

1 INCORPORATED VILLAGE OF WESTBURY
2 COUNTY OF NASSAU : STATE OF NEW YORK
3 -----x

3 BOARD OF TRUSTEES PUBLIC HEARING

4 The Board will consider a proposed local law
5 amending the Zoning Code and Zoning Map, Chapter
6 248 of the Village Code, creating the Maple Union
7 Transit Oriented Development District, and public
8 hearing of DGEIS for zoning law updates.

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9 Village Hall
10 July 11, 2019
11 7:30 P.M.

12 MEMBERS OF THE BOARD OF TRUSTEES:

13
14 PETER I. CAVALLARO, Mayor

15 WILLIAM B. WISE
16 STEVEN L. CORTE
17 BEAUMONT A. JEFFERSON
18 VINCENT ABBATIELLO

19 ANNA VIKSE,
20 Village Attorney

21 TED BLACH,
22 Village Clerk

23 MINUTES OF HEARING

24 REPORTED BY:

25 MAUREEN GIANNINI
Official Court Reporter

1 MAYOR CAVALLARO: We're going to move on to
2 the main order of business which is the second public
3 hearing having to do with the transit oriented
4 development rezoning. I'm going to ask Ted to read the
5 notice of the second public hearing.

6 MR. BLACH: Incorporated Village of
7 Westbury. Please take notice that the Board of Trustees
8 of the Incorporated Village of Westbury will hold a
9 public hearing on July 11, 2019, at 7:30 P.M. at Village
10 Hall, 235 Lincoln Place, Westbury, New York 11590.

11 Pursuant to SEQRA regulations Section
12 617.9(a)(4)(ii) the hearing will be a combined Board of
13 Trustees hearing on all aspects of the proposed action,
14 i.e., the local law updating the Zoning Code and
15 creating the Maple Union TOD District, as well as the
16 Draft Generic Environmental Impact Statement.

17 Location of proposed action:

18 Village: Westbury.

19 County: Nassau.

20 Street address: Not applicable. See below.

21 Size of parcel: The project area
22 encompasses approximately 53 acres in the section of
23 Post Avenue from Asbury Avenue East to Old Country Road,
24 comprised of the current B-1, B-2, B-4 and specialized
25 senior housing facility zoning districts in this area

1 (to be known as the Post Avenue Rezoning Area), and
2 approximately 48 acres in the area generally bounded by
3 Madison Street and Maple Avenue on the north, Nassau and
4 School Streets on the east, Union and Railroad Avenues
5 on the south, and the Post Avenue Rezoning Area on the
6 west (to be known as the Maple Union Triangle Rezoning
7 Area.)

8 Description of action: The Zoning Code of
9 the Incorporated Village of Westbury is proposed to be
10 amended to effectively create new transit oriented
11 development and mixed-use development opportunities in
12 the Village of Westbury's Central Business District, as
13 well as to modify parking requirements and bulk and
14 dimensional regulations to facilitate such development.
15 The Village's zoning district map is proposed to be
16 updated and amended with substantial changes.

17 The primary zoning elements under
18 consideration for change in the Post Avenue Rezoning
19 Area include, but are not limited to, adjusting public
20 parking and parking ratios; adjusting setback and height
21 requirements; and instituting requirements for the
22 creation of public spaces and streetscapes and improved
23 pedestrian access and use.

24 The primary zoning elements under
25 consideration for change in the creation of the Maple

1 Union Triangle Rezoning Area are expected to relate to,
2 but not necessarily be limited to, changing zoning
3 regulations to permit multiple dwelling use of up to
4 three stories as of right; considerations for increasing
5 through bonuses, permissible height and density for
6 multiple dwellings in defined areas from three stories
7 to a maximum of five stories, in certain cases, upon the
8 realization of public amenities to the Village
9 commensurate with these bonuses; the creation of mixed
10 uses; adjusting public parking and parking ratios;
11 adjusting setback and height requirements; requirements
12 for the creation of public spaces and streetscapes and
13 improved pedestrian access and use; and providing the
14 Board of Trustees broad discretion consistent with
15 Section 7-703 of the Village Law.

16 The public and interested agencies are
17 encouraged to review the proposed documents and provide
18 written comments.

19 Potential environmental impacts discussed in
20 the DGEIS include potential impacts to land use and
21 zoning; demographics; community facilities; community
22 character; natural setting; fiscal impacts and
23 transportation.

24 All public and agency comments are welcome.

25 A copy of the proposed amendments to the

1 Zoning Code and the DGEIS is available for public
2 inspection during regular business hours at the
3 following location:

4 The Incorporated Village of Westbury, Office
5 of the Clerk Treasurer, 235 Lincoln Place, Westbury, New
6 York 11590 or is available online through links on the
7 Village's website at www.villageofwestbury.org.

8 By order of the Board of Trustees, Ted
9 Blach, Village Clerk.

10 MAYOR CAVALLARO: Thank you, Ted. So most
11 of you know that this process started about three years
12 ago when the Village was the initial Long Island
13 recipient of the governor's Downtown Revitalization
14 Initiative Grant. It was a new program he initiated
15 three years ago. There were ten regions throughout the
16 state that were established and each region got a
17 recipient and that's gone on for three years. I think
18 this current crop will be the fourth. I don't think
19 they have been announced yet, but there have been three
20 communities on Long Island, we were the first, to
21 receive a ten million dollar grant for downtown
22 revitalization. The process included an initial stage
23 which was a discernment period, a public engagement
24 period where we, as a Board, and a local committee that
25 was put together, pursuant to the DRI requirements,

1 engaged the public to come up with the projects that we
2 wanted to see funded. We went through probably about an
3 eight-month process. We held numerous public engagement
4 sessions. Many of you I see who are here attended those
5 or participated in them. Some of you who are here were
6 on the local Planning Committee that did that analysis
7 and the outgrowth of that eighth-month process was the
8 Village submitted a report to the State which outlined
9 the product of those eight months of work.

10 BJH, which is a planning firm, was part of
11 the award of the original DRI grant. In other words,
12 the State selected BJH to work with the Village to do
13 that process and BJH, as you'll find out, is also part
14 of the planning team that is working on this rezoning as
15 a separate matter, but we -- I think the report --
16 during the engagement sessions we probably surfaced, I
17 don't think I am exaggerating, 40 or 50 project ideas.
18 The report encompassed 12 that we asked for funding from
19 the State and, ultimately, the State decided to fund
20 seven of the 12 projects that we outlined in the report.
21 The zoning project that we're sitting here on tonight is
22 one of those seven projects.

23 The governor, when he announced the DRI
24 program, said that he wanted to spur economic
25 development, downtown revitalization with transformative

1 projects. I believe, and I think the Board believes,
2 that even though this rezoning project isn't the biggest
3 dollar project that we're working on through the DRI
4 process, it's the most important really for the history
5 and the future of the Village, and it is truly the most
6 potentially transformative of the projects that we've
7 identified or had gotten funded.

8 So we all know, and anybody who has lived on
9 Long Island for any period of time knows, that for
10 decades we implemented the brain drain. We implemented
11 the fact that the cost of living is too high. We
12 implemented the fact that there is not enough houses for
13 seniors and for young adults who maybe grew up here and
14 want to stay here.

15 The idea of this project is to take really
16 which is -- I always preface this because I know there
17 are property owners that own property in this area
18 present -- is not to denigrate those properties, but it
19 really is the only denigrated or underutilized portion
20 of the Village. We're talking about the area primarily
21 between Post Avenue and School Street, Union Avenue and
22 Railroad Avenue. It's that area across from the
23 railroad station which is light industrial zoned. There
24 is a mix of uses that are in there.

25 So what you'll hear a little bit about

1 tonight and probably what you have read about over the
2 last year or two if you read the papers and you pay
3 attention to these things, there has been for some time
4 some movement to try to address some of those concerns,
5 those regional concerns, those local concerns about
6 housing, about retaining our young people, allowing our
7 seniors to age in place by looking towards transit
8 oriented development. You can look at communities like
9 Patchogue and Farmingdale, Rockville Centre and Mineola.
10 I think I saw Jack Martins here, who is the former mayor
11 of Mineola, who did a tremendous job over in Mineola
12 starting their process and as a state senator,
13 obviously, promoted a lot of those efforts in the
14 communities that we're talking about. If you look at
15 those communities that implemented some of these
16 principles, you see a lot of success. You see that they
17 have attracted new residents, new businesses. Their
18 downtowns are vital and thriving.

19 I think we have all of the elements that are
20 necessary to replicate some of those things. I think we
21 also have a unique position here because of our
22 location, because of some of the downtown revitalization
23 we've already done the last decade and a half on Post
24 Avenue and around Post Avenue. Many people in the
25 Village do not realize we have about 800 units of

1 multi-family housing already on our downtown within a
2 two- or three- or four-block walk of the train station.
3 A lot of them are condos, some of them are rentals, some
4 of them are assisted living, but they have been
5 seamlessly digested into the community and really helped
6 make part of the fabric of the community what it is, and
7 also tremendously support our existing downtown.

8 The idea here is not to create a new
9 downtown. The idea here is not to create competition
10 for our merchants who do business and have businesses on
11 Post Avenue. Post Avenue is, you know, in pretty good
12 shape, to be honest with you. If you walk down our Main
13 Street and compare it to some others, we have very, very
14 few vacancies. The idea really is to create a new
15 center of energy which will continue to feed and make
16 Post Avenue healthy and keep it healthy and thereby
17 keeping the community healthy, and that's really what
18 the idea of the whole project is.

19 We're going to have a presentation that goes
20 through some of the major elements of what we're
21 proposing. This is, as I said, a three-year process.
22 This did not generate or was not generated out of our
23 own singular thinking. This was one of the main
24 projects that surfaced from -- it gave the process that
25 we underwent and probably the biggest or the single

1 largest area of comment and suggestions were in this
2 area; try to create better housing, new housing
3 opportunities, additional housing opportunities that
4 will bolster our downtown and bolster our community,
5 increase the tax base so that the existing taxpayers in
6 the Village have relief and have some assistance in
7 meeting the tax burdens, so that's what the purpose of
8 the project is.

9 I, as one member of the Board, am extremely
10 excited that we are here tonight at this juncture. It's
11 an important juncture for the project. I think most of
12 the members of the Board here share that. I mean, this
13 is an important project for our Board. It is an
14 important project for the community, and we feel that
15 it's the best way to make Westbury sustainable or more
16 sustainable for the future for future generations, not
17 necessarily just for us. We live here. We will receive
18 the benefits if this project is implemented and some of
19 the developments that would be possible or implemented
20 because we are taxpayers and we do live here. It's
21 really for the long-term viability of this community and
22 I'm excited about it.

23 So I do want to introduce people that you're
24 going to be seeing over the course of the next 45
25 minutes or so and during the presentation. And, as I

1 said earlier, BJH is the planning firm that led the
2 public outreach report generation part of the DRI
3 process for us and they won the bid to really put
4 together a planning team that has put together zoning
5 and also the environmental impacts.

6 Those of you who were here last time said
7 the DGEIS, which you can access on the website, was
8 going to be this high, it's sitting right here on my
9 desk, that's because the pages are two-sided. If it was
10 printed on one side, it would be that high. It's a lot
11 of material. We're going to summarize some of it, but
12 Kei Hayashi is the principal for BJH. You will be
13 seeing her shortly, but she is also joined by Mike Meola
14 and Ed Lamson.

15 VHB is an environmental and planning firm,
16 also engineering firm, and I think we have Marwa Fawaz,
17 Gail Pesner and Billy Sklar who are here tonight for
18 them.

19 GPI, which is another engineering firm here
20 on the Island, which did a lot of the transportation and
21 traffic studies for us is represented tonight by Frank
22 Pearson and Talh Ahmad. I think they're both here this
23 evening.

24 Vision Long Island which is really a --
25 probably the primarily reason that the transit oriented

1 development concept has really taken hold on Long
2 Island. They have done a lot of work on this since
3 their inception. I know since Eric has been there, Eric
4 Alexander and Elissa Kyle are here, they have been
5 working on public engagement and State engagement and
6 just general consultants on the overall TOD approach
7 that we're taking.

8 Then we have our legal counsel, special
9 counsel for this project, we have Kevin Walsh, Matt
10 White and Laura Schaefer. Many of you know Laura, she
11 lives in the community. She grew up here. She also
12 happens to be one of our county legislators. Kevin, in
13 particular, has a tremendous amount of experience. He
14 worked in Mineola, Garden City, probably Farmingdale and
15 some other communities doing just this type of work, so
16 they are really experts at it.

17 So having said that, the Board is going to
18 vacate our seats up here. We're going to take two
19 minutes to pull the screen forward so you can see, as
20 best as you can, and we're going to have a presentation.
21 Then the Board will come back, the Board will have a
22 dialogue with the consulting team with questions and
23 comments, and then we will open it to the public. We
24 will take as many comments and questions as you have.

25 So that will be the progression of the

1 hearing as we go and I think to kick it off is going to
2 be Kei Hayashi and Eric Alexander. So we're going to
3 take two minutes to rearrange the dais and then the
4 presentation will begin. Just hold on.

5 MS. HAYASHI: I guess we should get started.
6 So we have a power point presentation. We will try to
7 go through this quickly so we can take public comment.
8 This is a public hearing that is a part of a process.
9 This first section really -- this is the time model of
10 where we are in the process. We are at the red box
11 which is the public hearing. We are kind of in the
12 middle of the process which was kicked off with a
13 positive declaration of the zoning in 2018, and we
14 anticipate to end with the adoption of the zoning at the
15 end of this year, so that is kind of where we are in the
16 process.

17 As the Mayor said, this entire concept was
18 really birth from a downtown revitalization initiative
19 that the governor launched and that Westbury was one of
20 the -- was the first recipient on Long Island. The
21 goals of the DRI were primarily to support mixed-use and
22 multi-family housing, to provide for additional support
23 for Post Avenue businesses, activity on the major
24 streets and open space opportunities. The projects that
25 the DRI considered all had those elements. And this

1 project, the rezoning of the 40 acres, some of the
2 structural changes along Post Avenue kept rising to the
3 top as one of the most important and uncontested project
4 that the DRI evaluated.

5 This chart right here, I'm going to let Eric
6 speak to this, but on the left-hand side was some of the
7 project considerations that the DRI have for the
8 rezoning and the column on the left is where we landed
9 with the current rezoning.

10 MR. ALEXANDER: Sure. So thanks, Kei. I
11 think clearly the DRI process for a lot of folks in the
12 community was largely unanimous, the consensus base as
13 far as the projects that you put forward, but there were
14 some comments made in the community throughout about the
15 aggressiveness of the density, the building height and
16 the design of the buildings as they were preliminarily
17 put forward.

18 And, remember, the DRI, the Downtown
19 Revitalization Initiative, is a State process and a
20 grant that, you know, thinks big but, you know, you need
21 to tailor it to a local community, to what the
22 community's architectural vernacular is like, to the
23 context, the size and scale, what really works for local
24 folks and that's what this process is.

25 I do want to take the time because everybody

1 can't read maybe from a distance these numbers but the
2 numbers are important. The building heights in the DRI
3 initial concept scenario were five, six or seven
4 stories. These are three floor base, up to four or five
5 stories with bonuses. The housing was 50 units per acre
6 on average. This plan is 35 units per acre on average.
7 The new commercial space was 300,000 square feet of
8 commercial space and much to the point of not wanting to
9 compete with the Post Avenue downtown, it has been
10 shrunk to 50,000 square feet of new commercial space.
11 Again, really not wanting to compete with Post Avenue
12 and the growth that has happened there.

13 New open space originally was 1.26 acres of
14 open space, now it's two acres of potential open space
15 based on credits and benefits so, again, expanding the
16 open space piece in the public benefits.

17 New parking spaces, originally 2,000 new
18 parking spaces which, again, lots of parking with
19 potential concerns about lots of traffic. 1,000 to
20 1,500 new spaces and you also have the parking garage
21 that's underway through the Long Island Railroad Third
22 Track Initiative.

23 On the job side and new residents, the issue
24 was that there be 100 new residents per acre on average.
25 Now it's 55 new residents per acre on average. So you

1 can see how the project has been scaled back radically
2 to fit the vision of what the Board had, what we've
3 heard from the local community, what we've heard from a
4 number of folks now through many of these public
5 meetings.

6 The private investment potential originally
7 was 450 million. This is where it didn't shrink so
8 much. This is kind of the way to do a plan that still
9 gives you maximum public economic benefit is 351 million
10 projected, so we didn't lose so much of the economic
11 benefits to the Village, so that that's important. I
12 just wanted to run those numbers down. I know they will
13 all be available on the website and they're in the
14 DGEIS.

15 Back to you, Kei.

16 MS. HAYASHI: Actually, I think, Elissa, you
17 want to speak a few words. This is the architectural
18 rendering of the concept that could occur in the
19 rezoning area.

20 MS. KYLE: Yes, this is a conceptual
21 rendering. It is not of any particular site or projects
22 within the triangle area, but it is just to show the
23 concept of the type of development being encouraged and
24 planned for within the zoning where it is pedestrian
25 orientated, it's walkable with wide sidewalks, with

1 public spaces, with architecture that kinds of frames
2 the public space and makes it a really human scale space
3 that encourages folks to walk to Post Avenue and walk to
4 the train station.

5 MS. HAYASHI: The next couple of slides Eric
6 is just going to speak again to the goals of the
7 rezoning and also some of the recent press and
8 conversations and discussions around those goals on Long
9 Island.

10 MR. ALEXANDER: Thanks, Kei. So really the
11 mayor laid it out that there are goals that we've all
12 heard about on a regional level for housing, young
13 people, millennials, but also housing for folks of all
14 ages really and having alternatives to single-family
15 homes. You have done a great job as a Village with 800
16 units of multi-family housing and senior housing in your
17 community and you have done that and across Long Island
18 there have been many downtowns that have recently, 12
19 years, approved over 13,500 units of downtown housing.
20 So you guys are doing that, but the keys to incorporate
21 different housing types, I'm going to bring Elissa back
22 to kind of get into that. It's not a mono culture of
23 the same stuff, we are looking at some different things.
24 MS. KYLE: I think part of what is shown in
25 this graphic that would show the types of housing that

1 is -- and how popular it was by millennials, I guess
2 they are focusing on here, but a variety of housing
3 types where it is not just large apartment building or
4 single-family houses, but different sizes and scales and
5 different types of units based on, you know, what a
6 person's living situation is, their stage of life, you
7 know, their economic situation. Giving people different
8 options so that they have -- they can be part of the
9 community through different stages of life and not just,
10 you know, raising children, family stuff, but when
11 they're younger and when they're older as well.

12 MR. ALEXANDER: So with those goals, you
13 know, we live in a time where in our phones every day
14 there are 20 or 30 messages that come through that tell
15 us how we should be united, how different governments
16 are fighting each other, different people in the
17 community are fighting each other. There is no unity or
18 purpose or focus.

19 What we have seen here through this process
20 is not just through the DRI but through the zoning
21 process is multiple levels of government, Republican,
22 Democratic, Independent, whatever it is, are working
23 together and endorsed this project. It's County
24 Executive Laura Curran. It's County Legislator, for the
25 area, Laura Schaefer, Siela Bynoe, it's Michael

1 Montesano from the New York State Assembly, New York
2 State Assemblyman Charles Lavine. Again, regardless of
3 party, Town of Hempstead Supervisor Judi Bosworth and
4 North Hempstead Councilwoman Viviana Russell and, of
5 course, the Westbury Village Board has been unanimous
6 and working this together.

7 Now, there are regional organizations you
8 may not know who they are, but they're important on a
9 regional level, but what really matters is the local
10 folks in the community, certainly your Westbury BID,
11 your Westbury Art Council have been heavily involved,
12 your Historical Society has been a part of it, your
13 Chamber and many of your service organizations and
14 churches and other youth services and senior service
15 organizations have been involved in the planning process
16 of the DRI and have helped provide input to shape where
17 this goes.

18 And the other piece is there was significant
19 communication with local property owners through the
20 process. In addition, some focus to hear from the
21 development community on what's buildable and what's not
22 because you don't want to create a Zoning Code that
23 doesn't get us to a place where something can happen and
24 it has happened in other municipalities where you
25 wonder, wow, we did a great plan and then there were no

1 proposals and things didn't happen, why was that? The
2 pictures were pretty, but something didn't happen. So
3 we try to really spend a fair amount of time.

4 The last point I'll make is this -- we do
5 have local consultants here. You know, some of the
6 earlier plans with the DRI came out of the City. The
7 folks that are teamed up with Kei and her team, and we
8 love their perspective, but also are very hyper local in
9 their thinking, whether it be GPI, VHB, BJH, the
10 architects and counsel here from Kevin Walsh and Laura
11 Silk. There is a real local flavor in all of this and
12 that's help with the unity. We will answer questions as
13 we go and we will answer more tonight, so I'm going to
14 shut up and keep us moving.

15 MS. HAYASHI: Thank you, Eric. Thank you.

16 The next section Kevin Walsh will present a
17 brief overview of the actual rezoning.

18 MR. WALSH: It's going to be Matt.

19 MS. HAYASHI: I'm sorry, it's Matt.

20 MR. WHITE: I'm going to put some documents
21 into the record.

22 MS. HAYASHI: Matt is going to enter some
23 documents into the record, I believe.

24 MR. WHITE: At this time I would like to add
25 certain relevant documents into the record at this

1 hearing. The stack is there that we made part of the
2 public record.

3 Exhibit 1, Incorporated Village of Westbury
4 Memorandum to potentially involved agencies regarding
5 SEQRA lead agency coordination dated September 28, 2018.

6 Exhibit 2, response of Nassau County
7 Department of Public Works Planning Commission to
8 Incorporated Village of Westbury memorandum to
9 potentially involved agencies regarding SEQRA lead
10 agency coordination dated October 5, 2018.

11 Response of PSEG Long Island to Incorporated
12 Village of Westbury memorandum to potentially involved
13 agencies regarding SEQRA lead agency coordination dated
14 October 15, 2018.

15 Exhibit 3, Incorporated Village of Westbury
16 Board of Trustees resolution declaring lead agency dated
17 November 1, 2018.

18 Exhibit 4, Incorporated Village of Westbury
19 Board of Trustees resolution adopting positive
20 declaration dated November 1, 2018.

21 Exhibit 5, full environmental assessment
22 form Parts 2 and 3 and Incorporated Village of Westbury
23 Board of Trustees SEQRA determination of significance,
24 positive declaration and notice of intent to prepare a
25 Draft Environmental Impact Statement.

1 Exhibit 6, response of Nassau County
2 Department of Health to Incorporated Village of Westbury
3 Board of Trustees, positive declaration notice dated
4 February 14, 2019.

5 Exhibit 7, proposed amendments to the Zoning
6 Code of the Incorporated Village of Westbury, including
7 the creation of the Maple Union TOD District.

8 Exhibit 8, Draft Environmental Impact
9 Statement.

10 Exhibit 9, Incorporated Village of Westbury
11 Board of Trustees resolution accepting the Draft Generic
12 Environmental Impact Statement (DGEIS) as complete and
13 adequate for public review and to set a combined public
14 hearing for acceptance of the DGEIS, and the proposed
15 amendments to the Zoning Code and map of the
16 Incorporated Village of Westbury, including the creation
17 of the Maple Union TOD District dated June 20, 2019.

18 Exhibit 10, Incorporated Village of
19 Westbury's affirmation of posting of the notice of
20 combined hearing dated June 21, 2019.

21 Exhibit 11, SEQRA notice of completion and
22 draft and notice of SEQRA hearing dated June 24, 2019
23 with proof of mailing.

24 Exhibit 12, legal notice of combined public
25 hearing published June 27, 2019 in the Westbury Times

1 with affidavit of publication.

2 Exhibit 13, Notice of Incorporated Village
3 of Westbury Board of Trustees resolution public hearing
4 on the Draft Generic Environmental Impact Statement
5 (DGEIS) and local law updating the Village Zoning Code
6 and Zoning Map of the Incorporated Village of Westbury
7 and creating the Maple Union TOD District dated June 27,
8 2019 with affirmation of service and, finally, Exhibit
9 14, slides for the combined hearing -- combined public
10 hearing held on July 11, 2019.

11 Mayor and the Board, at this time, the
12 record is complete.

13 MS. HAYASHI: Thank you.

14 Next, Kevin Walsh will review the zoning.

15 MR. WALSH: Good evening. Thank you. I
16 truly hope my few minutes up here is a little more
17 interesting than my partner Matt.

18 MR. WHITE: Me too.

19 MR. WALSH: So as far as the legal team, we
20 have been asked to describe the proposed zoning change.
21 Everything here is proposed and everything on the table
22 is for the Board's consideration.

23 I am asked to describe what exactly the
24 zoning change would be, highlight those. They're rather
25 detailed, but I think we'll start with the conception of

1 it. Before I do, that happens to be -- there are some
2 zoning changes and referral changes to the B District or
3 the existing B along Post Avenue.

4 The main component of the zoning proposal
5 here is to create the -- and the changes to the B
6 District really relate to attempting to create wider
7 walkways, pedestrian walkways. So when folks want to do
8 something in the B District, the Business District along
9 Post, they're going to be asked to create more
10 walkability from their site because the whole purpose
11 here is to integrate the new area with the existing
12 area, so that is a good way of telling owners along the
13 business district that we need you to think about the
14 fact that we're trying to create an environment where
15 people can walk in from the new district into your area
16 and use it, and wider walkways are one of the areas that
17 can be accomplished.

18 The main component of this, though, is the
19 zoning change in the creation of a new zoning district,
20 but before I -- before I just get into that, I just want
21 -- I know for me it always helps, because a lot of
22 people may not know exactly everything that is going on
23 here, so I think everybody is digesting by now that
24 we're on the table, the trustees are considering a new
25 zoning district in this existing area called the Maple

1 Union District. And, as you can see in there by the
2 little sections, there are subsections there. There are
3 seven subsections. I will get into it in a second as to
4 why this district is going to have seven subsections in
5 it.

6 But before I do, you also heard, I want to
7 explain something which always helps me to understand,
8 what the interplay between the SEQRA, the environmental
9 look here and the statutory look. So the mayor made
10 reference in a prior hearing to a Type II action, no
11 further environmental review is needed. In 1975, the
12 State enacted a legislative piece that basically said
13 everywhere in the state when you are affecting land use,
14 be that a private application or a municipal application
15 to change zones and create new things, when there is a
16 discretionary decision to be made regarding land use,
17 you need to look at it from an environmental point of
18 view. It's part of the beginning of a more active role
19 in checking our environment and what we're doing to it
20 when we improve development and improve zone change, and
21 so the statute was constructed in a good way to kind of
22 take those small ones, the little ones, example of one
23 was the example of the prior hearing, which was a Type
24 II action, and say that is in the list of actions that
25 don't require any environmental review. By its very

1 nature it doesn't need that.

2 Then there are larger ones that a zoning
3 code change or amendment like this would be one and
4 that's in a different list and that's called a Type I
5 action. Type I and Type II. There is a group in the
6 middle, the biggest group, actually, are things that
7 don't fit into either one of them, we're not dealing
8 with one of them now, and that would be somewhat
9 discretionary by the lead agency, which is the Trustees,
10 to determine what review is needed for that.

11 We have a Type I action because it's listed
12 as a Type I action and, more than that, already the
13 trustees have determined, based upon the advice of their
14 planners and team, that there is a positive -- they
15 should issue a positive declaration. A positive
16 declaration means that there might be a significant
17 environmental impact that should be looked at, and
18 that's what -- so while we're doing a hearing on a
19 zoning change, we're also doing a hearing or having an
20 open hearing on the DGEIS, which is the voluminous
21 document where the State says to the municipality, you
22 have to look at all of the things that might be affected
23 and because it's a zone change, and we don't know
24 exactly who is going to build what, we only know in what
25 area they can build and how high or how big they can go

1 and how dense they can be, how many cars there can be.
2 You have to study this in the context of the worse case
3 scenario so that's why the mayor talked about this as
4 being large, that's why VHB put together, with the help
5 of other planners a very thorough document. If you look
6 through it, you will see they discussed everything. I
7 will get into that in a few minutes as to what their
8 analysis was, but that's why we're doing the two of them
9 together.

10 For our purposes, for my purposes, our job
11 is to make sure that that's done properly and that also
12 the Zoning Code is considered by the Board properly so
13 if they decide to enact this code and make these zone
14 changes, the zone is legal and proper and it's
15 defensible which is what we believe will be the case.

16 But my main job now is to just tell you
17 about the basics of this zone, this new Maple Union
18 District, so I talked about subsections. The concept
19 here was to, first of all, elevate these sections which
20 are mainly industrial in build and light industrial,
21 industrial and business zones to provide housing. The
22 way to do that was, many of the zones, many of the sub
23 zones, immediately they're getting, we'll call it
24 upzone, although industrial property can be very
25 valuable. We call it upzone in the zoning business.

1 They are upzoned to permit three-story buildings. So
2 immediately without any bonuses that we'll talk about in
3 a minute, many of these sections you can get up to three
4 stories.

5 Can we just go back? I just want to finish.
6 Sorry, Kei.

7 So if we look at them from the MU -- there
8 are seven districts, I will call them MU-1 through MU-7,
9 obviously. So the districts that are closest to the
10 existing residential homes, the single-family homes, the
11 concept of the team and the trustees was, we don't want
12 a significant development there because we want to work
13 our way up to the train station because the train
14 station is where the most dense housing can be
15 supported. So there's various differences in what you
16 can deal with and what you can get in terms of
17 development as you move further south toward the train
18 station, there is a little more density that's provided
19 to you which I will get into in a second.

20 In addition to that, because I think the
21 Mayor indicated, there is no goal here. In fact, there
22 is a design not to negatively impact the existing
23 buildings on Post Avenue. There's some tweaks in it
24 that some of these districts while they allow -- many of
25 them allow some retail use and some personal service use

1 in a smaller capacity, there is no design to compete
2 with the folks on Post and even more so, the M3, which
3 is the one closest, you can see it is the one closest to
4 Post, you can't even do commercial of any kind there.
5 The theory there is quite simple, in that district if
6 you live there in a multiple dwelling, you can walk
7 right to Post Avenue. You are right there, you can get
8 your coffee, you can get what you need, your dry
9 cleaners. When you get further towards the train
10 station and further towards west that the theory is that
11 we have to provide some type of other uses on the ground
12 floors and that's why the code describes that. The uses
13 are listed in the section. MU-2 list them and a bunch
14 of the other sections say you can do whatever you can do
15 in a MU-2.

16 The design there is to say, and those that
17 have dealt with multiple-dwelling housing in a TOD find
18 that they are much more successful when buildings have
19 some life going on after hours a little bit. So light
20 personal service, coffee shops, dress shops, things like
21 that, there is a list of them that are going to be
22 permitted there. They will be subject to a special
23 permit, to the extent that they may be open too late,
24 but there is a desire to create more people in this
25 downtown area and if it is just a residential area, it's

1 dark completely, it doesn't have an evening, they tend
2 not to work as well.

3 So the play on this whole concept is to do
4 the correct thing by these districts working our way to
5 a little more dense as we go south towards the train
6 station and then a little less dense as we go north.
7 That's what these sections define. So if you look at
8 what is permitted in each one, you're going to find
9 that. We will take a look at it in a second.

10 The concept of the TOD, which Eric explained
11 and the Mayor explained, is that -- and this is proven
12 to be the case, you take your local town, you take what
13 your assets are, in this particular case, it's very easy
14 to see when I look at this Village you have two
15 significant assets down here. You have a functioning,
16 thriving downtown which a lot of places don't have. A
17 lot of places do this plan to create the downtown. They
18 don't have it because they don't have anybody down
19 there. You have one and you also have a train station.
20 Train station, believe it or not, I think you will
21 believe it, they really bring people into the area that
22 want to live here because they jump off the train and
23 they are in New York and then they are back. These are
24 the kind of people we generally like because they don't
25 drive around. So when we study traffic and things like

1 that, they have less of an impact based on the fact it
2 is proven that there will be less driving around here.
3 I said it at places, I know Jack Martins in Mineola said
4 it, people aren't moving into these buildings along the
5 train station so they can drive around your village.
6 They are moving in there so they don't have to. They
7 are moving in there so they can get on the train, put
8 their car away for the weekend and then walk into town
9 in the evening and do everything they want to. So the
10 zones are set up that way.

11 I'm just going to discuss -- if I could go
12 to the next slide. This is the zoning schedule which it
13 list on the left the categories. If you're looking at
14 this, it list the categories. It list increase in
15 density, as I indicated, starting from the MU-1 and
16 moving our way to the 7. You'll see the various
17 densities. It then list how many stories you can have
18 as of right. As I indicated to you, three stories as of
19 right. All of the areas are being upzoned.

20 Then you can get up to five stories. In
21 three of those seven areas, you can get up to five
22 stories. And that is the last component of what I'll
23 talk about. That is the situation where you're working
24 with the Village to say we want to build this downtown.
25 We would like to build more. We would like to get some

1 bonus to build here. We would like to do some of the
2 things that are listed in our proposed code that will
3 allow the Village to consider giving you bonuses.

4 We mentioned open space. We saw the
5 rendering before that has great open space. That open
6 space would be possibly donated by someone so the open
7 space then becomes part of Village property and the
8 development can circle it. You get greater density
9 because you don't need to be spread out all over the
10 place and you still get the same yield out of it. The
11 Village is looking for partners who will present plans
12 that can accommodate this.

13 Those bonuses and the list on how the
14 Village evaluates that is not precise, it's very
15 imprecise, in fact. It's one of those I know it when I
16 see it. So it's not something anyone can tell you if
17 you do the following, you will get the following. If
18 you do the following and it happens to fit with what the
19 Village needs at that area at that time, the Village is
20 going to work with you to try and make that a reality
21 because in their interests it's good for the community
22 and it's good for everyone else. It's not that precise.
23 You need to look at it in terms of what am I permitted
24 to do, what could I do if I got bonuses and then what am
25 I going to be required to contribute.

1 We talked about open space. Everyone may
2 not have an opportunity to give open space, but some
3 developers may assemble parcels and get open space and
4 be able to do that. That will be one component. Other
5 developers may want to give affordable housing, create
6 affordable housing. You are required to do ten percent,
7 but some may decide that I can do more and want to do
8 more and the Village may be receptive to that.

9 Veterans housing, micro housing was
10 mentioned before, water and sewer. You know, we've had
11 in another places working on contributing money to help
12 create -- sink another well because there's going to be
13 more water used and things like that. There are plenty
14 of things that the Village Trustees will consider, a
15 list of them is there, it's not an expansive list, and
16 those things can be worked on. If you are doing it
17 yourself or you have developers with you, they have done
18 this before, they will know exactly how to help you
19 decide what you want to do down there.

20 There are two other sections in this code
21 that are important. There is no mechanism here to tell
22 people you have to do this. One of the new sections,
23 you had it in the past but we have increased it or
24 updated it a little, the nonconforming use section
25 basically saying if I am here legally, I'm doing what I

1 want to do, the Village is not going to interrupt you.
2 It's not going to say to you we want you to do this. It
3 may try to motivate you by talking to you, but you have
4 a right to maintain what you are using at that site as
5 long as it is legally built and it's of the size that
6 you got permission for. I think that's it.

7 MS. HAYASHI: Do you have other stuff?

8 MR. WALSH: No, that's it.

9 MS. HAYASHI: Thank you so much, Kevin.

10 The next section is -- we're getting through
11 this so the public can speak -- is the SEQRA findings.
12 There is the list of environmental areas that we
13 basically analyzed.

14 MS. FAWAZ: Good evening, everybody. Marwa
15 Fawaz, I am senior project manager with VHB Engineering.
16 As mentioned before, VHB, along with the rest of the
17 consulting team, completed a Draft Generic Environmental
18 Impact Statement which is required by the State
19 Environmental Quality Review Act of New York.

20 The reason why we prepared this, as
21 mentioned, is the Village is considering changes to the
22 Zoning Code. Under SEQRA, which is the State
23 Environmental Quality Review Act, as lead agency the
24 Village would be required to analyze all substantive
25 environmental impacts that may result from the proposed

1 zoning change. So VHB, along with the rest of the
2 consultants, GPI and BJH and Vision Long Island
3 completed this Draft Generic Environmental Impact
4 Statement which analyzes the following topics. So we
5 looked at quite a bit of topics, as you can see. I
6 won't spend too much time going over every single topic
7 only because it would probably take the whole night and
8 we want to give you guys the opportunity to provide
9 comments and questions and, as mentioned earlier, the
10 entire document is available online, as well as at the
11 Westbury Public Library and Village Hall, and we will
12 have that on the last slide so you guys will know where
13 you can find the entire document, but tonight we're
14 going to cover the topics that are in bold because we
15 found that these are really the topics that have the
16 largest impact and these impacts could be beneficial,
17 and we have looked at them in great detail, but just to
18 cover exactly what we have analyzed in the document, we
19 have looked at land use, zoning, community character,
20 which I will talk about in a few minutes. We've looked
21 at community facilities and utilities. We've looked at
22 socioeconomics, aesthetics, transportation and parking,
23 cultural resources, air quality, noise, soils and
24 topography, hazardous materials, water and use and
25 conservation of energy.

1 So the purpose of tonight's hearing, as well
2 as providing the document for review, is for public
3 comment and, as you see up there, the public comment
4 period will remain open until August 2nd, so this is not
5 the only opportunity to provide comments. You can
6 provide comments in writing to the Village and it will
7 come back to the consultant team and we will respond to
8 all comments in writing with the Final Generic
9 Environmental Impact Statement. So that document will
10 be available also for review once we have completed
11 answering everybody's comments and questions.

12 So I want to talk a little bit now about the
13 land use, zoning and community character impact section
14 that we looked at. Overall the proposed zoning
15 amendments will facilitate a mix of retail commercial
16 and residential uses that will continue to bolster the
17 economic vibrancy of the downtown here and enhance the
18 quality of life for residents and workers and visitors.
19 We really see these proposed amendments as something
20 that will provide not only consistencies in future
21 developments but will provide for a harmonious organic
22 cohesive downtown area. That's really part of the goal.

23 Another big part of the goal of these zoning
24 amendments is to foster and create the mixed-use transit
25 oriented development that we have been talking about.

1 These types of uses near a train station only succeed
2 because people are able to walk to the train station,
3 walk to commercial establishments and really increase
4 the economic activities to these commercial
5 establishments. The transit oriented development and
6 mixed-use housing that we're looking at will also
7 diversify the housing options that would be available
8 within the Village of Westbury and enhance community
9 character and aesthetics within the downtown.

10 We expect these zoning amendments will
11 further the objectives and the goals of the DRI, as
12 mentioned earlier, and will facilitate additional open
13 space, as well as enhance pedestrian activity with the
14 wider sidewalks. It will incentivize public benefits
15 and it will also provide for community character that is
16 improving the downtown as a whole.

17 The next topic I would like to talk about is
18 the hazardous materials. As we know, there is quite a
19 bit of industrial zones within these districts. With
20 the rezoning that will be eliminated. As Kevin
21 mentioned, the existing uses won't be eliminated, but
22 that district will no longer be available with the new
23 amendments. So these amendments, which will remove the
24 industrial and light industrial districts, will allow
25 for transit oriented development near the Long Island

1 Railroad Station and by doing so will eliminate the
2 hazardous materials that would be typically utilized
3 with these industrial facilities. So this would, in
4 fact, reduce the potential for any type of environmental
5 impacts.

6 The last thing I would like to talk about
7 before I turn it over to Frank Pearson from GPI is the
8 use and conservation of energy. Typically developments
9 that we're encouraging such as transit oriented
10 development would just by nature reduce energy
11 consumption. The reason is because with transit
12 oriented development you're expecting that more people
13 will use the train, more people will walk, so there is
14 less of a need to rely on cars, less of a need to use
15 typical energy usages, as well as with the mixed-use
16 development moving away from those traditional
17 single-family homes, less energy usage is going to be
18 required.

19 Further, as part of the proposed zoning
20 amendments, the Village included that any projects that
21 are LEED certified projects, so anything that is part of
22 the USGBC LEED certification will receive incentives as
23 well and that goes beyond a typical baseline requirement
24 that the villages have for the energy efficiency in
25 their code.

1 With that being said, I would like to turn
2 it over to Frank to talk about transportation and
3 parking.

4 MR. PEARSON: Thanks, Marwa. Good evening
5 everybody. Again, I'm Frank Pearson with
6 Greenman-Pedersen in Babylon. I'm going to talk about
7 transportation and parking. The first slide basically
8 is a little bit of an overview and then we'll get into
9 some of the details.

10 We evaluated seven intersections within the
11 downtown area, three on School Street and another four
12 on Post Avenue. The main goal is to determine how do
13 these streets and intersections operate today and how
14 will they operate in the future out in 2033 when the
15 full build out of the rezoning could be in place. And
16 we look at two conditions, one is the no build, how
17 would traffic operate in 2033 without the zoning change,
18 and we look at how the traffic would operate with the
19 zoning change. And we analyze these intersections using
20 a software program called Synchro that is pretty much
21 the standard that's used for evaluating traffic capacity
22 at intersections. Synchro provides you with a letter
23 grade based on the operation and it's based on the
24 amount of delay.

25 So level of service A would have the least

1 delay and would have the highest level of service. It
2 goes down to level of service F which, as you can
3 imagine, is a fail and, basically, means that you're
4 over capacity, your delays have gotten excessive.

5 So looking at all of these intersections and
6 the different analyzes we did, I would say the good news
7 is the overall level of service at each intersection is
8 fairly good and that's the overall. It ranges from A to
9 level of service C. However, when we look at individual
10 turning movements and approaches, we do see that there
11 are some level of service E's and F's that need to be
12 looked at further, and I'm going to go into that in a
13 minute, and those occurred primarily during A.M. and
14 P.M. peak hours. Most of our focus is going to be on
15 the P.M. tonight, but the DGEIS contains all of the
16 analyzes for all of the locations.

17 So one of the things we were tasked to do
18 was come up with mitigation measures on how to address
19 those issues, so go to the next slide. I'm sure, folks,
20 can't see this very easily here, my apologies. This
21 shows basically the Post Avenue/School Street location,
22 as well as intersection. Starting on School Street, the
23 southerly intersection is School Street at Railroad
24 Avenue, which is currently controlled by a stop sign.
25 And, as I'm sure everybody is well aware, the Long

1 Island Rail Road is in the process of eliminating that
2 crossing and it will be a grade-separated crossing.

3 In addition, the rail road has proposed
4 putting in a traffic signal at School Street and
5 Railroad Avenue, and we will reflect that in the
6 analysis for the future. We also have School Street and
7 Union Avenue and School Street and Maple Avenue, all of
8 those intersections operate fairly well.

9 Shifting to Post Avenue on the south end is
10 Railroad Avenue and Post and that also operates at an
11 acceptable level of service today.

12 Moving north to Union Avenue and Post
13 Avenue, this intersection also operates at an acceptable
14 level of service as does the Scally Place intersection
15 today, but you will see up in the left-hand corner at
16 Maple Avenue and Post Avenue that there are some poor
17 level of service on certain movements at that
18 intersection. In particular, the westbound left turn
19 from Maple Avenue to Post Avenue operates at a level of
20 service F during the P.M. peak period, and I should have
21 prefaced this by saying, these are the existing traffic
22 analyses, so this is based on 2018 traffic without
23 consideration of any development.

24 Also, at Maple Avenue the eastbound movement
25 and the eastbound right turn at Post Avenue are level of

1 service E which basically indicates that the delays are
2 excessive.

3 So in this slide here we're going to talk a
4 little bit about the impacts of the proposed
5 development. One thing I want to point out to you too,
6 part of the process that we go through is developing
7 what we call a trip generation for all of the different
8 land uses being proposed and we compare that with the
9 existing zoning of what could be built today based on
10 the current zoning versus what could be built as a
11 transit oriented development.

12 Existing zoning, and I know you can't
13 see this but it is in the report also, shows that
14 approximately 400 new trips in the A.M. peak period
15 under the existing zoning in the year 2033. For the
16 P.M. peak period, that's approximately 500 trips. The
17 line below that shows the trip generation based on the
18 proposed rezoning and, as somebody mentioned, TOD,
19 transit oriented development, really shows that you're
20 going to decrease the number of vehicles on the road,
21 the number of people driving, you're going to encourage
22 more transit usage, whether that be the NICE bus or the
23 Long Island Rail Road. And the trip generation for the
24 rezoning shows about 120 cars in the A.M. being
25 generated and another 200 in the P.M. So quite a

1 difference if we don't do anything, you're going to have
2 that much more traffic.

3 This drawing also shows, though, with the
4 build that there are -- overall all of the
5 intersections again operate at a good level of service.
6 However, there are certain turning movements and lane
7 groups that do operate at a poorer level of service that
8 would need to be mitigated to provide an acceptable
9 traffic flow.

10 I'm just going to move over here a little
11 bit because I can't see. Starting on the south -- let's
12 start on School Street. School Street, actually, had no
13 poor level of service on any of the approaches, so that
14 was fine. This includes the new traffic signal at
15 Railroad Avenue and that operated at a level of service
16 B.

17 However, when we looked at Post Avenue
18 starting on the south at Railroad Avenue, we show that
19 the proposed traffic in 2033 for the P.M. peak hour
20 would actually have a level of service F for the
21 southbound left turn to Railroad Avenue.

22 Similarly, at Union Avenue, we're showing a
23 level of service E for the westbound left turn to head
24 south on Post Avenue.

25 Scally Place, which is a T intersection,

1 shows level of service F on both the left turn movement
2 and the right turn movement. And then further north up
3 at Maple Avenue we're showing westbound left turn at
4 level of service F and a southbound left turn at level
5 of service E, I believe.

6 So these are impacts that we need to look at
7 to mitigate and that's pretty much what we did. I'll
8 show you on the next slide. Again, I'll move over. So
9 one of the most basic mitigation techniques is to retime
10 the traffic signals, change your cycle length and that's
11 what we did propose for Post, Maple and Union and
12 Railroad. Modify the signal timing, try to optimize the
13 signal timing so that you can reduce delays. You can
14 shift green times so that the movements that are
15 suffering poor traffic flow get more green time,
16 therefore, less delay and we also looked at some other
17 specific improvements.

18 At Post Avenue and Railroad Avenue, we
19 decided that it was really necessary to provide a
20 separate westbound left turn lane in addition to the
21 through lane. Right now it's a single lane approach.
22 This would allow us to provide a left turn lane with the
23 through right and the only negative of this is, we would
24 have to remove some parking on the corner of Railroad
25 Avenue in order to provide enough roadway width to allow

1 that to happen. Also, the right turns on red are
2 proposed to be restricted to improve pedestrian safety.

3 With these mitigations most of the
4 approaches improved and the only approach that still has
5 some capacity issues is the southbound left turn which
6 is still or rather has a level of service E. It was F,
7 it moved to E, and the delays have decreased quite a bit
8 from the level of service F from about a 60 percent
9 reduction in delay. We thought that was significant.
10 Even though we couldn't get it below E, it's still a
11 significant improvement.

12 Union Avenue, again, we did signal timing
13 modifications. There is some work being done under the
14 strategic initiative at Union Avenue eliminating that
15 right turn lane which will allow better movements for
16 pedestrians.

17 Moving north up to Scally Place, we reviewed
18 this location to see if a traffic signal would be
19 warranted. We proposed a traffic signal based on the
20 delays that are on Scally Place trying to exit it and
21 the results were that we would have an improved overall
22 level of service. The peak hour warrants was met for
23 traffic signal, so we feel that would have a significant
24 improvement for access out of Scally Place.

25 One thing to note on that, since that is a

1 Nassau County controlled intersection, as far as traffic
2 signals go, they would have to approve that, but that's
3 something else we looked at.

4 And then, finally, Post Avenue and Maple
5 Avenue, we eliminated that southbound -- poor level of
6 service southbound left, but we still have a level of
7 service F for the westbound Maple Avenue and it is level
8 F today, level of service F today, that westbound lane.
9 We were able to modestly reduce the amount of delay, but
10 it's still level of service F.

11 When you compare that to the no build,
12 though, it is about seventeen percent better as far as
13 the delay or less delay than the no build in the future,
14 2033.

15 All right, this slide just basically
16 provides an overview of everything that I just talked
17 about. It shows the actual total volume at each
18 intersection, as well as the level of service rating and
19 it provides a table of the suggested mitigations which I
20 won't go through again, but I just want to summarize
21 everything and note that, yes, the level of service
22 overall will be very good.

23 The last slide I'll talk about is the
24 parking assessment that we did. As part of the DGEIS,
25 we did a parking evaluation of the existing on-street

1 and off-street parking within the corridor. As part of
2 that, we did an actual field survey where we counted the
3 number of spaces occupied over, I think, it was a
4 12-hour period one day and an eight-hour period another
5 day, and determined that during a typical peak hour
6 there is still somewhere between 25 percent and 40
7 percent available parking in the corridor which
8 indicates that it can absorb some additional parking as
9 needed as the Village grows. The other aspect of
10 parking is that, as part of the new zoning, the team
11 developed a proposed minimum parking requirement for
12 each residential unit, as well as the commercial units.

13 So there is a table on the bottom. For
14 example, for every three-bedroom home, you would be
15 required to provide three parking spaces. For a retail
16 operation, you would have to provide one space for every
17 250 square feet. Using those formulas and the proposed
18 development, the team came up with requiring almost
19 1,500 new parking spaces.

20 Then what we did is, we wanted to make sure
21 that that would be adequate, so we looked at the
22 International Transportation Institute's parking
23 generation rates handbook to see, all right, will the
24 zoning really work with the typical parking generated by
25 these types of developments. So we looked at the type

1 of land use and we developed the numbers and rates and
2 we came up with a need of 1,150 parking spaces showing
3 that there is an excess or, if you will, a reserve of
4 350 parking spaces. So it was clear that the proposed
5 parking ratios would not result in a parking shortfall
6 for the full build out in 2033.

7 The last thing I'll mention is, there was
8 some discussion about the parking meters and how they
9 operate on a parking meter per space and some thought
10 about perhaps replacing them with Muni-Meters which you
11 may have seen in some of the other villages. It's
12 basically a kiosk where you go in and you pay for your
13 spot. You don't have to have quarters, you can use
14 credit cards, some of them have apps and so forth, and
15 we think it might be more efficient to help the turnover
16 rates, as well as just easier to use for folks, and it
17 may give you some options to reallocate some parking.

18 So with that, I am going to turn it over to
19 Kei.

20 MS. HAYASHI: Thank you. We are almost
21 done.

22 So the last area of impact that we looked at
23 were socioeconomic. Under socioeconomic we primarily
24 considered job creation and economic output. In that
25 area the rezoning would have a major positive affect

1 upwards of 300 full-time permanent jobs, mostly in
2 retail and building services could be created.
3 Additionally, temporary construction jobs through
4 development of the housing could be created.

5 In addition, the DGEIS looked at fiscal
6 impacts to the Village and also the County and these are
7 primarily revenues generated from the new property taxes
8 or pilots from the housing, and also we considered the
9 negative potential impacts which would be impacts to the
10 school district and also on Village services. The
11 findings were that overall the positive fiscal impacts
12 would outweigh the negative fiscal impacts for the
13 additional services. All of this is further detailed in
14 the DGEIS report.

15 In particular, we wanted to just have one
16 slide on potential school district impact. I'm going to
17 let Eric Alexander speak to that, based on other
18 projects he has seen on Long Island.

19 MR. ALEXANDER: Thanks, Kei. We are on the
20 home stretch, but this is an important one. Everyone
21 cares deeply about the schools on Long Island, clearly
22 Westbury as well.

23 While across Long Island there has been a 20
24 percent drop in students in the school districts, your
25 school district is one of five or six or seven districts

1 that have had actual increases or at least held the
2 line, so clearly school district impacts are key to you
3 guys and we get it.

4 We had a special meeting with the school
5 board members and staff and went over some of these
6 preliminary numbers. I think we're waiting for their
7 feedback overall, but we looked at this nine theories in
8 actuals. We know there are projects on Long Island in
9 similar comparable communities that have transit
10 oriented development, multi-family developments and they
11 have minimal school children. So we analyzed just, you
12 know, projects with 100 or more units and of the
13 buildings we looked at and the range of communities,
14 Mineola, Glen Cove, Farmingdale, Patchogue, 1,800 total
15 units, there were 50 school-age children. So, again,
16 that's a .26 children per unit average in communities
17 across Long Island.

18 Now, there are other ways to project it.
19 BJH, Rutgers and some demographic studies and they have
20 a 43 number low, a mid 105 and a high of 189, but to
21 emphasize the point that multi-family housing, even
22 though it's called multi-family, it really is not built
23 for children the same way as single-family homes are
24 and, quite frankly, I have been in 60 of these
25 developments on Long Island and off Long Island, I

1 haven't seen a kid. I haven't seen a kid. I mean,
2 there's, you know, a movie room and there is the pool
3 table and all of these different amenities, but they're
4 not children's parties room and playrooms where they are
5 bouncing around. It's just not happening, so that's our
6 experience.

7 We could take people and people say that's
8 BS, we don't believe it. We take people on tours of
9 these different buildings to see what the impact has
10 been and you will see very, very minimal.

11 So with that, let's keep going.

12 MS. HAYASHI: Okay, then the last slide is
13 basically just we also studied the potential for
14 displacement. Currently, there are a few residents and
15 businesses in the district. We looked at that and saw
16 that up to two percent of the rezoning area's population
17 could potentially be displaced, this is overtime and
18 under a full-build scenario, but that will potentially
19 be mitigated by the creation of new housing and
20 particularly affordable housing that could be developed
21 in the area. Likewise, there are existing businesses in
22 the district that would be displaced under a full-build
23 scenario. These are businesses that are primarily in
24 the industrial sector. We studied the industrial sector
25 in both the Village of Westbury and Nassau County and

1 saw that over time historically it has been declining in
2 background growth and so that there would be potential
3 mitigation through the relocation within the rezoning
4 area. Again, the five percent displacement is under a
5 full-build scenario which will take time. This is all
6 outlined in the DGEIS.

7 At this point, we have additional comments
8 that the Mayor will speak to and then it will be time
9 for the public's comments.

10 Thank you.

11 MAYOR CAVALLARO: We're just going to pause
12 for a couple of minutes while we reorientate the screen.

13 (WHEREUPON, there was a short pause in the
14 proceedings.)

15 MAYOR CAVALLARO: That's a tremendous amount
16 of information to digest, obviously, and if you did --
17 the Board should come up. If you did go and look at the
18 material online, there is even more information to
19 digest.

20 What we tried to do was have the team
21 distill some of the most important aspects just so that
22 you can get at least a sense of what we're trying to
23 accomplish, the approach we're taking and a sense that
24 we've made a very significant effort to analyze what we
25 view as the most serious and potential impacts of the

1 project, and I think that we tried to summarize some of
2 that here.

3 So I want to thank the presenters, they will
4 be available for questions as we go forward.

5 So I think a couple of points I want to make
6 before the Board has any questions for the consultants
7 and before we open it to the public. I think it's
8 important to understand that -- I think the point that
9 Eric made which was if you compare the zoning that's
10 being proposed with the zoning concept that was included
11 in the original DRI report, the Board has made a
12 conscious effort to downsize the original concept. As
13 Eric, I think, alluded to, some of the team members in
14 the early stage were more New York City centric and
15 their sensibilities were maybe not the type of
16 sensibilities that would fit our community like ours on
17 Long Island. So we made a conscious effort when we
18 designed and put together the team that was doing this
19 phase of the project to require that Long Island based
20 architects and engineers be included in the team so they
21 had a sensibility of what a Long Island community would
22 find acceptable and what has been actually done out here
23 as opposed to maybe what is acceptable in New York City,
24 so we tried to right size the project for our particular
25 community.

1 We tried to project into the future the kind
2 of things that are possible and the kind of things that
3 the Village may need to sustain itself in a healthy
4 manner going forward. We think we did a realistic
5 assessment of the impacts. We think that the impacts
6 are -- not to say there won't be any challenges going
7 forward if we were to adopt the zoning, but we think the
8 impacts are easily mitigated and not significant,
9 particularly when you look at the benefits, and I'm not
10 just talking the benefits that Kei just outlined about
11 the tax revenue generated, that is a significant benefit
12 both to the Village and the school district, but also
13 just the overall benefits of making a healthier
14 community by taking this property and hopefully putting
15 it to different uses that are more suitable maybe for
16 the future of the region.

17 So a lot of my questions, obviously, and
18 input has gone into -- a lot of the Board's as well, has
19 gone into the presentation you have seen tonight. So
20 I'm not going to right now ask any questions or
21 whatever, but I know some of the Board members may have
22 questions or comments that they want to put on the
23 record so we're going to do that. I will come back
24 later maybe with some wrap-up comments before we go to
25 the public. I will start with Bill if you have any

1 questions or comments for the team.

2 TRUSTEE WISE: No, not at this point.

3 MAYOR CAVALLARO: Steve?

4 TRUSTEE CORTE: I don't have any comments.

5 My comments were incorporated into a lot of what the
6 Mayor just described. We have been working on this now
7 for three years. We tend to do that.

8 You had a lot of information tonight, but
9 the one thing, the one constant I find through all of
10 this is that everything we seem to be doing here is a
11 positive for our future and that's very important to us,
12 all right. We need to know that this is sustainable
13 going forward, that we have got a good tax base, we're
14 providing affordable housing, good housing for our
15 residents. The downtown will be more prosperous and our
16 tax base will be better. All of the ingredients we need
17 to sustain ourselves going forward.

18 I think a lot of people in this room have
19 done a tremendous job, certainly the consultants,
20 certainly our staff here and certainly the Mayor. I
21 don't think a day goes by where he doesn't touch this
22 project. There has been a tremendous amount of time and
23 effort put into this over the three years. I think it's
24 a great job. I think it's very positive. I'm just glad
25 I was very much a part of it.

1 What I do like the most is the participation
2 here. We had this level of participation since the
3 beginning. It is nice as a trustee to see the community
4 come together and stay together over this length of
5 time, all right, and I just hope it continues that way
6 and we build something together going forward. Thank
7 you.

8 MAYOR CAVALLARO: Beaumont?

9 TRUSTEE JEFFERSON: First, I just want to
10 say we have a great team of support from the consultants
11 and also the Village Board. We're lucky to have Steve
12 who has assessment experience and we have Vinny who also
13 has experience with the Water District and also with the
14 Fire Department, but I just want to say this will
15 probably be one of the most important initiatives that I
16 will be involved in as a Village trustee. Going out
17 five, ten, fifteen years from now, I will see the result
18 of what has occurred.

19 When we kicked off the project, obviously,
20 the community has, you know, a lot of concerns that they
21 bring to you. In Westbury one of the main concerns,
22 obviously, is the school district. I think our meeting
23 with the school district, we were able to answer those
24 questions and, obviously, you saw the numbers that Eric
25 presented. Even at the high level those numbers will

1 not have, from what I can see, a significant impact on
2 the school district.

3 Then you start to think about things like
4 the traffic and parking and, you know, this couldn't
5 have happened at a better time because, obviously, we
6 have the third track project which will eliminate the
7 railroad crossing at School Street. So it's kind of --
8 you know, you have things that are kind of coming
9 together. It's almost like it was just meant to happen
10 where we can have development, the train station, there
11 will be a beautification of the Long Island Rail Road
12 which will help to attract more people who will
13 appreciate the way the community looks and feels.

14 So affordable housing, obviously, there will
15 be incentives for affordable housing and in rezoning or
16 upzoning when you look at other communities, especially
17 when you start looking at the things that happen in the
18 City and New York and you start to see gentrification of
19 people who were displaced, you start to think, okay, how
20 would that impact this project.

21 If you look at the project and look at the
22 industrial use, actually, the impact there will be
23 minimal. There's very few people who actually live in
24 that area, and it will create additional affordable
25 housing.

1 So all and all, I feel that it's a fantastic
2 project. Moving forward, I look forward to being part
3 of it. You're going to have job creation. You are
4 going to have economic development. You are going to
5 have the property taxes, the additional property taxes
6 from the rezoning.

7 I do have one question, I will get to it, an
8 actual traffic question. So the traffic question that I
9 have, and I just thought about it tonight, so it's a
10 twofold question.

11 Frank, the build out, let's say it's 15
12 years, and I know you've looked at some of the
13 modifications, how do you usually implement -- as you
14 build out, obviously, you would see the increase in
15 traffic, how do you implement the modifications? Are
16 they done early in the project? Are they done as you
17 start to build out?

18 MR. PEARSON: That's a good question. I
19 mean, I have seen it done in different ways in different
20 municipalities. A lot of times they will have
21 thresholds. How many units to build or how many square
22 feet of construction is done on commercial and they
23 might require certain mitigation be done at that point.
24 That's something that other municipalities build into
25 their finding statement a lot of times.

1 TRUSTEE JEFFERSON: Just a follow-up
2 question. As far as the future, when I think about the
3 future, I think about the future of traffic, I think
4 about autonomous vehicles flying around and you don't
5 have to worry too much about the traffic signals because
6 they're going to be -- you know, it's all going to be
7 built into the -- do you take that into account at all
8 at this point?

9 MR. PEARSON: No, not for this type of
10 study. We stick with the standard things and,
11 obviously, if that happens that would be great.

12 MR. JEFFERSON: As we build out in 15 years
13 and technology improves and vehicles improve, we will
14 get the benefit of that also.

15 MR. PEARSON: Yes, quite possibly.

16 TRUSTEE ABBATIELLO: I'm excited. This is
17 great for the Village. From the get-go when Peter put
18 this proposal out and we got this money from the State,
19 I wasn't even on the Board. I'm a newbie on the Board,
20 but not a newbie to the Village, born and raised in
21 Westbury.

22 In regard to the fire department, 23 years.
23 My biggest concern when I first joined the fire
24 department was that area that we're talking about. It
25 used to be a semiconductor place, liquid Nitrogen

1 overnight in tractor trailers in that area. Within code
2 allowed to do it, but nobody knew it was tucked away
3 back there, scary stuff. If one of those tanks let
4 loose while it was being delivered, it would wipe out
5 half of Westbury. It was always scary. Recently bought
6 out within the past ten years, it's construction.
7 Construction companies in that area and they're on
8 board. They are coming to us with ideas of what they
9 can do.

10 Water District, ten years on the Water
11 District Board. The redundancy we reproduce just for
12 being prepared for anything on the Westbury Water
13 District Board, we can supply the water for five of
14 these areas being rebuilt and rezoned, so I'm not
15 worried. I am really not worried about that.

16 From the beginning with the DRI, we had a
17 poster board at the Westbury BID Street Fair. Everybody
18 came along and put their Post-it's on it. Every comment
19 on that basically feeds off of this rezoning.

20 Construction vehicles coming up and down
21 Post Avenue. The taxes are too high. Everything, you
22 know, the stores on Post Avenue need to change. There's
23 too many laundromats, too many of this. You are
24 bringing people into the community, they are going to be
25 spending on Post Avenue. They're going to be bringing

1 up Post Avenue. They're going to bring tax revenue into
2 the area. It's going to create a different environment.
3 You're going to have, I think, more high-end restaurants
4 coming onto the avenue. Nobody is being pushed out, but
5 I think you're going to start -- people are going to
6 want create a business on Post Avenue.

7 The companies that are here, nobody is
8 pushing them out, nobody at all. The majority of them
9 are coming to us and saying, you know, with builders,
10 what can we do, how can we do this, which is great,
11 because they are on board with this. The very few
12 residential houses that are in that area are owned by
13 these companies and they will be moving to other
14 locations, but I think they're going to be staying in
15 Westbury because the construction companies are still
16 going to be using them.

17 It's a great, great thing. I'm excited.
18 There is really -- the downfall here is, let's make it
19 happen and the public input from the Village residents
20 from the get-go has been tremendous and I think that's
21 why this room is the way it is tonight, it is packed,
22 and everybody is excited. That's all I have to say.

23 MAYOR CAVALLARO: Thank you.

24 So just one final thought and one question I
25 guess for Marwa. The main goal here for the Board was

1 to put a Zoning Code amendment in place that we call
2 turnkey which means that a developer who wants to come
3 in or property owner who wants to redevelop the property
4 has certainty as to what the yield will be, certainly as
5 to what the approval process will be.

6 The SEQRA analysis that you have seen makes
7 certain assumptions. It says over a 15-year period of
8 time certain development can take place, certain impacts
9 will occur. You don't know what projects are going to
10 come in down the road.

11 I want Marwa to spend a couple of minutes
12 just talking about -- there is a section in the DGEIS
13 that talks about supplemental analysis that could be
14 required down the road based upon the specific project
15 because people should not have the assumption -- should
16 not leave the room thinking that if we were completely
17 wrong and blew it on all of the different assumptions
18 that were made, that you're going to have the wild west
19 and things are going to happen here that are not
20 anticipated.

21 So, Marwa, maybe you can address the future
22 supplemental SEQRA.

23 MS. FAWAZ: That's a great question and a
24 couple of answers. First, there are a couple of
25 scenarios here. First, in the DGEIS which evaluated the

1 reasonable worst case development scenario over 15
2 years, in other words, we have looked at a maximum
3 amount of development that would occur over 15 years.
4 Any proposal that would come into the Village under the
5 proposed zoning will be required to do a short EAF to
6 make sure that they are meeting the requirements that
7 have been outlined in the conditions and thresholds of
8 the GDEIS. Those conditions and thresholds will state
9 all of the mitigation measures that need to be met as
10 part of the proposed action. Once the Village, if the
11 Village reaches the capacity that we have analyzed in
12 the DGEIS, then there needs to be a moratorium and a
13 supplemental needs to be completed as part of the SEQRA
14 analysis.

15 So nothing can be developed under the
16 proposed zoning past the maximum of what we have
17 analyzed at this point. All potential development or
18 projects that come in under the proposed zoning will be
19 required to show that they are meeting all of the
20 conditions and criteria that we have analyzed with an
21 environmental assessment form. Does that answer --

22 MAYOR CAVALLARO: Yes. Thank you.

23 MS. FAWAZ: You're welcome.

24 MAYOR CAVALLARO: Okay. So this is a public
25 hearing, so this is the time where we're going to open

1 it up to the public for any questions or comments on the
2 proposal, either the proposed zoning or the proposed
3 DGEIS.

4 What I would ask -- I will say two things.
5 First, we're going to get to every single person who
6 wants to ask a question or make a comment. So if I
7 don't pick you first, just be patient, we'll get to you.
8 I would ask you to be as brief and succinct as you can.

9 I would also say that this is, as was said
10 earlier, not your last opportunity. If you go home when
11 you think of something or you don't want to stand up and
12 ask a question here or have a comment here, you can
13 submit your comments in writing to the Village and we'll
14 put up the board at the end which shows you how to do
15 that with any written comments or questions which will
16 then be made a part of the record and then will be
17 responded to in the Final Environmental Impact
18 Statement.

19 When you are recognized, I would just ask
20 you to address your question or comment to the Board and
21 you should also give your name and your address so that
22 it can be recorded for the record.

23 So here we are, we're open. Anybody want to
24 be first? Who wants to be first?

25 Yes, Tony, name and address for the record.

1 MR. MASTROIANNI: May I use the mic?

2 MAYOR CAVALLARO: I think you can shout.

3 MR. MASTROIANNI: I will have to do the best
4 I can with my vocal cords. My name is Anthony
5 Mastroianni. I live at 55 Harvard Street.

6 (At this time, a microphone was handed to
7 the speaker.)

8 MR. MASTROIANNI: Thank you.

9 I live at 55 Harvard Street and I practice
10 law at 355 Post Avenue. By way of perspective, I think
11 you, Mr. Mayor and Members of the Board should know that
12 I arrived in Westbury in 1956 directly from Italy. I
13 traveled here on the USS Constitution and I attended the
14 Post Avenue Elementary School which is no longer there.
15 I graduated Westbury High School in 1968. I attended
16 Stony Brook University in 1972 and I graduated St.
17 John's Law School in 1977. I was admitted to the bar
18 the next year and the year after that I opened up my
19 first law office on Maple Avenue at 343. I have been in
20 Westbury 67 years and I have practiced law in the
21 Village for the past 40 years.

22 First point on the issue of the rezoning, I
23 consider this to be the greatest milestone for the
24 Village since its incorporation in 1932. And why do I
25 consider it the greatest milestone because being a

1 lawyer that has practiced law in the Village, totally
2 familiar with the Zoning Code that we have, I know that
3 code was made to serve an agricultural community in 1932
4 when it was adopted. We have changed since 1932. Long
5 Island is no longer the potato fields and the duck farms
6 that were here then. We are a thriving economic force
7 recognized by the governor and then recognized by you,
8 Mr. Mayor, who jumped on the governor's idea in order to
9 enhance the ability of Long Island to become the
10 economic force of the future and provide the amenities
11 that were going to be needed by the workforce and
12 something very few people know, but there is a Workforce
13 Housing Act that the State enacted to address this very
14 issue.

15 So what does this do for the Village of
16 Westbury? It makes it a viable place to be for an
17 economic future on Long Island and for a demographic
18 future for generations to come hereafter into the 21st
19 century.

20 Now, my second point. My second point,
21 believe it or not, is you, Mr. Mayor, because I have a
22 very close affinity to this rezoning. I have a client
23 who is here this evening, Mr. Piscitello, who enlisted
24 me to help him start a taxi business 30 years ago. Mr.
25 Piscitello became the owner of a parcel directly across

1 the street, so I have been following this particular
2 rezoning plans for quite some time. From all of the
3 discussions I've heard, and I've had the ability to meet
4 with Mr. Piscitello and the developers, they all have
5 mentioned one thing, the person at the forefront of this
6 was you, Peter Cavallaro, and I've heard that from other
7 members of the Board and I've heard that from every
8 developer that we have spoken to. Unsolicited, they all
9 said, it's Peter Cavallaro that was at the forefront.
10 It's Peter Cavallaro that made this happen. It's Peter
11 Cavallaro this and Peter Cavallaro that.

12 MAYOR CAVALLARO: I don't know if that is a
13 good thing.

14 MR. MASTROIANNI: For that, the community
15 needs to thank you, Mr. Mayor. So I have proposed to do
16 something to give you the legacy that you deserve in
17 this community and that is to rename Union Avenue Mayor
18 Peter Cavallaro Avenue, and I have initiated a petition
19 drive with a committee in order to address this with the
20 County Executive Laura Curran and the County Legislator
21 and that petition campaign is starting this evening here
22 tonight. Mr. Piscitello has the petition form. We're
23 going to be getting signatures tonight and we're going
24 to continue to get signatures until we can convince the
25 County Executive and the Legislator, and I think we have

1 a representative here tonight, to rename Union Avenue
2 after you, Mr. Cavallaro, who deserves that distinction
3 and that legacy. Thank you.

4 TRUSTEE CORTE: Thank you for your service.

5 MAYOR CAVALLARO: Thank you for your
6 comments. That's very nice. Obviously, this effort has
7 been carried on by the entire Board and people who do
8 not get any credit, which is the Village staff, so
9 that's very nice. My longstanding policy is that I
10 don't believe that elected officials, dead or living,
11 should have things in the community named after them.
12 So I would ask that you, as nice as that thought is, I
13 will defer on that one.

14 So next, anybody else?

15 Yes, hi. Name and address for the record,
16 please.

H1

17 MS. SHOUREAS: My name is Virginia Shoureas,
18 425 Winthrop Street. This is the first time I have come
19 to any of the meetings on this. I just have two kind of
20 questions that are popping into my head throughout the
21 whole conversations tonight and that would be what type
22 of security would be in the area since we're attracting
23 a lot more people and it is a lot of open area? Sort of
24 like the park on Post, but I know it's going to be a lot
25 bigger than that, and also the garbage removal. I don't

H1-1

H1-2

H1-2

1 mean what people put in their cans. I mean, the garbage
2 that litters the street. If you walk there now, there's
3 always litter, so I'm just -- those are my two concerns.

4 MAYOR CAVALLARO: Those are good concerns.
5 So I would respond to your first concern by saying that
6 every proposal is going to have to have details as to
7 how they are going to police their own property.

8 MS. SHOUREAS: Right.

9 MAYOR CAVALLARO: So if they have garaged
10 parking, for instance, they're going to have their own
11 security measures on site to police that and make sure
12 it's safe and secure. In terms of off site, that
13 obviously falls to the Nassau County Police Department
14 and we would have to make sure the County is aware, and
15 they're very encouraging of this project, that the
16 police department knows if there are new residences that
17 are going to be built, that they require police
18 protection and attention, so we would have to have that
19 dialogue.

20 In terms of trash, something which I think
21 is probably different about this code that we
22 specifically are requiring the project developers, the
23 property owners to provide for their own sanitation so
24 the Village will not have the obligation to remove their
25 sanitation.

1 If someone is going to build a building,
2 they're going to have to make sure they have -- it's
3 built right into the Zoning Code -- their own sanitation
4 and that would allow us to basically enforce if they're
5 not properly disposing of the trash, if there is trash
6 in the area that is a result of their particular piece
7 of property, the Village would be able to enforce
8 action, but there won't be a cost to the Village
9 residents because we're building this. We don't have to
10 double the size of the Public Works Department or
11 anything of that nature because the code is going to
12 require the properties themselves to bear that burden.

13 Does that answer your questions?

14 MS. SHOUREAS: It does. It does. You know,
15 I guess my main concern is, I mean, I have been in
16 Westbury, and I appreciate your length of time here, I
17 have been here since 1969 and I have never seen what I
18 have seen this past year on Post Avenue and it's not
19 positive. Twice in this year, not -- in one year's
20 time, I had to call the police for drunken men sleeping
21 on the sidewalk during the day and a mother with her
22 child having to walk around them.

23 When I see the pictures, I know it's just an
24 estimate what it's going to look like, but I see a lot
25 of, like, park areas which are magnets for people to go

H1-1
Cont'd

H1-1
Con'd.

1 and drink.

2 MAYOR CAVALLARO: So those are issues that
3 you have any time -- we've had those issues in the
4 Village before and Bill is still here -- we have an
5 ongoing dialogue with the Third Precinct. We have had,
6 since we built the piazza on Post Avenue, instances
7 where people were either hanging out or drinking or not
8 supposed to be there and the police department has
9 responded to that.

10 MS. SHOUREAS: They do, yes.

11 MAYOR CAVALLARO: Unfortunately, those types
12 of things will occur. It's a matter for the Village
13 government to try to be vigilant about that and to work
14 with the police department and our other elected
15 officials to make sure that that doesn't happen.

16 The idea here, though, is to -- in a very
17 general sense I'm going to say this, the idea here is to
18 upgrade the entire area. By upgrading that area, we're
19 hoping to stimulate more upgrades and vibrancy on Post
20 Avenue. I think the best thing there is for having that
21 type of activity not happen is a lot of activity by
22 people who are there legitimately going to either a
23 restaurant or a show or whatever. People who want to be
24 drunk and hang around usually don't want to be in that
25 environment, but it's really up to the Village to work

1 with the police department to police that kind of
2 conduct, and we would have to do that both in this area
3 and also on Post Avenue as time goes on.

4 MS. SHOUREAS: You wouldn't rely on someone
5 walking down the street like myself to call 911?

6 MAYOR CAVALLARO: That shouldn't have to
7 happen today.

8 MS. SHOUREAS: I think people coming in, I
9 don't care how fancy your restaurants are, if they have
10 to walk around someone like that, they're not going to
11 come back. Thank you.

12 MAYOR CAVALLARO: Understood. Thank you for
13 your comments.

14 Yes, Dr. Kahn, just your name and address
15 for the record, please.

16 DR. KAHN: Good evening, my name is Dr.
17 Faruk Kahn. I'm here on behalf of the Islamic Center of
18 Long Island, 835 Brush Hollow Road, Westbury. I have
19 been associated with this Village since 1984.

20 (At this time, the microphone was handed to
21 the speaker.)

22 DR. KAHN: Hopefully you got my name and
23 whereabouts. Thank you. I don't have a street named
24 after me.

25 What I wanted to express is the happiness in

1 seeing Post Avenue developed. It is a vibrant downtown
2 now. I have seen over the last 10 or 15 years marked
3 improvement. I want to compliment the Mayor and the
4 Trustees on the excellent fiscal management which has
5 resulted in upgrading of the bonds which means you guys
6 are doing a good job. Maybe you could help them in
7 Washington.

8 As far as this project, I can assure you
9 that the members of the Islamic Center are looking
10 forward to it. There are a whole bunch of young
11 millennials, a whole bunch of seniors who are retiring
12 who want out of these big homes into some more
13 manageable places and they will endorse this completely.

14 I must say I was lost with those traffic
15 signals and the traffic impact, that went over my head,
16 but hopefully that will be manageable and all I can say
17 in conclusion is good luck, quick speed.

18 And just one question, would there be
19 opportunities for private investors in this project,
20 community members who might want to invest some money in
21 developing these projects?

22 MAYOR CAVALLARO: First of all, thank you
23 for your comments, Dr. Kahn. Just to one of your
24 points, we have seen a large dynamic here in the Village
25 where we have people who are aging and don't want to

1 move. That's why one of the incentives that's offered
2 is for senior or age-restricted units, as well as units
3 for millennials and veteran preferred units and all of
4 the other things, so that's something that we really
5 want. We've seen that happen. We know there is a
6 market for that so we want to make sure that's something
7 the developers do consider.

8 In terms of whether or not you can invest in
9 these projects, those are private transactions. Those
10 are not transactions that the Village would be putting
11 together, but there are people in this room that own
12 properties and they may be looking for investors to help
13 them pull off a project and maybe there's some thought
14 that can be given of making some sort of a repository to
15 match people who may want to be involved in some of
16 these projects with some of the existing property
17 owners, that's a good thought. We have to think about
18 how to do that, but those are private transactions. So
19 those would be things that would probably have to be
20 arranged privately, but thank you.

21 DR. KAHN: Thank you.

22 MAYOR CAVALLARO: Yes.

23 MR. OMSTROM: Hi. My name is Doug Omstrom.
24 I am at 50 Poplar Street in Westbury. I just wrote a
25 little thing out.

1 MAYOR CAVALLARO: Do you want the mic?

2 MR. OMSTROM: No, if everybody can hear me.
3 My throat is dry because it is a little warm in here.

4 MAYOR CAVALLARO: I know. I apologize.

5 MR. OMSTROM: I am a proud resident of the
6 Village of Westbury for over 30 years and a member and
7 past President of the Commercial Industrial Brokers
8 Society. Tonight I'm mainly speaking on our society.
9 We're the largest commercial brokers on Long Island with
10 over 250 members. We're in constant contact with all of
11 the employers and all of the companies on Long Island,
12 and the one thing or a couple of things we always hear
13 about is lack of housing. All of the millennials are
14 moving out. You know, downtown areas and mass
15 transportation options.

16 Our society, our group, Commercial
17 Industrial Brokers, is 100 percent behind this. We
18 think it's a great idea and we wish you all of the luck.
19 If we can help in any way, we will be there.

20 MAYOR CAVALLARO: Thank you very much.

21 Anybody else? Yes. Hi, Ms. Cosenza, how
22 are you?

23 MS. COSENZA: How are you doing?

24 MAYOR CAVALLARO: Your name and address for
25 the record.

H2

1 MS. COSENZA: Barbara Ann Cosenza, 216 Ivy
2 Avenue. I have two quick questions.

3 MAYOR CAVALLARO: Yes.

H2-1

4 MS. COSENZA: One, you said that the
5 housing, you bought it down to three floors, to three
6 stories, but what are these bonuses and who decides?

7 MAYOR CAVALLARO: Okay. So what we were
8 alluding to there was the fact that the original DRI
9 project, in rough terms, said we should be looking at
10 doing five, six and seven story buildings, that area
11 could accommodate that type of height. You can see, if
12 you look at other places like Mineola which have built
13 bigger buildings than we're talking about, it's a
14 different landscape there. It's almost like a mini city
15 center and they can accommodate eight or nine stories
16 there because of the way it's developed over time.

17 We felt, again, maybe with a more Long
18 Island sensitivity and knowing our own community that
19 that original concept was too, too much. We already
20 have six or seven buildings that are in the Village that
21 are six stories or five stories and they're mostly
22 concentrated around the train station. We know the fire
23 department can handle that type of a structure and we
24 have already shown that the community can handle that
25 type of structure as long as it's located in the right

1 spot.

2 The idea here is to, essentially, keep the
3 community what it has always been which is a
4 single-family residential community. Single-family home
5 residential community. That's the way it was when I was
6 growing up and that's the way it, essentially, is today,
7 but over the last decade and a half we developed 800
8 units of this type of housing and, again, it has been
9 digested into the community, I'm not going to say
10 seamlessly because everything needs to be adjusted, but
11 you really wouldn't know it by walking downtown, unless
12 you were taking notes, that there are six or seven
13 buildings of six stories or five stories or that there
14 were 800 units of multi-family housing.

15 So the idea is to take an undeveloped,
16 underutilized part of the Village which is, frankly, I
17 say this, it's probably old by now, the closest
18 residents to this property are the ones that live in
19 Holy Root, the cemetery. There really isn't a
20 single-family residential neighborhood that's proximate
21 to this area.

22 So my point is, the idea is to allow a
23 little bit more density and development in that area,
24 which is proximate to the train station, so that you can
25 maintain the rest of the community the way it has always

1 been, a residential community.

2 Does that answer your question?

3 MS. COSENZA: Partly. The bonuses?

4 MAYOR CAVALLARO: The idea there is, we have
5 plenty of three-story buildings. If a developer wants
6 to have a more dense building or a higher building, he
7 has to do what we want him to do. He has to provide
8 some of the public benefits that were outlined in the
9 presentation and, actually, the law itself has a much
10 more extensive list of potential public benefits.
11 That's not an exclusive list. A developer who is very
12 creative might come up with a plan that says he wants to
13 do certain things we haven't thought of or listed that
14 is going to be a benefit to the community. Maybe they
15 will want to donate two million dollars to the Village
16 to use as a fund for other public benefits that we can
17 use to upgrade the senior center or upgrade parks or do
18 other things, do road work.

19 The point is, if a developer wants to get
20 more, he may have to give something. Those incentives
21 are designed to allow them to buy up to five stories and
22 maybe a more dense number of units, but that comes at a
23 cost. It comes at a cost because he has to provide
24 certain amenities to the Village that are going to
25 benefit the entire Village to get those credits.

1 MS. COSENZA: Who decides?

2 MAYOR CAVALLARO: The Village Board. When a
3 proposal is made it comes before the Village Board. A
4 lot of the proposals we see under our normal zoning,
5 oftentimes as you have seen, have to go before the
6 Zoning Board, the Planning Board, then the Board of
7 Trustees and that works against, what I said before,
8 which is the certainty that a developer really needs to
9 have -- a developer doesn't want to buy a piece of
10 property and wait eight years to figure out if he is
11 going to be able to build what he wants to build. He
12 wants to know yes or no in a short period of time. A
13 lot of times they don't care if the answer is no, but he
14 doesn't want to be waiting ten years to find out it's
15 going to be no.

H2-1
Cont'd

16 MS. COSENZA: Are you keeping a lid on the
17 three to five?

18 MAYOR CAVALLARO: So the point is these
19 proposals will be decided at the Village Board level.
20 The Village Board will be able to take the project, look
21 at the package of amenities that are offered, compare it
22 to what it is that we want, compare it to what is being
23 offered and then make a decision as to whether the good
24 outweighs the bad or the benefits are adequate to get
25 the density and the height of the building the developer

1 is asking for. That will be a judgment made by the
2 Village Board. The incentives are intentionally
3 designed to drive the development in a certain way and
4 certain place to provide the type of housing we want to
5 provide, the types of other amenities that we want to
6 provide, connectivity to the railroad, to downtown, to
7 these new areas. So if a developer comes in with a
8 proposal that meets some of those characteristics, that
9 meet some of those push points, then he may get a bigger
10 building than the standard three stories that he would
11 get as of right.

H2-2 12 MS. COSENZA: My second question leads into
13 that. You get two people in an apartment house, one
14 maybe on the rail road, the other maybe by car and then
15 when they come home, they have to do things like buy
16 food, buy clothing.

17 MAYOR CAVALLARO: True.

H2-2
Cont'd 18 MS. COSENZA: Come Saturday we might see a
19 lot more traffic than they may think that we are going
20 to see.

21 MAYOR CAVALLARO: Probably the biggest
22 section of the environmental impact study is the traffic
23 analysis and there is not only a discussion in the body
24 of the text itself, there is also an appendix that goes
25 through all of the statistics.

1 The bottom line is, I think what the
2 presentation showed, in a full build out of fifteen
3 years, there will be a surplus of parking. I mean,
4 there's a lot of data and a lot of experience as to what
5 these developments actually produce in terms of cars and
6 our proposal is going to require more than one car per
7 unit which has shown itself to be more than adequate for
8 the needs that are there because there are going to be
9 some people that don't have a car, some have two and
10 some have guests. We think that a ten percent override
11 to the number of units is adequate for that purpose. I
12 think this data bears that out. I think that the
13 calculations that have been done based upon the
14 statistics that are available show that we are going to
15 have hundreds of cars surplus if you build what is
16 required.

17 There is nothing to stop somebody from
18 building more parking if they want to build more
19 parking. That is expensive for a developer to do. We
20 think the parking that we are going to require is going
21 to be adequate.

22 You have to remember too, this property is
23 proximate to the parking garage that is being built
24 which is basically going to double the parking capacity
25 at that end of town so that on weekends and evenings

1 that parking is going to be available for people who are
2 visiting or coming into town for those purposes. We
3 think the parking that is being discussed here is
4 adequate for the purpose that we're talking about.

5 MS. COSENZA: Sorry, I have another
6 question.

7 MAYOR CAVALLARO: I'm going to ask you to
8 hold that thought. I'm going to see if there is anybody
9 else that wants to speak and then come back to you.

10 Just hold that thought. We're going to take
11 a two-minute break for Maureen to change tape and also
12 to give her fingers a rest.

13 (WHEREUPON, a short recess was taken.)

14 MAYOR CAVALLARO: Okay, we're going to get
15 started again. Before we take another question, I am
16 going to enter into the record an email I received
17 today. Julie Lyon, who is the President of the Arts
18 Council, could not be here. I'm not going to read it.
19 She did send an email to me. I'll just read one part of
20 it, I guess.

21 Speaking for the Art Council Board, we
22 believe that this is a crucial part of the
23 revitalization of our downtown and will help to
24 transform our Village and improve the quality of life of
25 current and future Westbury residents. She wanted that

1 statement to be made part of the record, so I'm going to
2 give this to Ted who will mark this as part of the
3 record.

4 (WHEREUPON, email dated July 11, 2019 from
5 Julie Lyon was hereby marked as Village Exhibit 15.)

6 MAYOR CAVALLARO: Comments or questions?
7 Yes, John, just your name and address for the record.

8 MR. FITZPATRICK: John Fitzpatrick, 290 Post
9 Avenue, Westbury. I am the current President of the
10 BID. On behalf of the Westbury Business Improvement
11 District, I would like to express that the Board of
12 Directors are in total support of the rezoning of the
13 DRI project. We feel that rezoning can be a business
14 boost for all of the businesses downtown and encourage a
15 lot of new businesses to come to the community of
16 Westbury. As Vinny Abbatiello mentioned, we are very
17 excited about the future of Westbury.

18 MAYOR CAVALLARO: Thank you, John.

19 Anybody else? You're going to force me to
20 go back to Miss Cosenza. **H3**

21 MS. KARBINER: Susan Karbiner with a K, 7
22 Roosevelt Avenue, Greenlawn. Obviously, I'm not
23 speaking as a Westbury resident but as a co-chair of the
24 Regional Committee of the New York State Poor People's
25 Campaign. We are interested in housing throughout Long

1 Island.

H3-1

2 My question is, I notice that you -- in the
3 section about bonuses, you mentioned affordable housing.
4 Is it possible to have a requirement for a certain
5 amount of affordable housing?

6 MAYOR CAVALLARO: Yes. So the State Law
7 requires ten percent set aside if the applicant is
8 basically getting relief from the existing zoning.
9 Since this zone is going to be put in place, our code is
10 requiring ten percent set aside regardless as a minimum,
11 and we're offering a bonus for or potential bonus for
12 developers who want to include more than ten percent of
13 affordable housing in their proposal. They don't have
14 to do that, but we're trying to incentivize them to do
15 that.

16 I also would just make a comment, and I say
17 this all of the time, the Westbury Community as diverse
18 as it is is not only diverse in it terms of its
19 population, it's also diverse in terms of its housing
20 stock. We have some of the most affordable housing that
21 there is in the region. And what I have said in various
22 places, I think in the Long Island Business News article
23 and some other places is, we want to replicate in this
24 new development what we already have in the community.
25 We already have housing in the community at virtually

1 every price point and we want to make sure that this
2 housing that's developed has the same characteristics so
3 that mirrors the rest of the community and that's what
4 we're trying to accomplish. I think the incentives that
5 we are going to provide will encourage developers to
6 include more than ten percent, but the proposal will
7 have that ten percent at least.

8 MR. ALEXANDER: Can I add to that?

9 MAYOR CAVALLARO: Sure.

10 MR. ALEXANDER: So, in addition, there are
11 two opportunities that exist for affordable housing.
12 One is what's known as affordable housing by design.
13 Too often one- and two-bedroom units are so large that
14 their price points -- just by design, their price points
15 are out of reach of folks. A lot of millennials are
16 looking for -- and even older folks or Gen X like me,
17 older folks, are looking for smaller spaces. So when
18 you talk about micro apartments that's in the proposal
19 and encouraged through this zoning, you're talking about
20 350 square feet, really small studios going back to that
21 concept, you can get the price point down for folks, for
22 working folks, so that's one way without subsidy to do
23 it.

24 The other way is we interviewed, we did what
25 we call like developers speed dating. We looked at the

1 25 developers on Long Island that do transit oriented
2 development and downtown housing. Five of them do
3 affordable, almost exclusively affordable units and they
4 were very interested. We met with, I think, three to
5 five. They were very interested in Westbury, as well as
6 the market rate guys and gals. So the good news is
7 there's a lot of interest here, but the affordable piece
8 is front and center as well to answer your question.

9 MS. KARBINER: Good news.

10 MAYOR CAVALLARO: We also have the low
11 income housing partnership and the code does require
12 that if there is affordable housing in a development,
13 they have to contract with a non-for-profit that
14 administers that and they have an obligation to report
15 to the Village on an annual basis that even though it
16 started as affordable housing it continues to be
17 affordable housing as it goes forward. We try to think
18 about how to police that and how to make sure that's
19 something that -- it's important for our community to
20 include that because it's really the nature of the
21 community already. We didn't want to, as Beaumont used
22 the term before, gentrify completely the area. We would
23 like to mirror the profile housing that we already have
24 which is basically housing for anybody at any price
25 point.

1 MS. KARBINER: Very good. Thank you.

H2

2 MAYOR CAVALLARO: Mrs. Cosenza, I'm going to
3 come back to you.

4 MS. COSENZA: Miss.

5 MAYOR CAVALLARO: I'm sorry.

6 MS. COSENZA: Miss.

7 MAYOR CAVALLARO: I'm sorry, I apologize.

8 MS. COSENZA: Do I need to say my name
9 again?

10 Okay, you know the old saying the devil is
11 in the detail.

12 MAYOR CAVALLARO: Never heard that.

13 MS. COSENZA: Where are they getting the
14 statistics? I want studied statistics and they give you
15 skewed, really bad.

16 MAYOR CAVALLARO: Which statistics?

17 MS. COSENZA: When they say the statistics
18 for the traffic in the area, what area are they
19 studying? Are they studying our area?

20 MAYOR CAVALLARO: Yes.

H2-3

21 MS. COSENZA: Christmastime, don't even
22 think of going on Old Country Road. And everybody now,
23 since the apps are telling them the best way to get
24 through, I've never seen Ellison Avenue so busy. You
25 used to be able to walk, maybe one car, two cars, it's

H2-3
Cont'd

1 now almost a nightmare around 5:00 or 7:00 in the
2 morning. So where are these statistics coming from?

3 MAYOR CAVALLARO: The statistics that I
4 think were used, and I will let them clarify it, were
5 from actual tests greens that were taken, as well as the
6 extensive traffic study that was done by the Long Island
7 Rail Road for the third track project, which studied all
8 of those intersections, but I'm going to turn it over to
9 the traffic expert and he can explain exactly where
10 those statistics came from and how they are developed,
11 but they are actual numbers for our area, not for
12 someplace in Kansas or whatever.

13 MR. PEARSON: So we did look at the
14 statistics on other developments on Long Island. A
15 couple of them in Patchogue. I believe Wyandanch was
16 one of the ones that we looked at. We looked at other
17 developments that are in process. We also compared it
18 to national numbers to see if we were in that range and
19 all of that, I guess, backup information is part of the
20 report.

21 MS. COSENZA: Any in this area because this
22 is not Patchogue or Wyandanch? I'm not trying to be
23 rude.

24 MR. PEARSON: Did we look in Mineola?

25 MAYOR CAVALLARO: More to the point, I would

1 like --

2 MR. PEARSON: I'm sorry. Maybe I didn't
3 understand the question too. We analyzed the
4 intersections along Post Avenue and School Street, so we
5 looked at your traffic here.

6 MS. COSENZA: You did?

7 MR. PEARSON: Oh, yes, I'm sorry.

8 MS. COSENZA: And added whatever was going
9 on?

10 MR. PEARSON: When we projected the traffic
11 out to 2033, we looked at the normal growth that can be
12 expected and that was about a half a percent per year,
13 so 15 years about seven and a half percent, and then we
14 added on top of that any proposed developments that are
15 already in the works, and then we looked at what the
16 rezoning impact was. So it did include all of that
17 information.

18 MS. COSENZA: You only came up with one
19 percent?

20 MR. PEARSON: I'm sorry, ma'am?

21 MS. COSENZA: How many housing units -- I'm
22 sorry, how many housing units are we talking about,
23 approximately, in total?

24 MR. PEARSON: In this development?

25 MS. HAYASHI: 1,600 over 15 years.

1 MAYOR CAVALLARO: Again, I want to frame it
2 properly for you because it's important you understand.
3 So in order to do this analysis what you analyze is, you
4 don't take the best case scenario and say nothing is
5 going to happen. You take the worst case scenario and
6 you make certain assumptions. The assumptions that were
7 made here were over a 15-year full-build period what
8 would happen if you built everything that you can build
9 under the code, every piece of property was developed to
10 the max under the code and the maximum number of units
11 is about 1,500. If you were to build to the max every
12 single piece of property to code, that practically is
13 probably not going to happen, but to analyze the worst
14 case scenario, you have to say what's the worse that can
15 happen and that's what was analyzed.

16 Again, just to clarify for the record, the
17 traffic data that was used was data that was generated
18 by actual counts taken at the intersections here in
19 Westbury, correct?

20 MR. PEARSON: Yes.

21 MAYOR CAVALLARO: Then they have as
22 professionals, that's what they do for a living, they
23 project out a rate of increase based upon what is being
24 proposed, and I think they acknowledged and we've seen
25 that they are not saying it is getting better. They're

1 saying there are impacts that have to be mitigated. We
2 have to work with the County to mitigate some of them by
3 getting a traffic light in certain spots or change the
4 signalization in certain places, but that's things we
5 work on. Those are things that are manageable, but
6 they've quantified what they think the results will be.
7 Now it's up to us to make sure that we work with our
8 partners in government to make sure that we do what we
9 can do, but we also get cooperation from the County if
10 we need a traffic light or if we need resignalization at
11 certain intersections that they are going to do that.

12 So we're not talking about -- you know,
13 we're not being Pollyannaish here. We know there are
14 going to be impacts. There are always impacts to
15 everything you do, but we think that are manageable. We
16 think they are moderate. We think they are mitigable
17 and that's what we're hoping and we are pretty confident
18 about.

19 Yes?

20 MR. DEIFIK: Mark Deifik, 160 Butler Street.

21 You can't hear me?

22 MAYOR CAVALLARO: You should just use it.

23 (At this time, the microphone was handed to
24 the speaker.)

H4

25 MR. DEIFIK: Yes, I am Mark Deifik, 160

H4-1

1 Butler Street. With your traffic impacts and lighting
2 and such, the crossing on Post Avenue going to the
3 railroad from the west to east is a traffic nightmare to
4 cross. It's dangerous. I have almost been hit, I don't
5 know how many times, by cars.

6 I was wondering if your impact studies are
7 doing something to perhaps fix that or extend the
8 platform over so you can climb up the stairs on that
9 side, I don't know.

10 Also, the second part, when they expand the
11 third track, what allowances are being made because you
12 have the storage place on one side and you have
13 businesses on the other side? I don't know where
14 they're fitting in that third rail.

15 MAYOR CAVALLARO: So the third track is a
16 completely different topic but, the third track, just to
17 the last point you made, the third track is going to fit
18 within the right-of-way. There is ample room in the
19 right-of-way. If you look at the third track project,
20 the DGEIS plans, it depends on where in the portion of
21 the nine and a half miles you are, but at some points
22 the track will shift to the north and sometimes it will
23 shift to the south, but it will all be within the
24 right-of-way.

25 There are certain things they have to work

1 out in terms of easements and other things which they
2 are working on, but all of that pretty much has been
3 accommodated at this point, so they are going to be able
4 to do that.

5 In terms of that crossing, that's been a
6 bane to the Board's existence for a long, long time.
7 Aside from this DRI project, as I said, there are six
8 other DRI projects. One of which is to do a streetscape
9 improvement on Post Avenue which includes redoing all of
10 the crosswalks. There is a separate project from the
11 streetscape which is related to the streetscape,
12 separate only to that intersection and that crosswalk.
13 So what you're going to see happen there, and we're
14 actually going to be going out to bid on those things
15 and we are actually dialoguing with the County, again,
16 it is a County road, but the County has been very
17 anxious to work with us on this project. That whole
18 intersection near the Horizon building across from 135,
19 that's all going to be redone. As of now, you know, the
20 signalization to change the light is not corresponding
21 with the crosswalk. All of that is going to be
22 corresponding going forward. The spur street that comes
23 off of Union onto Post is going to be eliminated. There
24 is going to be a pedestrian plaza created right adjacent
25 to the Horizon building that will facilitate a crosswalk

1 that is aligned with the light, aligned with the
2 signalization. That whole area is going to be
3 completely revamped, both through the DRI process and
4 also the third track project. I think you will be happy
5 when that's done because there is also another project
6 on the other side, on the side of the station itself,
7 that will mirror a pedestrian plaza on that side as
8 well. So that whole area is going to be tied together
9 better, more coordinated, safer, so I think you'll be
10 pleased with that.

11 MR. DEIFIK: Very good.

12 MAYOR CAVALLARO: I will answer one question
13 whether the traffic mitigation study contemplated that
14 DRI project --

15 MR. PEARSON: Yes.

16 MAYOR CAVALLARO: -- as part of it. The
17 answer is, the impact and mitigation analysis that is
18 included here not only contemplated the School Street
19 grade crossing improvements, but also the improvements I
20 just spoke about. So all of that has been taken into
21 consideration, okay, Mark.

22 MR. DEIFIK: Okay, great. Thanks.

23 MAYOR CAVALLARO: Yes.

24 BY AUDIENCE: Air-conditioning?

25 MAYOR CAVALLARO: That's your comment, Joe.

1 BY AUDIENCE: No, I'm good.

2 MAYOR CAVALLARO: I'm not even going to put
3 your name and address on the record for that one.

4 Senator Martins.

5 MR. MARTINS: Thank you, Mayor. Thank you
6 to the Board. I don't need that for now. I just want
7 to take the opportunity sitting here having been a part
8 of that process where the Village got their ten million
9 dollars a few years back on having gone through it in
10 Mineola those years ago. I think back to when the
11 original Village Code was enacted. For us, Mineola was
12 post World War II in 1946. Here in the Village it has
13 to be, more or less, around that same time. At that
14 time they were transiting from an agricultural community
15 to the suburban community we have now. They were
16 projecting forward thinking about what they wanted the
17 Village to look like in 10, 20, 30 or 40 years and here
18 we are. So those same rules that they enacted 40 years
19 ago or 50 years ago or 60 years ago are still in place
20 today.

21 I want to congratulate this Board, in
22 particular you, Mayor, for looking forward and not
23 looking back, for looking at the challenges that we have
24 on Long Island, in particular here in Westbury, and
25 taking the initiative to tackle them head on. There are

1 so many communities that we have that are hiding behind
2 their zoning codes, again, that were from another era as
3 opposed to taking on these challenges. I know, as I
4 listen to you and I listen to the members that have
5 spoken, you care about this Village. You are doing the
6 right thing. You're checking. You're crossing your Ts,
7 you're dotting your Is and that's important because I
8 know you're not going to approve something that isn't
9 viable, that hasn't been vetted. You have assembled a
10 great team here, but I appreciate the fact that you're
11 looking forward because if Long Island is going to
12 address these issues that come by each and every
13 generation, it is incumbent upon our local leaders to
14 tackle them head on. I am glad to see they are doing it
15 here in Westbury. Congratulations.

16 MAYOR CAVALLARO: Thank you.

17 This Board feels very strongly that you
18 can't put your head in the sand and you can't wish it
19 was 1950 again. You can't act on that basis. We're
20 trying to look forward and we're trying to, as I said
21 earlier, make our Village sustainable and successful for
22 50 years from now not just five years, so I appreciate
23 those comments.

24 Anybody else? Okay.

25 So I appreciate everybody staying in the

1 warmth here for the duration. The hearing will remain
2 open and the comment period will remain open. As you
3 see back behind me, it's up there, August 2nd.
4 Originally, you may have seen that we were going to
5 close the comment period on July 22nd which is what the
6 time period the law requires to remain open for. The
7 County of Nassau has asked for some additional time to
8 review the DGEIS and we're accommodating them by
9 allowing the comment period to stay open until August
10 2nd. If you have comments, if you have suggestions, you
11 have criticism, you have questions, you can submit them
12 in writing. You can submit them, it doesn't stay there,
13 but you can email them to me at
14 mayor@villageofwestbury.org. You can write them down or
15 drop them off or mail them to Village Hall, attention to
16 the Village Clerk, and we will include those in the
17 record and they will be responded to and addressed in
18 the final DGEIS.

19 The presentation that was shown tonight will
20 be on our website in the morning. If you want to have
21 access to the big book and all of the other material,
22 again, you can go to the library, you can go to the
23 Village Hall or you can access it on our website. This
24 is all available there.

25 So, again, we're really very pleased that

1 we're at this juncture. We, as a board, and our staff
2 and certainly the consultant team has worked really hard
3 not to throw something out there that we hope flies. We
4 really put a lot of thought into doing something that
5 was tailored for our Village. I think we -- I think,
6 it's coming from me, obviously, I think we accomplished
7 that. I hope that the residents feel that way. I hope
8 that the property owners who have property in those
9 areas who have a vested interest in what happens in that
10 area and the Village, in general, feel that way, but,
11 again, the process is continuing and our intent is, once
12 the comment period closes, the consulting team will
13 prepare the final and we will look to act on the
14 proposal, one way or the other, on December 5th which is
15 our public meeting. Counsel has a comment. I don't
16 want to ignore counsel's comment.

17 MR. WALSH: I think, Mayor, we have two
18 hearings going, a combined hearing. I think the hearing
19 on the zoning because it's still open, we haven't gotten
20 a referral out, that would remain open. The hearing on
21 the DGEIS can be closed subject to the comment period
22 remaining open.

23 MAYOR CAVALLARO: Okay. Counsel has said
24 that we can close the hearing on the DGEIS subject to
25 written comment to follow. I will entertain a motion by

1 the Board, if someone wants to make one, to close the
2 hearing as it relates to the DGEIS. Do I have a motion?

3 TRUSTEE ABBATIELLO: Motion.

4 TRUSTEE WISE: Second.

5 MAYOR CAVALLARO: Motion by Trustee
6 Abbatiello and seconded by Trustee Wise. All in favor?

7 TRUSTEE WISE: Aye.

8 TRUSTEE CORTE: Aye.

9 TRUSTEE JEFFERSON: Aye.

10 TRUSTEE ABBATIELLO: Aye.

11 MAYOR CAVALLARO: Aye.

12 Anybody oppose? No.

13 So the DGEIS hearing is, technically, closed
14 subject to written comments to follow and the zoning
15 hearing remains open --

16 MR. WALSH: Continued.

17 (Continued on the following page.)

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1 MAYOR CAVALLARO: Continued for the time
2 being. I appreciate everybody coming out. Sorry for
3 the heat, but I think this was very productive. Thanks.

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CERTIFICATION BY REPORTER

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10 I, MAUREEN GIANNINI, do hereby certify that
11 the foregoing transcript is a true and accurate Record
12 of these proceedings.

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Maureen Giannini

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Official Court Reporter

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