6 more than guidelines. This is something that our
7 Department of Planning and Development's going to
8 make sure that as these projects come forward, that
9 they are going conform to the standards; otherwise,
10 it doesn't work. You know, we can't have a
11 hodgepodge of development and redevelopment. It's
12 got to be following these -- what I believe are
13 very forward and beautiful standards that have been
14 developed here. Beautiful to the eye. It's going
15 to create the walkability that we talked about and
16 the desire for people to stay here and make it a
17 destination.

18 So -- and there are other aspects of
19 this project. Certainly, it requires a great deal
20 of cooperation from property owners; particularly
21 with the sidewalk design, and requiring them to
22 spend the money because they're going to make money
23 when they put the money into the properties they
24 currently own. I know that that's something also
25 that, you know, we have to see that happen. These

1 sidewalks have to be expanded. They have to be
2 able to fit the outdoor dining. They have to be
3 able to fit the ability for people to comfortably
4 walk through and, of course, to walk safely
5 throughout the whole community.

6 I just want to say to Supervisor
7 Saladino, how proud I am to be work alongside you
8 to see it through. This project began many, many
9 years ago, my other career over here when I was
10 Town Clerk, and to the see it coming to fruition
11 now under your leadership, I know how fast you want
12 this to happen and I know it's frustrating at times
13 that it doesn't happen as fast as you want this to
14 happen, and at the same time, you're taking into --
15 you're taking your time to make sure that the
16 community understands what is happening with all of
17 these meetings and that, I think, is part of the
18 process. So, I just want congratulate you. I want
19 to thank you for being the tip of the spear as we
20 get this project done.

21 SUPERVISOR SALADINO: Thank you,
22 Councilman.

23 It's really about public participation.

24 Yes, Joel.

25 MR. BERSE: I thought of a question.

1 It was brought up a number of years ago
2 possibility of making an Architect Review Board.

3 Is that under consideration as part of
4 this?

5 SUPERVISOR SALADINO: We're always open
6 to consider every suggestion and you always bring
7 us a plethora of suggestions and we'll continue to
8 consider them.

9 I thank you for everything you bring to
10 the table.

11 So before we wrap up, I will ask Deputy
12 Commissioner of Economics James McCaffrey to come
13 up and give us some closing remarks and add
14 something to the information that I believe our
15 residents will be happy to hear, those here at the
16 Hicksville Athletic Center and those who have been
17 so wonderful to participate from home.

18 COMMISSIONER McCaffrey: Thank you,
19 Supervisor.

20 One of the things that I think we may
21 have glossed over, but it is important and I did
22 mention it earlier in one of the lessons we learned
23 and Councilman Labriola pointed it out about some
24 of the issues that other Downtowns are having in
25 regards to parking.

1 In the current Central Business Zone,
2 apartments require one space per apartment. So
3 whether it be a studio, one bedroom, two bedroom,
4 three bedroom, four bedroom, it only required one
5 parking space.

6 We saw that to be a tremendous issue.
7 So in this new proposal that you're seeing, the
8 requirements are 1.25 spaces for studios and one
9 bedrooms. 1.5 for two. Two parking spaces for
10 three and two and a half for four and above. Most
11 of the developers we've been speaking with are
12 looking at studios, ones and twos. We haven't had
13 anyone that even came to three or more, but we just
14 wanted the public to be certain that we have taken
15 parking very seriously in this. Many of the other
16 Downtowns are saying since it is so close to the
17 train station, you know, maybe you don't need any
18 parking, but we as a suburban community always
19 realize that cars are still vital even if you live
20 near the train station. So we have made sure that
21 we held up our parking standards to the highest of
22 any township on Long Island.

23 Just, in closing, I would like to
24 mention as Councilman Labriola pointed out, a lot
25 of thought went into the street types that

1 Ms. Eiseman detailed about outdoor dining. It's
2 become such an important part since COVID hit. And
3 the timing couldn't have been better for us to make
4 sure that we did incorporate that in there.

5 This proposal also has things -- a lot
6 more detail in there that we can't delve into, but
7 it allows rooftop uses for some of these amenities.
8 A lot of these apartments now want gardens up on
9 the rooftops. They may want a pool, a sun deck.

10 So, this new zoning allows for a lot of
11 that and we expect some of the buildings that are
12 coming in here into Downtown to have many of these
13 fine amenities and we're really looking forward to
14 some of the changes. So a rooftop doesn't have to
15 be, you know, asphalt shingles anymore. It can
16 really be something that the people can enjoy.

17 With thank, I think we're all set and
18 we have nothing else to add, if the Town Board
19 wants to adjourn the meeting.

20 SUPERVISOR SALADINO: Thank you, James
21 McCaffrey.

22 I appreciate all that you brought to
23 table and all of your work on this. And quite
24 frankly, we are very excited about all of these new
25 ideas.

1 We're excited about roof dining,
2 recreation on rooftops, gardens, abilities for a
3 restaurant to have perhaps bar entertainment space
4 up on the roof watching the sunset, the view of
5 Manhattan. It just gets better and better.

6 Our vision for Hicksville is, as I
7 said, exciting and we will continue to partner with
8 the community, partner with stakeholders, partner
9 with those who want to invest in Hicksville.

10 And I thank all of my colleagues on the
11 Town Board, including Councilwoman Michelle Johnson
12 and Councilwoman Laura Maier who are participating
13 via telephone, Councilwoman Vicki Walsh; Councilman
14 Lou Imbroto; Councilman Tom Hand; Councilman Steve
15 Labriola, thank you for those compliments and kind
16 words; our Receiver Jeff Pravato, our Town Clerk
17 Rich LaMarca; and all of our professional teams
18 including the folks from -- including -- yes.

19 MR. McCAFFREY: Supervisor, I just want
20 to clarify my previous comment. I said adjourn the
21 meeting. We have to adjourn this hearing.

22 We do have the second a Local Law that
23 we'll discuss after this when you finish up your
24 comments on this actual hearing. We still do have
25 the second Local Law.

1 COUNCILMAN IMBROTO: Supervisor, I'll
2 make a motion to close this hearing.

3 SUPERVISOR SALADINO: May I have a
4 second?

5 COUNCILMAN HAND: Second.

6 SUPERVISOR SALADINO: All in favor,
7 please signify by saying, "Aye."

8 ALL: "Aye."

9 SUPERVISOR SALADINO: All opposed,
10 "Nay."

11 (No response.)

12 SUPERVISOR SALADINO: The "Ayes" have
13 it.

14 At this time, we will move to our
15 second hearing of the evening and I turn the floor
16 over to our Town Attorney Frank Scalera to describe
17 our second hearing -- actually, I believe we have
18 to open that up with a vote as well.

19 MR. SCALERA: No, not necessary.

20 SUPERVISOR SALADINO: Not necessary.

21 Okay, Frank. Please proceed.

22 MR. SCALERA: Supervisor, just for
23 further housekeeping on the first hearing.

24 Lou Imbroto made a motion to close the
25 public portion of this hearing but...

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COUNCILMAN IMBROTO: Reserve decision.

MR. SCALERA: Are you going to reserve decision and are you going to consider keeping the record open for a certain period of time?

SUPERVISOR SALADINO: Why don't we redo it from the beginning just to get it right?

MR. SCALERA: 30 days.

COUNCILMAN IMBROTO: I move to close the hearing, reserve decision, keep the record open for 30 days.

COUNCILMAN HAND: Second.

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

ALL: "Aye."

SUPERVISOR SALADINO: Those opposed, "Nay."

(No response.)

SUPERVISOR SALADINO: The "Ayes" have it.

(TIME NOTED: 8:36 P.M.)

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
December 8, 2020
8:37 p.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to Amend Chapter 242 Wireless Communication Facilities, Section 242-6, locations subject to Special Use Permit requirement, of the Code of the Town of Oyster Bay. (M.D. 11/3/20 #21).

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
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

Minutes of the meeting
taken by:

HOLLY DALOIA OSTEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: Town Attorney
2 Frank Scalera?

3 MR. SCALERA: Frank Scalera Town
4 Attorney.

5 This next hearing and the final hearing
6 of the night is to consider a proposed Local Law to
7 amend Chapter 242 Wireless Communication
8 Facilities.

9 Just purposes of the procedural aspect
10 of it and after that I'll turn it over once again
11 to Deputy Commissioner McCaffrey, publication was
12 -- publication -- notice of this hearing and
13 publication was done pursuant to a Resolution --
14 previous Resolution by this Town Board.

15 This -- the Public Notice and the Local
16 Law was uploaded on the website, was posted in the
17 bulletin board and also a Notice of the Hearing was
18 published in Newsday -- the Public Notice likewise
19 was published in Newsday a paper of general
20 circulation.

21 Rich LaMarca, Town Clerk, has all the
22 paperwork, Affidavits of Publication and so forth
23 and correspondence related -- that related that
24 shows that the Office of the Town Attorney and the
25 Office of the Clerk followed the direction of the

1 Town Board for publication purposes.

2 So now that we finished the procedural
3 application for the record on this proposed Local
4 Law, I pass it again to Deputy Commissioner James
5 McCaffrey to give you a little background and
6 substance on it.

7 Thank you.

8 COMMISSIONER McCaffrey: Supervisor
9 Saladino, Members of the Town Board, this may be
10 the quickest hearing that we ever had. This is
11 pretty much just housekeeping.

12 In the previous 242, it mentioned the
13 CB, Central Business District. Since the plan of
14 this rezoning is to eliminate the CB District, we
15 have to take it out of Section 242, which
16 references a CB District and now incorporates HD-I,
17 HD-II and HD-III.

18 So, it's really just a technical
19 housekeeping matter of that which this is doing.
20 So the purpose of this Local Law is to amend
21 Chapter 242 to correctly reflect the deletion of
22 the CB District and the addition of the Hicksville
23 Downtown District and Subdistricts.

24 SUPERVISOR SALADINO: Can you just
25 briefly explain how this would affect

1 telecommunications?

2 COMMISSIONER McCAFFREY: This would
3 have no change or effect to the communications
4 Local Law that was passed. This is only just to
5 change the names of the Hicksville Subdistricts.
6 This will have no change in the current law that is
7 already on the books. It's just housekeeping to
8 change the name from Central Business District to
9 HD-I, HD-II and HD-III.

10 SUPERVISOR SALADINO: So that everyone
11 understands that there are technical changes needed
12 to be made to bring about consistency in our Town
13 code. So if we're changing something in one part
14 of our Town code, it has to be consistent and
15 another, and that's why we're presenting this in
16 its own separate hearing.

17 MR. McCAFFREY: That's correct.

18 SUPERVISOR SALADINO: At this time, I'd
19 like to ask if anyone would like to be heard as it
20 relates to this technical change in our code.

21 We are happy to hear you at this time,
22 whether or not you've put in a slip. We want to
23 just do this efficiently and yet make sure we dot
24 all the I's and cross all the T's.

25 (No response.)

1 SUPERVISOR SALADINO: Please let the
2 record reflect that no one here has indicated that
3 they would like to be heard on this hearing.

4 Anything else you'd like to add to
5 this?

6 MR. McCAFFREY: No, that's it.

7 SUPERVISOR SALADINO: Frank, where is
8 Frank Scalera?

9 Anything else that you'd like to add to
10 this before we ask for a motion?

11 MR. SCALERA: No, that is it.

12 I don't know if you're considering
13 leaving -- I would likewise leave the record open
14 30 days to keep it consistent with --

15 SUPERVISOR SALADINO: We'll do that
16 consistently in the motion that I will ask, but one
17 more time, would anyone like to be heard on this
18 hearing?

19 (No response.)

20 SUPERVISOR SALADINO: Again, no one has
21 indicated they'd like to be heard.

22 So at this point, I'd like to ask
23 Councilman Lou Imbroto for a motion.

24 MR. LaMARCA: Supervisor, let me just
25 state please that we have Affidavits of Posting and

1 Publication.

2 There is no other correspondence.

3 SUPERVISOR SALADINO: Thank you very
4 much.

5 COUNCILMAN IMBROTO: I make a motion to
6 close this meeting, reserve decision and keep the
7 record open for 30 days.

8 COUNCILMAN HAND: Second.

9 SUPERVISOR SALADINO: All in favor,
10 please signify by saying, "Aye."

11 ALL: "Aye."

12 SUPERVISOR SALADINO: All opposed,
13 please signify by saying, "Nay."

14 (No response.)

15 SUPERVISOR SALADINO: The "Ayes" have
16 it.

17 Again, I want to thank Councilwoman
18 Laura Maier --

19 COUNCILMAN IMBROTO: Supervisor, I make
20 a motion to close the meeting.

21 SUPERVISOR SALADINO: Yes, of course.

22 Now is the official close to let
23 everybody get home to their family and with that
24 may I have a motion?

25 COUNCILMAN IMBROTO: So moved -- motion

1 to close the meeting.

2 COUNCILMAN HAND: Second.

3 SUPERVISOR SALADINO: All in favor,
4 please signify by saying, "Aye."

5 ALL: "Aye."

6 SUPERVISOR SALADINO: All opposed,
7 "Nay."

8 (No response.)

9 SUPERVISOR SALADINO: The "Ayes" have
10 it.

11 Thank you for our professional teams.
12 Thank you for all our Town employees who have been
13 so helpful and diligent in putting this together
14 and thank you for the assistance of our outside
15 professionals, including Kathy Eiseman and Osmond
16 Berry from Nelson, Pope and Voorhis, but most
17 importantly thank you to our residents.

18 Have a good night and please enjoy from
19 our family in the Town of Oyster Bay to your family
20 we wish you happy and healthy holiday season.

21 God bless you all.

22 COUNCILMAN IMBROTO: Happy holidays,
23 everybody.

24 (TIME NOTED: 8:41 P.M.)
25