

February 13, 2020

A Work Session Meeting of the Board of Trustees of the Village of Old Westbury was held at the Village Hall on the above date at 10:30AM

Present: Fred J. Carillo - Mayor
Marina Chimerine - Deputy Mayor
Edward Novick - Trustee
Michael Sahn, Esq. - Village Attorney
Brian S. Ridgway - Village Administrator / Clerk-Treasurer
Robert Glaser - Chief of Police

Absent: Cory Baker - Trustee
Jeffrey K. Brown - Trustee

Also Present: Joshua D. Brookstein - Attorney, Sahn Ward Coschignano, PLLC
Paul Stevens - Village Engineer, LiRo Engineers, Inc.

The Mayor called the meeting of the Board of Trustees to order.

WORK SESSION:

1. Application of Bolla Operating, L.I., 3 Jericho Turnpike: To amend and renew their Special Use permit to allow for Burger King service in place of the existing Bolla Deli, and to amend condition #5 of the Special Use Permit regarding gasoline deliveries. Comments were presented to the Board by David N. Altman, Esq., attorney for the applicant and by Harry Singh. Comments made to the Board by the Bolla and Village representative included:

David N. Altman:

- The application before the Board is requesting to provide Burger King related food items that would include no eating tables and no Burger King signage with view to the exterior.
- Fueling and safety issues for the facility: Current deliveries are permitted to occur between 12AM and 6AM. The request being made is to allow an additional if needed delivery between the hours of 10AM to 2PM or 10AM to 3PM and during delivery times a “flagman” would be in place for added safety during deliveries.

Paul Stevens:

- He commented that at the December Public Hearing Mr. Singh offered to “close” the entire station while deliveries were being made – this was confirmed by Mr. Singh as a last resort. Paul also suggested that the Board engage VHB to review in detail the *Stonefield Report* that was previously submitted to the Board since LiRo does not have the knowledge to review such a plan. Paul also commented, in reviewing the prior delivery times that had been made to the site, that two deliveries on the same day were never noticed.

Chief Robert Glaser:

- Stated that deliveries made between the hours of 10AM to 2PM could be done in a safe manner and that closing the station during that time as offered by Mr. Singh would be a benefit for site safety.

Harry Singh:

- Recommended moving the application forward and did not see a need to have another engineering firm review submitted data (*Stonefield Report*) since this report stated the facts and conformed to the various DOT requirements etc. and that requiring another report would not be necessary. He also agreed to have a “flagman” present during all deliveries.

The Mayor thanked everyone for attending and on the motion of Trustee Chimerine, seconded by Trustee Novick and carried unanimously, the Work Session was closed and the application will be continued at the February 18th meeting. Meeting ended at 10:45AM.

Brian S. Ridgway
Village Administrator/Clerk-Treasurer