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IN THE MATTER OF A NOTICE OF
PUBLIC HEARING
RE: MAIN STREET APARTMENTS LLC

-----X

350 Front Street
Hempstead, New York

September 13, 2021
10:30 a.m.

B E F O R E:
MICHAEL LODATO, Hearing Officer

Dolly Fevola,
Court Stenographer

A P P E A R A N C E S :

TOW OF OYSTER BAY
INDUSTRIAL DEVELOPMENT AGENCY
350 Front Street
Hempstead, New York 11550
BY: FREDERICK E. PAROLA, CFO

ALSO PRESENT:

MIRELLE NEZAMY, Rivkin Radler, Esqs.

DANIEL OPPENHEIMER

1 HEARING OFFICER LODATO: Good
2 morning. My name is Michael Lodato
3 from the Town of Hempstead
4 Industrial Development Agency. I'm
5 the Deputy Executive Director
6 accompanied by the CEO, Frederick E.
7 Parola.
8

9 We're observing it's 10:30 a.m.
10 2021. We're opening the Public
11 Hearing for Main Street Hempstead
12 Apartments, L.L.C., and I will now
13 read the Public Hearing Notice into
14 the record for the stenographer.

15 Notice is hereby given that a
16 public hearing pursuant to Title I
17 of Article 18-A of the New York
18 State General Municipal Law will be
19 held by the Town of Hempstead
20 Industrial Development Agency (the
21 "Agency") on the 13th day of
22 September, 2021, at 10:30 a.m.,
23 local time, at the Town of Hempstead
24 Old Courtroom, Second Floor, 350
25 Front Street, Hempstead, New York in

1
2 connection with the following
3 matters:

4 Main Street Hempstead
5 Apartments, LLC, a limited liability
6 company organized and existing under
7 the law of the State of Delaware, on
8 behalf of itself and/or the
9 principals of Main Street Hempstead
10 Apartments, LLC and/or an entity
11 formed or to be formed on behalf of
12 the foregoing (collectively, the
13 "Company"), has applied to the Town
14 of Hempstead Industrial Development
15 Agency (the "Agency"), for
16 assistance in the acquisition of an
17 approximately 1.68-acre parcel of
18 land, located at 257 Main Street,
19 Village of Hempstead, New York 11550
20 (the "Land"), the demolition of an
21 existing approximately 1,000 square
22 foot building thereon, the
23 construction of an approximately
24 147,266 square foot, five-story,
25 rental apartment building thereon,

1
2 with approximately 173 rental units,
3 (the proposed 173 apartments will
4 include 39 junior one-bedroom units,
5 106 on-bedroom units and 28
6 two-bedroom units), approximately
7 1,455 square feet of space for a
8 leasing office, approximately 4,816
9 square feet of amenity space,
10 approximately 2,258 square feet of
11 ground retail space, an outdoor
12 swimming pool, terrace and
13 landscaping, outdoor paved parking
14 lot and the construction of an
15 approximately 73,205 square foot
16 167-car parking garage,
17 approximately (total square footage
18 of 5-story building and parking
19 garage is approximately 220,471
20 square feet) (the "Improvements"),
21 and the acquisition and installation
22 therein of certain equipment and
23 personal property (the "Equipment";
24 and together with the Land and
25 Improvements, the "Facility"), which

1 Facility is to be leased by the
2 Agency to the Company and used by
3 the Company as (a) a mixed use
4 rental apartment complex with a mix
5 of 39 studio units, 106 on-bedroom
6 units and 28 two-bedroom units, and
7 ground floor retail space (the
8 "Project"). Ten percent (10%) of
9 the residential units will be set
10 aside for Attainable Housing as
11 required by Section 139-212 of the
12 Zoning Code of the Village of
13 Hempstead. The Facility will be
14 initially owned and operated by the
15 Company and will initially be
16 managed by Grubb Properties.

17
18 The Facility will be leased by
19 the Company to the Agency pursuant
20 to certain Company Lease and will be
21 subleased by the Agency to the
22 Company pursuant to a certain Lease
23 Project Agreement.

24 The Agency contemplates that it
25 will provide financial assistance to

1
2 the Company in the form of
3 exemptions from mortgage recording
4 taxes in connection with the
5 financing or any subsequent
6 refinancing of the Facility,
7 exemptions from sales and use taxes
8 and abatement of real property
9 taxes, consistent with the policies
10 and resolutions of the Agency.

11 A representative of the Agency
12 will, at the above-stated time and
13 place, hear and accept written
14 comments from all persons with views
15 in favor of or opposed to either the
16 proposed grant of financial
17 assistance to the Company by the
18 Agency or the location or nature of
19 the Facility. Prior to the hearing,
20 all persons will have the
21 opportunity to review on the
22 Agency's website
23 (<https://tohida.org/>) the
24 application for financial assistance
25 filed by the Company with the Agency

1
2 and an analysis of the costs and
3 benefits of the construction and
4 ongoing operation of the proposed
5 Facility. Dated September 3, 2021.
6 Town of Hempstead Industrial
7 Development Agency by Frederick E.
8 Parola, CEO.

9 If anyone would like to speak
10 on behalf of the project or whatnot,
11 please come up and state your name
12 to the stenographer and where you're
13 from and she'll put you on the
14 record.

15 MR. OPPENHEIMER: Good morning.
16 Dan Oppenheimer, 23 Bedell Avenue,
17 Hempstead. I'm also a Board member
18 of the IDA, Town of Hempstead IDA,
19 Representing the Village of
20 Hempstead projects.

21 Is there anyone here from Main
22 Street Hempstead Apartments?

23 HEARING OFFICER LODATO: She's
24 the assistant to the attorney,
25 right? I don't know your title.

1
2 MS. NEZAMY: Yes.

3 MR. OPPENHEIMER: I'm surprised
4 that with the gathering that we have
5 this could have been accomplished
6 with an e-mail or phone call.

7 So I'm in favor of this
8 project. I was out of town and
9 unable to vote at the time of the
10 vote, but I'm pleased that it
11 passed.

12 My analysis of the financial
13 proposal of the fiscal impact
14 analysis is it's really a good thing
15 for the Village. The amount of
16 school tax and Village tax is far
17 and away over and above what that
18 lot would otherwise generate. It's
19 very important for the Village to
20 get this tax revenue, so I'm pleased
21 that it was passed.

22 I do have some questions
23 regarding a difference in the Notice
24 of Public Hearing versus the project
25 abstract.

1
2 Regarding the number of spaces
3 in the garage, the Public Hearing
4 Notice refers to 167-car parking
5 garage and the project abstract
6 refers to 175 parking spaces in the
7 garage structure. If you can
8 confirm now or later which of those
9 is accurate, 175 parking spaces in
10 the garage or 167.

11 And according to the parking
12 requirements of the Village code,
13 you need one parking space per unit
14 which would come to 173 plus three
15 per 1,000 square feet of retail.
16 This calls for a little over 2,000
17 square feet of retail, so I'm
18 assuming at least 6, if not 7
19 additional spaces for a total of 180
20 spaces would be required between the
21 garage and the street level parking.
22 So that is extremely important to
23 this project to have the correct
24 number of parking spaces allotted to
25 them.

1
2 HEARING OFFICER LODATO: We
3 will look into that, Mr.
4 Oppenheimer. Thank you.

5 MR. OPPENHEIMER: Any
6 combination of garage and service
7 parking that reaches that total of
8 180. And that is my comment.

9 HEARING OFFICER LODATO: Thank
10 you.

11 MR. OPPENHEIMER: Thank you.

12 HEARING OFFICER LODATO: Anyone
13 else?

14 MS. BRAZLEY: My name is Shelly
15 Brazley. 87 Manor Avenue,
16 Hempstead, New York.

17 I got an opportunity to read
18 through the projected revenues that
19 the community will be taking. My
20 concern as a resident are the number
21 of PILOTS in Hempstead. My concern
22 is, as a resident of Hempstead, the
23 number of PILOTS that are granted in
24 Hempstead, most of which are
25 apartment buildings and ones that

1
2 aren't apartment buildings are car
3 dealerships, and I don't feel that
4 we benefit at all from those. We
5 don't get the sales tax because
6 we're not a city and so all these
7 car dealerships have nothing to do
8 with it.

9 Same with apartments, right?

10 It's been my experience as a
11 long-time resident of Hempstead, 100
12 Terrace originally was built as
13 Eldorado Apartments. That was the
14 largest project on Long Island with
15 renewable PILOTS. 590-600 when I
16 was a child had a doorman and
17 concierge. Now it's the second
18 largest project with renewable
19 PILOTS. Martin Luther King Drive
20 has never been on the tax roles. As
21 a matter of fact, when my family
22 first moved here, as a baby, I lived
23 there, but it should be a spring
24 board so that you don't live there
25 forever. My parents worked and

1
2 eventually bought a home in
3 Hempstead and we were able to move
4 on, but there's nothing in place to
5 help people move forward.

6 Now, my fear is, I know the
7 downtown revitalization and the
8 plans that were going to happen, but
9 my fear is like the Eldorado, which
10 were supposed to be high-end, they
11 turned into a project. Section 8
12 takes over because the landlords
13 can't rent it out. With the number
14 of apartment buildings that we plan
15 on putting in Hempstead, what is
16 going to happen if they can't rent
17 it out?

18 My other question is, it
19 mentioned 10 percent of the
20 apartments are affordable, which I
21 think that's great. That's what
22 Garden City did. I noticed on the
23 PILOT schedule, the payment schedule
24 that just like that the one that
25 Nassau County granted in Garden

1
2 City, it does, after 3 years, it
3 does start increasing until it
4 reaches the tax level and I
5 appreciate you guys for doing that.

6 However, if we can't rent them
7 out, what is going to happen? What
8 is going to happen with the
9 infrastructure of our community?

10 Right now sewage is backing up
11 into people's homes. Our water is
12 the most horrible quality probably
13 of anybody in Nassau County. My
14 church is across the street from one
15 of the water towers and the whole
16 street is brown because that water
17 they were running off waste for a
18 whole year and it turned -- the
19 water that's going into the people's
20 home turned the whole street brown.

21 So without any repairing our
22 infrastructure, the sewage system
23 and the water, how do we keep
24 building 170-unit apartments in my
25 village? You know what I mean?

1
2 And so, I'm very, very
3 concerned. One of my daughters
4 moved to Alabama. My other daughter
5 moved to Pennsylvania. My son is
6 the only one that is still here, but
7 if something happens to me today or
8 tomorrow, my taxes on my private
9 home are \$21,000 because I'm
10 supplementing all these PILOTS for
11 all of these apartments. So if
12 something happened to me today or
13 tomorrow, could my son pay that and
14 the mortgage and the rest of the
15 bills?

16 My tax bill monthly is more
17 than many people's mortgage payment,
18 you know. And so, I just -- I'm
19 trying to be balanced with this.
20 I'm trying to work with the mayor
21 right now. I work with the Chamber
22 of Commerce. I just helped them
23 build an infrastructure so that we
24 can grow and help businesses build
25 capacity so that they can grow and

1
2 kind of shed some of this mom and
3 pop mentality of all businesses in
4 Hempstead.

5 I'm working now with the
6 Mayor's office to revitalize the
7 Civic Association in Hempstead so
8 that communities that do well in
9 Nassau County and the Town of
10 Hempstead they have strong chambers
11 and they have strong civic
12 associations. I know that. I see
13 that. So I'm trying to help my
14 community have those things, but if
15 we keep, you know, adding to the
16 burden of these taxes -- In 25 years
17 I'll be 90, you know. I'm not going
18 to see the end of this PILOT, you
19 know, I'll be 90. So what do we do?

20 I agree we need to rebuild
21 Hempstead but it can't continue to
22 be on a small percentage of us that
23 own homes in Hempstead. It can't
24 continue to be on our backs, so I'm
25 concerned.

1
2 Also, the schools. So now
3 we're bringing in -- I can't
4 remember off the top of my head, but
5 it was some studios, one bedrooms
6 and a couple of two-bedroom
7 apartments. Now, two-bedroom
8 apartments are probably going to be
9 families. Ten percent you said
10 were -- it did not say affordable
11 but some kind of, you know,
12 10 percent of the 170. So 17
13 apartments are going to be for
14 people of low income but what's the
15 formula for determining who is going
16 to get those apartments and what
17 that rent is going to be? Is it the
18 medium income for Nassau County
19 which is \$120,000 or the median
20 income for Hempstead which is
21 \$50,000? What kind of formula are
22 you going to use for that 10 percent
23 of affordable housing that you have.

24 MR. PAROLA: It's federal
25 guidelines so for a family of four

1
2 it's 68,000, in that range.

3 MS. BRAZLEY: So it goes by the
4 HUD guidelines.

5 MR. LODATO: It's the Zoning
6 Code for the Village of Hempstead.

7 MR. PAROLA: They track the
8 Feds.

9 MS. BRAZLEY: Right, so that's
10 Section --

11 HEARING OFFICER LODATO:
12 Section 8.

13 MS. BRAZLEY: No, it's not
14 Section 8. It's the HUD guidelines.

15 HEARING OFFICER LODATO:
16 139-212, Zoning Code of the Village
17 of Hempstead. Ten percent of the
18 residential units will be set aside
19 for attainable housing.

20 MS. BRAZLEY: Attainable,
21 that's what it says. I need to look
22 up the Hempstead piece.

23 HEARING OFFICER LODATO: Yes --

24 MS. BRAZLEY: I'm pretty much
25 done. I'm here because I'm

1
2 concerned. I developed a while ago
3 a newsletter for my community. This
4 is just me. I don't have a team or
5 anything. I can give this to you
6 guys but it charts the number at
7 that time of the number of PILOTS in
8 Hempstead. There's a chart in there
9 that has that. I also put the
10 article about the Garden City PILOT.
11 I really love that PILOT. At the
12 time, and like I said, when I looked
13 at yours, it was reflective of that
14 PILOT and I was saying that that's
15 what Hempstead needed was
16 responsible.

17 Now, my last concern is, your
18 policy states 15-year PILOTS.
19 They're asking for a 25-year PILOT.
20 Is there any way we can come in the
21 middle and be a 20-year PILOT so
22 that it's more in line with what
23 you're asking? I know your reason
24 is it provides jobs for the Village
25 and the Town, but those jobs don't

1
2 always seem to be captured by the
3 people who live in the community,
4 they really don't.

5 And so, I would like to see
6 some kind of compromise, I guess.
7 It says it's not financially
8 feasible if it's not 25 years, but
9 maybe we can negotiate.

10 And then, when I looked at the
11 one in Garden City, I thought it
12 said 25 but they did not count the
13 first 3 years that it was frozen so
14 it's about 23 years.

15 So anyway, we need help. And
16 you guys maybe can do some kind of
17 workshops in the Village of
18 Hempstead to help the residents
19 understand PILOTS and what they are
20 because people are fed up. They
21 just don't know how to articulate it
22 and it's taken me some time which is
23 why I developed that newsletter to
24 get information in people's hands so
25 that they could understand there is

1
2 not going to be any development
3 without PILOTS. I get that but it
4 has to be more responsible where the
5 homeowner is concerned because I
6 promise you there is no sand in my
7 backyard or beach front and I should
8 not be paying 21,000 a year. I
9 don't have a beach yard, but that's
10 what it is in Hempstead. That's it.

11 MR. PAROLA: The Board has
12 struggled with this very issue.
13 You're probably aware that over the
14 years there has been a vocal
15 articulate group that has
16 articulated the argument for the
17 homeowners and this situation that
18 you have beautifully structured for
19 us. You may know part of this
20 project, that very concern that you
21 have, saw this project turned down
22 earlier last year.

23 In addition, with respect to
24 this project, you're probably aware
25 there is a church there now that

1
2 pays no taxes so this will be a plus
3 plus in terms of generating taxes.
4 Ten percent -- I forget how many two
5 bedrooms. It's 16, I guess.
6 Twenty. So that would generate a
7 few children, you're absolutely
8 right.

9 MS. BRAZLEY: Well, no, it
10 could be my son and his friends too.

11 MR. PAROLA: But it will
12 generate some but not many
13 considering how the federal
14 government dumped 400 kids into the
15 Village. Hello!

16 And this Board also turned down
17 the Renaissance project from two
18 administrations ago because -- well,
19 we did not turn it down, we tried to
20 limit the PILOT and it was not
21 acceptable to the developer at that
22 point and the project did fall by
23 the wayside.

24 The bad news is that in our
25 region the argument is being made

1
2 and it is gaining credence, at least
3 among the Board -- we're only
4 staff but obviously have something
5 to say -- but the feeling is that in
6 order to make these housing projects
7 work, we're seeing more and more 20,
8 25 years whereas previously, and
9 we're actually working on our
10 regulations, what we call the UTAX,
11 tax guidelines, et cetera, to try to
12 tailor it to what's happening
13 because all of the IDAs; Nassau one,
14 ours, Glen Cove in the County of
15 Nassau, and as well as the six or
16 seven that are in Suffolk, are all
17 going this way because of the
18 present economic circumstances that
19 exist.

20 I personally, and it's probably
21 illegal, but I personally would put
22 a moratorium on new construction
23 with respect to housing because this
24 village, you're absolutely correct,
25 is just overwhelmed by the number of

1
2 new residences coming in. It isn't
3 fair.

4 I don't know -- I know the new
5 administration from the previous
6 one, which did fight many of these
7 projects and it was part of the
8 reason why the Board ultimately
9 turned down or at least put a
10 chilling affect on the additional
11 apartment buildings, we're in a new
12 era, a new administration, no
13 secrets here, has asked to meet with
14 our Board or at least staff
15 initially to explore their vision
16 with respect to adding -- and part
17 of that is housing. They want to
18 see more housing.

19 So, you know, that is sort of
20 an ongoing problem and one that any
21 way we can, we will be as
22 transparent -- I'm sure they will
23 also -- but to try and get input
24 with respect to what is a worsening
25 situation. The schools alone are

1 busting at the seams.

2 MS. BRAZLEY: We have kids
3 sitting on the floor.

4 MR. PAROLA: I heard.

5 MS. BRAZLEY: When I was on the
6 school board, I asked the
7 superintendent for enrollment by
8 street address. I didn't want any
9 names. I just wanted to know how
10 many families from each address
11 registered children. In the average
12 one and two-bedroom apartment we had
13 three to four families. In the
14 average one-family home we had four
15 families. So we don't do code
16 enforcement. And then, the attorney
17 general sent me a letter telling me
18 that I was out of line.

19 MR. PAROLA: You were what?

20 MS. BRAZLEY: I was out of
21 line. That was not my job as a
22 school board member.

23 And so, if we have four
24 families coming from single-family
25

1
2 dwellings and four families are
3 living in a house and paying the
4 same tax as me, you know, it's not a
5 single-family home, it's a boarding
6 house.

7 And if we have apartments -- We
8 lost two children when I was on the
9 school board to fires. One was an
10 apartment that had 17 people in it.
11 All kinds of petitions up to give
12 them a little of privacy and one of
13 our babies was killed in a fire.

14 And then, another one was a
15 house across the street on Fulton
16 and a bus on a rainy night slid
17 through the light, crashed into the
18 house and the baby's bedroom was the
19 porch and he was crushed.

20 So we have people living in
21 subhuman conditions in our village
22 and, I guess because of the way
23 we've handled it in the past, we set
24 a precedent and when you try to
25 correct it, you can't.

1
2 So building more homes that
3 people can afford is going to
4 encourage more of these kinds of
5 violations, as far as I'm concerned,
6 because if you have an apartment
7 that's supposed to be affordable but
8 in a community where the medium
9 income is \$50,000, what's
10 affordable? So then you put three
11 or five families in one dwelling to
12 make ends meet. That's just a
13 reality of the 11550 as far as I'm
14 concerned.

15 And so, it's out of the norm in
16 my house. It's me and my son and
17 his daughter and wife and that's it,
18 you know, but when you see my
19 neighbor's garbage compared to my
20 garbage, you know, it's more than
21 one family living there.

22 So building and building and
23 building and not building capacity
24 in people is not going to -- because
25 the reality is the friends that I

1
2 have had that live on Terrace and
3 that did work hard, when they worked
4 hard enough to purchase a home, it
5 wasn't in Hempstead. So once you
6 get to a certain level, you're
7 leaving here because you don't want,
8 you know, what we have managed to
9 maintain in this community.

10 So I'm just concerned because,
11 like I said, my daughters are gone.
12 My grandchildren are where they are
13 but my son is still here with his
14 daughter, you know, and I'm hoping
15 that we can build a better Hempstead
16 for that next generation. I won't
17 see the benefits in 25 years, I
18 don't think, but...

19 MR. PAROLA: I think you will.
20 Lord willing.

21 MS. BRAZLEY: Okay, but I
22 appreciate you guys so much. And
23 yes, sir, it is a church. I Google
24 mapped that property so it is a
25 church in that property and you're

1
2 right.

3 MR. PAROLA: It's a little less
4 onerous than we had in another
5 situations.

6 HEARING OFFICER LODATO: Just
7 to speak on what Mr. Parola
8 mentioned, I think the church, if I
9 recall, rents there currently, but
10 would purchase the property and then
11 would have no taxes if this did not
12 go through so, yes, it is a win/win
13 in that regard.

14 MS. BRAZLEY: Right. So
15 anyway, thanks for listening to me.
16 I appreciate it.

17 MR. PAROLA: Thank you for
18 articulating a very, very difficult
19 proposition.

20 MS. BRAZLEY: Yes, it is but
21 you guys are here to listen so I
22 appreciate that. Have a good day.

23 MR. PAROLA: Thank you so much.
24 Be safe.

25 Is there anyone else that

wishes to be heard?

HEARING OFFICER LODATO: We're observing that it's 11:03 on September 13, 2021. If no one else would like to be heard, we are closing this hearing sine die. Thank you everyone for coming.

(Time noted: 11:03 a.m.)

CERTIFICATION

I, DOLLY FEVOLA, a Notary Public in
and for the State of New York, do hereby certify:

THAT the within transcript is a true record
of the testimony given by said witness.

I further certify that I am not related,
either by blood or marriage, to any of the parties
to this action; and

THAT I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 14th day of September,
2021.

Dolly Fevola

DOLLY FEVOLA

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