

ORIGINAL

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PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF
ISLAND PARK, NASSAU COUNTY, NEW YORK

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September 21, 2023

6:48 p.m.

BOARD MEMBERS:

MICHAEL MCGINTY, Mayor

MATTHEW G. GRACI, Deputy Mayor

ROBERT O. TICE, Trustee

IRENE P. NAUDUS, Not Present

BARBARA VOLPE-RIED, Trustee

CLAUDIA ARMENDINGER, Village Clerk



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2 MAYOR MCGINTY: Ex-Chief Tice,
3 would you please lead us in the
4 Pledge of Allegiance.

5 TRUSTEE TICE: Hand over heart.

6 (Following recitation of the
7 Pledge of Allegiance, the meeting was
8 called to order.)

9 MAYOR MCGINTY: Would you read
10 the roll, please.

11 VILLAGE CLERK: Trustee Graci.

12 TRUSTEE GRACI: Present.

13 VILLAGE CLERK: Trustee Ried.

14 TRUSTEE VOLPE-RIED: Present.

15 VILLAGE CLERK: Trustee Tice.

16 TRUSTEE TICE: Present.

17 VILLAGE CLERK: Trustee Naudus,
18 absent. Mayor.

19 MAYOR MCGINTY: Aye. Here.
20 Present. We are here for?

21 VILLAGE CLERK: For a Public
22 Hearing to consider an application
23 for Increase in Public Assembly
24 Permit, for the property located at
25 140 and 146 Long Beach Road, Island



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2 Park, New York 11558; Section 43;
3 Block 46; Lots 48-49. Application
4 for a Bar/Restaurant with outdoor
5 dining, food truck, increase in
6 public assembly and entrance abutting
7 residential district is subject to
8 approval from the Board of Trustees.

9 MAYOR MCGINTY: Would the
10 applicants come forward, state their
11 name and address for the record, and
12 describe their proposal, please.

13 MR. KELLY: Yes. Hi. Good
14 evening. My name is Denis Kelly. I
15 am an attorney with offices at 120
16 West Park Avenue, Suite 311, Long
17 Beach, New York 11561. I represent
18 both Paul Martin and Matthew
19 Michelman. I will have them put
20 their names and addresses on the
21 record now.

22 MR. MARTIN: How are you? Paul
23 Martin; 570 Monroe Boulevard, Long
24 Beach, New York 11561.

25 MR. MICHELMAN: Matt Michelman;



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2 31 Quebec Road, Island Park.

3 THE REPORTER: Could you spell
4 your last name?

5 MR. MICHELMAN: Michelman,
6 M-I-C-H-E-L-M-A-N.

7 MAYOR MCGINTY: Thank you.

8 MR. KELLY: Mr. Michelman and
9 Mr. Martin are shareholders,
10 officers, and directors of North
11 Beach Grill, Inc., presently the
12 lessees of both 140 and 146 Long
13 Beach Road. As you know, 140 Long
14 Beach Road is the Ale House. Mr.
15 Martin and Mr. Michelman have been
16 lessees for over a year now, about a
17 year and a half. They now have taken
18 the lease, as well, for 146 Long
19 Beach Road, which we know is the
20 empty storefront immediately to the
21 north of the Ale House.

22 Just so the record is clear,
23 based on the code, the owner of both
24 140 and 146 is Hand Realty Corp of
25 810 Flanders Drive in North Woodmere.



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2 Mr. Michelman will serve as the agent
3 for the purposes of serving notices
4 from the Board with his address being
5 31 Quebec Road.

6 We are seeking a public
7 assembly permit from the Board of
8 Trustees seeking to make 140 and 146
9 one bar, one restaurant with outdoor
10 seating in the rear. The bar at 140
11 Long Beach Road known as the Ale
12 House will not change, except for
13 cosmetic changes, both interior and
14 exterior. The bar will be remaining
15 there with a couple of high tops in
16 the bar area, as well.

17 However, there will be two
18 openings made in the wall that
19 divides 140 and 146, one on the east
20 side of the bar and another on the
21 west side of the bar that will lead
22 to the dining area that will be
23 created in what is now 146.

24 MAYOR MCGINTY: Pardon me. 146
25 at present is a former restaurant.



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2 Are they still operating?

3 MR. KELLY: No, it's closed.

4 And, in fact, the new lessees are Mr.
5 Martin and Mr. Michelman, but nothing
6 is going on in there.

7 MR. MARTIN: No. They are
8 closed down.

9 MAYOR MCGINTY: It appears to
10 me that it's been closed for a
11 considerable period.

12 MR. KELLY: I think so, as
13 well.

14 MR. MARTIN: It looked like it,
15 but it's been about four months. It
16 looked like they were closed for a
17 long time.

18 MAYOR MCGINTY: Okay.

19 MR. MARTIN: I didn't
20 understand how they operating it, but
21 --

22 MR. KELLY: And that was a
23 restaurant. So I am assuming it did
24 have, like I said, a permit at one
25 time. And, obviously, the Ale House



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2 should have a public assembly permit,
3 as well. And now we are asking for
4 one public assembly permit for the
5 new restaurant, bar/restaurant that
6 will become of these two storefronts.
7 We will also be requesting,
8 ultimately, given the Board of
9 Trustees' approval, the zoning
10 variances to allow us to do outside
11 dining in the rear of the premises.

12 TRUSTEE GRACI: Can you explain
13 this outside dining? Because it's
14 not going to go over well with the
15 houses around it.

16 MR. KELLY: Okay. Well, I have
17 a plan. I don't know if you have
18 seen the plan. I know there was a
19 plan in the folder.

20 VILLAGE CLERK: I don't have
21 the plans.

22 TRUSTEE TICE: No. We don't
23 have them.

24 MR. KELLY: Perhaps, I can just
25 do a hold up for the Deputy Mayor



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2 and the rest of you. Now, an
3 architect didn't do these plans, a
4 contractor did. Ultimately, they are
5 going to be done for the zoning
6 board, if we get that far, by an
7 architect, a licensed architect and
8 they will be in more detail. I think
9 the best thing to do is just focus
10 on --

11 MAYOR MCGINTY: Why don't you
12 just lay it down.

13 MR. KELLY: I can. I just
14 wanted everyone to see.

15 MAYOR MCGINTY: Can everybody
16 see?

17 MR. KELLY: Okay. So you want
18 to come up and just pay attention in
19 case we have questions from the
20 Board. So this is the existing Ale
21 House right here, it's 20 by a 100.
22 And then this is what is now vacant
23 and that's 20 by a 100. Back here
24 presently -- and I have some
25 photographs, if you would like to see



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2 them -- is an appendage to this
3 building, which is, more or less,
4 like I think it's a food-prep area
5 presently. We want to remove this
6 food-prep area, this structure, and
7 put a food truck here, which will be
8 connected to the restaurant. The
9 food truck will be 8 by 20.

10 TRUSTEE GRACI: So you are
11 taking the kitchen out of the
12 restaurant?

13 MR. MARTIN: Well, they took
14 the kitchen out of the restaurant,
15 that's the reason for the food truck.
16 They absolutely destroyed it.

17 TRUSTEE GRACI: When they left,
18 they took everything?

19 MR. MARTIN: Yes. They
20 destroyed everything, and I don't
21 know if it was in spite of the
22 landlord, but whatever they did, they
23 completely destroyed it.

24 MAYOR MCGINTY: As an aside, I
25 don't know if you were aware of this,



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2 but any number of times, my wife and
3 I would go to see if we could have
4 dinner there, just because it's a
5 local place, and it was never open.
6 One night we walked in and they said,
7 well, no, we are not serving. It had
8 to be a front for something. I have
9 no idea.

10 TRUSTEE TICE: How do you plan
11 on getting that food truck in there?

12 TRUSTEE VOLPE-RIED: Yeah.

13 MR. MARTIN: Through the side.
14 Like, we will move that fence and
15 slide it up there.

16 MR. KELLY: The fencing is --

17 TRUSTEE GRACI: Oh, so you are
18 going to go through the Ale House?

19 MR. KELLY: Right. So for
20 instance, these green areas here are
21 the openings I just mentioned on the
22 east and west side of the bar that
23 lead into the dining area. This
24 green entry here is almost like barn
25 doors that can be open allowing



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2 access through here. So the food
3 truck could come in through this way,
4 as well. This is an emergency gate
5 to the back, you know, like a walk
6 area. There is a walkway area next
7 to the doctor's office, and that
8 would be used for emergency purposes.
9 So this would be the dining area.

10 TRUSTEE GRACI: And that's all
11 outside?

12 MR. KELLY: This is all
13 outside. Well, this is the dining
14 area for, you know, January, the
15 winter months.

16 VILLAGE CLERK: Does all the
17 food come out of that truck or is
18 there going to be a kitchen somewhere
19 else?

20 MR. MARTIN: So we would turn
21 what is there now, besides that thing
22 that they built to attach to the
23 kitchen, we would use that as storage
24 and prep and then just cooking on the
25 truck.



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2 TRUSTEE GRACI: It's like a
3 mobile kitchen instead of putting one
4 in.

5 VILLAGE CLERK: So it's not
6 like people are going to be walking
7 up to the food truck?

8 MR. MARTIN: That's just going
9 to be the service for the restaurant.

10 VILLAGE CLERK: Got you.

11 MR. KELLY: So what I'm handing
12 you are just, basically, three
13 pictures. I mean, this is your
14 Village, you know what it looks like.
15 It's the last picture, which I would
16 just focus your attention on, which
17 is the rear of what is presently now
18 146 Long Beach Road.

19 TRUSTEE GRACI: So this is the
20 Ale House on this side?

21 MR. KELLY: Yes, that's right.
22 The fence is the Ale House fence that
23 divides the two currently. That,
24 will come down. There will be new
25 fencing around the entire perimeter.



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2 So this fencing over here is,
3 obviously, going to come down. And
4 this walk-in box is going to
5 disappear. And behind the walk-in
6 box is this appendage that I am
7 talking about. There is a structure,
8 and that's coming down, and that's
9 where Mr. Martin would like to place
10 it.

11 MR MARTIN: So the food truck
12 will be against this retainer of this
13 wall of the other building,
14 basically.

15 MR. KELLY: The way it's going
16 here. So it would be, basically --
17 so it would be against that wall,
18 which would be right here.

19 TRUSTEE VOLPE-RIED: Where is
20 the food truck going to be?

21 VILLAGE CLERK: Right here
22 where that white building is, and
23 that's coming out.

24 TRUSTEE TICE: See this area
25 here? This piece right here.



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2 MR. KELLY: So this is a
3 walk-in box, Trustee, and that's
4 going. And behind that is a
5 structure, like an appendage, a real
6 structure.

7 MR. MARTIN: It would be like a
8 permanent fixture to the building.
9 So this will come out and the food
10 truck will go in.

11 MR. KELLY: Go ahead, Paul.

12 MR. MARTIN: It would be like a
13 permanent structure to the building.
14 I even told the landlord if we ever
15 left, it would stay there. It's not
16 something that we would think about
17 removing. Because, obviously, she
18 would like us to put a kitchen in
19 there. It would increase the value
20 of her place, but the way they
21 destroyed the kitchen, she didn't
22 know that. So she would have sold us
23 on the idea of it as we have a
24 kitchen, but there is no kitchen and
25 it would cost about 200 grand to put



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2 a kitchen in there. The hood alone
3 was \$40,000. We got a quote and we
4 can get a brand new food truck for
5 that, you know, and it comes fully
6 equipped and it has everything in
7 there. So that's the only purpose
8 for it. It's not to create some sort
9 of scene or anything. It's more
10 financial than anything else.

11 TRUSTEE GRACI: Now, how many
12 tables are you looking to have
13 outside?

14 MR. MARTIN: This was the
15 architect's idea. So we are looking
16 to turn it more into like a family
17 atmosphere. Island Park back there
18 has changed, you know, where there is
19 kids everywhere. All of my friends
20 that I grew up with are over there
21 now with kids. So it's not going to
22 be that many tables. We want room
23 for families to come and kids so the
24 parents can enjoy themselves while
25 the kids are running around. They



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2 can play a Tic-tac-toe game or
3 Cornhole or something, you know. So
4 that was just a filler and that was
5 my idea, you know.

6 TRUSTEE GRACI: What about
7 time? You are outside and,
8 obviously, you are in a residential
9 area.

10 MR. MARTIN: We would have to
11 shut it down.

12 TRUSTEE GRACI: And you know
13 and I know, once they start
14 complaining, it's going to be over
15 for you guys.

16 MR. MARTIN: I have restaurants
17 in Long Beach. I own the Bungalows,
18 so I know. I'm used to it there. At
19 10:00, you have to shut it down. So,
20 you know, it's nothing that we are
21 not used to or that I'm not used to.

22 VILLAGE CLERK: Do you plan on
23 having music?

24 MR. MARTIN: Nothing crazy. We
25 haven't thought about it yet. I



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2 mean, we haven't done it yet.

3 TRUSTEE TICE: Because that
4 would start a firestorm. That, would
5 start a firestorm.

6 VILLAGE CLERK: Right, that's
7 why I asked.

8 TRUSTEE GRACI: They got rid of
9 Pop's and they don't want it.

10 MR. MARTIN: We are not looking
11 to be any kind of nightclub or
12 anything.

13 TRUSTEE GRACI: Because with
14 Bungalow, they are off of the main
15 area.

16 TRUSTEE VOLPE-RIED: You are
17 very tight there.

18 MR. MARTIN: Right. I just got
19 my liquor license in West End. I
20 didn't do it yet. I am going to shut
21 it down for renovation in the West
22 End. And, you know, I told them I'm
23 not even going to stay open past
24 12:00; last call is at 12:00.

25 TRUSTEE GRACI: But this bar



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2 could stay open till 4:00.

3 MR. MARTIN: It could stay open
4 till 4:00, but we have been shutting
5 it down at 2:00 Monday through
6 Thursday because it's not worth it.

7 TRUSTEE GRACI: And nothing
8 happens good after 12:00.

9 MR. MARTIN: Exactly.

10 TRUSTEE GRACI: Been there,
11 done that.

12 MR. MARTIN: If we can increase
13 revenue through brunch, lunch, and
14 dinner, I mean, it's definitely a
15 possibility. Right now, we are just
16 a bar and that's the only time people
17 are coming in to drink, which is
18 pretty much at night. If we can sell
19 the drinks at the table, sell the
20 drinks, you know, like, someone comes
21 in and gets a Bloody Mary, you know,
22 and some brunch items and actually
23 get a ticket out of them, you know.
24 If we don't need it and it's nothing
25 but trouble, I'm not going to do it.



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2 I am not looking to get phone calls
3 at 3:00 in the morning, you know.

4 TRUSTEE TICE: See, the whole
5 thing with this -- because I live
6 pretty close to that area, all right,
7 so I have been privy to the
8 complaints, all right. And I used to
9 be the code enforcement officer here.
10 So I would be the guy who would go
11 there and give the guy the summons.
12 It was a nightmare.

13 MR. MARTIN: We are looking to
14 clean that up.

15 TRUSTEE TICE: Just to give you
16 an idea. We had people at the bar
17 3:00, 4:00 in the morning screaming,
18 yelling, music blasting all over the
19 place, all right. So people are
20 going to be very, very sensitive if
21 we tell them or we suggested to them
22 that this is going to be open, you
23 know. If it was enclosed, I would
24 give you my blessing and that's it.
25 Open, that, could cause us some



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2 problems. And I am being straight up
3 honest with you. Because I dealt
4 with everybody on Quebec Road,
5 everybody on Warwick Road. Parking
6 was always a problem, you know,
7 because you get the people that come
8 in. I'm only going to stay an hour,
9 and four hours later, they can't
10 drive and their car is there till the
11 following morning, you know. So,
12 that, was a constant problem for the
13 residents, all right. The people who
14 had driveways utilized their
15 driveways to try to give the owner a
16 chance, but then it got abusive.
17 They got long memories these
18 residents, trust me when I tell you.
19 I am giving you what I had to deal
20 with as a code official so that you
21 guys are aware. The people are good,
22 but the first time of anything, they
23 are going to be down on us like white
24 on rice.

25 MR. KELLY: If I may, Trustee,



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2 and I will let Paul talk to this
3 point. So the name is going to go.
4 I don't know how best to describe
5 that bar. I grew up in the bar
6 industry in New York. So there is a
7 couple of different names for the
8 type of bar it is. But his
9 customers, the current clientele that
10 make use of the Ale House are
11 starting to leave and the demographic
12 is kind of changing.

13 TRUSTEE TICE: A hundred
14 percent.

15 MR. KELLY: Right. And I think
16 one of the things that Paul and
17 Matthew are trying to do is to get
18 more customers, you know, a different
19 demographic.

20 MR. MARTIN: We want our
21 neighbors coming in. We want our
22 neighbors happy with us.

23 MR. KELLY: They want you to
24 show up.

25 MR. MARTIN: But Island Park



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2 needs a restaurant. When I walked in
3 that restaurant, he asked me if I
4 wanted to buy it. That's not the
5 business I want to run and that's the
6 whole purpose of this, is that's the
7 only way to change it, you know, is
8 to put a nice product out there, you
9 know.

10 TRUSTEE TICE: What are you
11 going to do for parking?

12 MR. KELLY: The off-street
13 parking, it looks like the
14 calculation, the way the record has
15 it, it looks like about 24 spots are
16 required, 25 spots. Coming from Long
17 Beach, we just look right past that
18 very often because there isn't any
19 parking anywhere, right. Here, I
20 mean, at least we have the municipal
21 lot across the street, which I am
22 sure the other restaurants take
23 advantage of, as well. So it's not
24 like there is no competition for
25 spots.



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2 TRUSTEE TICE: I mean, there is
3 three lots within close proximity,
4 but you are going to be competing
5 against other eateries.

6 MR. KELLY: Right. The ones to
7 the south here.

8 MAYOR MCGINTY: When you say
9 the three lots, you are talking about
10 DaVinci's?

11 TRUSTEE TICE: DaVinci's,
12 Jack's, and this lot here.

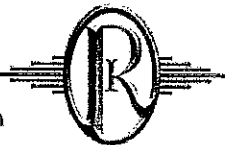
13 MAYOR MCGINTY: What about the
14 Village Hall lot and the railroad
15 lot?

16 MR. KELLY: And I would default
17 to the railroad, but sometimes the
18 railroad, you know, has something to
19 say about who is parking there, but I
20 don't think it's going to have that
21 big of an impact.

22 MAYOR MCGINTY: No.

23 MR. KELLY: Not here?

24 MAYOR MCGINTY: No. The
25 Village of Island Park has a 99-year



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2 lease. And when we had a grant to
3 redo, we entered into a grant. Bob,
4 you remember this. We entered into a
5 grant agreement with New York State
6 when we did some improvement on Long
7 Beach Road, some drainage and street
8 improvements that I had leased from
9 Friday, at some point, to Monday,
10 Sunday night?

11 MR. KELLY: They don't care.

12 MAYOR MCGINTY: We had agreed
13 to free parking, no enforcement
14 parking.

15 TRUSTEE TICE: I thought we
16 were trying to change that because of
17 other occurrences.

18 MAYOR MCGINTY: You are right.

19 TRUSTEE TICE: But I just want
20 to make it clear. I don't want to
21 show it to them and then say, oh, no,
22 you can't do that now. You
23 understand?

24 MAYOR MCGINTY: You are right.

25 You are right, Trustee.



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2 TRUSTEE GRACI: Okay. I would
3 not count on that.

4 TRUSTEE TICE: I would not
5 count on that.

6 MAYOR MCGINTY: I misspoke.
7 For the record, I misspoke.

8 MR. KELLY: However, if you are
9 coming at 3:00 on a Sunday afternoon
10 and you are just driving in to go
11 there, you know, you are going to go
12 there regardless. No one is going to
13 say anything. And I'm not relying on
14 that as far as your decision is
15 concerned, but it is there.

16 TRUSTEE GRACI: I like the
17 idea. The outside is what scares me.

18 MR. KELLY: Well, the only
19 thing, I think, that can be said is
20 -- and I will let you talk to this
21 point -- is there is going to be a
22 dynamic. If it starts heading in the
23 wrong direction, then the burden is
24 on my client to make sure that it
25 doesn't. It's not good business to



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2 cause problems, especially with the
3 business that he is proposing, you
4 know. It's just not good business to
5 have those types of problems or have
6 loud music at 2:00, you can't do
7 business.

8 TRUSTEE GRACI: Well, you can't
9 do it, anyway.

10 MR. KELLY: Right.

11 TRUSTEE GRACI: Still, I mean,
12 there is an outside right now for the
13 Ale House, right?

14 MR. MARTIN: And we never had.
15 Like, since we have been there, we
16 never had a complaint about, you
17 know, noise or anything like that.

18 TRUSTEE GRACI: You don't have
19 music out there now?

20 MR. MARTIN: Yes. We have
21 speakers out there, but we always
22 keep them at a decent volume. And if
23 it ever gets late, we crank it down
24 even lower. Like, we do that now,
25 you know.



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2 TRUSTEE TICE: I mean, in all
3 honesty, you are going to have people
4 complaining as soon as 9:30 hits,
5 10:00 hits. They won't bother you,
6 they will call us, all right, and
7 then I have to send the code guys
8 down there. Me, being one ex-code
9 guy, I know what it's like. Because
10 everybody goes, well, you weren't
11 here, you didn't hear it, but the
12 complaints do come in. We had Pop's.
13 It's the perfect example, Pop's. You
14 remember how far away they were? I
15 could hear them at the other end of
16 the town.

17 MR. MARTIN: We are not going
18 to be anything like that.

19 TRUSTEE TICE: Listen, I am not
20 saying, you know, if Witches Brew
21 came in or something, a single guitar
22 player, I am really, really easy.
23 You understand? I want your business
24 to succeed, but I want it to succeed
25 the right way without upsetting the



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2 residents. Like I said, if you had
3 enclosed that, I would give you my
4 blessings and say we will work on the
5 parking, all right. But open, that,
6 could cause a problem.

7 MR. MICHELMAN: With regard to
8 the opening, we are going to close it
9 at a certain time at night. So,
10 basically, it will be what it is now.
11 But during the day for lunch, people
12 coming by with families, they don't
13 want to walk through the bar, they
14 can kind of come in and get a table,
15 as well.

16 TRUSTEE TICE: As long as you
17 have access to them, you know. And
18 in all honesty, I mean, there are
19 safeguards because Warwick Road is a
20 very busy road. And you are at the
21 bar so you know what that place is
22 like. It's insane during the day.
23 Saturday, Sundays. I live on
24 Warwick, so I can tell you. That's
25 constant, constant traffic. So, you



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2 know, you have to maintain serious
3 safeguards for people and where they
4 can park, how they are going to
5 cross, how they are going to enter
6 your place, and how they are going to
7 exit, you know. And again, like I am
8 saying, I want you to succeed. I
9 want a good business here.

10 MR. MARTIN: The main purpose
11 you are talking about is the opening
12 in the fence?

13 TRUSTEE TICE: Yes.

14 MR. MARTIN: The main purpose
15 of that is so that when families come
16 in with kids, they don't have to walk
17 through a bar.

18 TRUSTEE TICE: I understand
19 that. What I'm saying is you should
20 have some safeguards there, you know.
21 Like maybe somebody at the gate or
22 something like that, you know.

23 MR. MARTIN: There is going to
24 be a hostess for sure.

25 MR. MICHELMAN: Hostess,



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2 waitresses.

3 MR. KELLY: You have to have a
4 gatekeeper of some sort.

5 MR. MARTIN: We want to turn it
6 into like a real establishment, you
7 know.

8 TRUSTEE GRACI: What kind of
9 food? That's the main thing now.

10 MR. MICHELMAN: Another pizza
11 spot, if that's okay with you.

12 MR. MARTIN: We have a chef.
13 You know Speakeasy and Swingbellys?

14 TRUSTEE GRACI: Yes.

15 MR. MARTIN: So that chef is
16 actually working on something for us
17 right now.

18 MR. KELLY: Jake?

19 MR. MARTIN: Yeah.

20 MAYOR MCGINTY: You said from
21 Swingbellys?

22 MR. MARTIN: Swingbellys and
23 Speakeasy.

24 TRUSTEE GRACI: They are not
25 partners in Swingbellys, right?



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2 MR. MARTIN: No.

3 MR. KELLY: And as to the
4 parking, listen, there is no doubt
5 that by virtue of the rear yard there
6 will be an increase in the need for
7 off-street parking, but, I mean,
8 there is already off-street parking
9 that's been required for this that I
10 don't think is probably too far off.

11 TRUSTEE TICE: So how many
12 people do you anticipate seated
13 there?

14 MR. MARTIN: In the patio?

15 TRUSTEE TICE: Right.

16 MR. MARTIN: Like I said, we
17 didn't fully plan, like, out what we
18 are going to do there, but we
19 definitely want space to walk around.
20 We are not going to cram tables in
21 there.

22 TRUSTEE GRACI: How many tables
23 can you get on the other side? I
24 mean, it looks like you only have
25 three. Outside against the wall?



1 PUBLIC HEARING 09-21-2023

2 MR. MARTIN: These are the set
3 of plans. These tables are gone and
4 one of these are done. So we are
5 going back to here.

6 TRUSTEE GRACI: So those two
7 will disappear?

8 TRUSTEE TICE: So let me
9 entertain you with this. Can we
10 table this until you get all of your
11 right facts and figures and
12 everything like that? Then come back
13 to the Board so that we know the
14 calculation of how many people are
15 going to be there, how you are going
16 to have egress entrance, how you are
17 going to safeguard, and your parking
18 facilities, all right. Once you have
19 all that -- because I can't give you
20 a positive vote on something that is
21 not fully complete.

22 MR. KELLY: Right.

23 TRUSTEE TICE: All right. At
24 least, that's what I want.

25 MR. KELLY: Our hope was -- and



1 PUBLIC HEARING 09-21-2023
2 this is procedural -- that we would
3 be successful here and then be able
4 to apply for the next Zoning Board
5 Hearing that's scheduled for October
6 25th. I should have finished plans
7 by Wednesday by a real architect.
8 And I don't know if you discussed
9 seating at all in the back relative
10 to those plans?

11 MR. MARTIN: No, it's similar
12 to that.

13 MR. KELLY: It's similar to
14 this?

15 MR. MARTIN: Because I said to
16 him, the architect we were working
17 with, that that's not the way it
18 seems. He said seating doesn't
19 matter because it goes by square
20 footage for the parking. So that's
21 what he said so that's why it looks
22 like that.

23 TRUSTEE TICE: So that's him,
24 all right. As a building inspector
25 -- and I spent 15 years doing that --



1 PUBLIC HEARING 09-21-2023
2 it does kind of matter a little bit.
3 Because what happens now is if you
4 overcrowd that place and someone
5 decides to call the fire marshal on
6 you. They used to call them up on
7 Pop's all the time. I can't tell you
8 the amount of fines that they got.
9 They got tremendous fines.

10 MR. KELLY: Just out of
11 curiosity, Trustee, was that a result
12 of who was inside or who was outside
13 or both?

14 TRUSTEE TICE: Both, all right.
15 Inside the property. Because in the
16 event of an emergency, you have to
17 have ways for people to get out.
18 Now, if you have overcrowding in
19 there, what are we going to have?
20 People stampeding over each other and
21 possible deaths, all right. So as a
22 Trustee, former building inspector,
23 former fire chief, I have to
24 safeguard people, all right, and
25 that's my job here and I take great



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1
2 pride in it, all right. So like I
3 said, I would feel better if I had
4 better plans so I see exactly what
5 you guys have. But a rough sketch
6 like that is just giving me a key to
7 the pantry and saying let me know how
8 you make out. You know what I am
9 saying? And that's just to be fair.
10 And I am only thinking about my
11 constituents and the residents in the
12 Village, who are going to patronize
13 your place. I want to make sure that
14 they are safe and that's all, all
15 right.

16 MR. KELLY: I understand your
17 perspective. So primarily from that
18 I take, Trustee, you want a
19 calculation as to the amount of
20 bodies that are going in the
21 backyard?

22 TRUSTEE TICE: Yes, I would
23 like to get an idea.

24 MR. KELLY: What the capacity
25 is?



1 PUBLIC HEARING 09-21-2023

2 TRUSTEE TICE: Right. Exactly.

3 I want to know how many people are
4 you looking to expand to have your
5 public assembly? Right now, you may
6 have a public assembly for 60 people
7 for the Ale House and you may have 20
8 people at the restaurant, all right,
9 because it's narrow. Now, that
10 combined, you come back and tell me
11 I'm expecting an occupancy of 180, I
12 have second thoughts in my head. You
13 know what I mean?

14 MR. MARTIN: I don't see that
15 happening.

16 TRUSTEE GRACI: How wide are
17 they?

18 MR. KELLY: They are 40 feet.

19 TRUSTEE GRACI: So it's 40 feet
20 total?

21 MR. KELLY: Total. The
22 storefronts are a classic 20-foot
23 storefronts.

24 MAYOR MCGINTY: And in the
25 legend, you are calculating 35



1 PUBLIC HEARING 09-21-2023
2 occupants, but I can't tie into that
3 number.

4 MR. KELLY: I can't, either,
5 Mr. Mayor. I don't know. He has
6 done some sort of calculation
7 relative to --

8 MAYOR MCGINTY: 24, 27, 30, 33,
9 plus the outside. This is the 35.

10 MR. KELLY: I got 38 because we
11 took away these two. So 38 would be
12 sitting in here and there is 15 here.

13 MAYOR MCGINTY: I see your 38.
14 You are including these three so we
15 tie into the 38.

16 TRUSTEE TICE: So that's 38
17 inside the restaurant?

18 MAYOR MCGINTY: In the
19 restaurant.

20 TRUSTEE TICE: You are counting
21 the bar?

22 MR. KELLY: The bar is 15. So
23 that's 13 at the bar and two high
24 tops. And on the restaurant side,
25 there is an assortment of different



1 PUBLIC HEARING 09-21-2023
2 types of tables that total 38 seats.
3 We have just taken out, I think, 8
4 seats that are on this plan because
5 we were told that we needed this
6 space to make the prep area bigger.

7 TRUSTEE GRACI: I don't have a
8 problem. I am just worried about the
9 outside.

10 MR. KELLY: The outside, I
11 don't know how the fire marshal -- I
12 mean, God knows I deal with him
13 enough -- but I don't know how they
14 calculate.

15 MAYOR MCGINTY: I don't either.

16 MR. KELLY: Well, it goes by
17 the number of bodies.

18 TRUSTEE TICE: It goes by the
19 number of bodies, all right.

20 MR. KELLY: Or the square
21 footage. That's what I'm saying. I
22 don't know the answer.

23 TRUSTEE TICE: So in the event
24 that there is something going on and
25 they decide to come down for whatever



1 PUBLIC HEARING 09-21-2023
2 reason, if you are over that limit, I
3 know the fines are, like, huge, all
4 right. Because it's a question of
5 safety and life.

6 MAYOR MCGINTY: For the fire
7 marshal, is it per cap or based on
8 square footage, do you know what that
9 number is?

10 TRUSTEE TICE: No, not offhand.

11 MAYOR MCGINTY: Counsel?

12 MR. KELLY: No. Good question.

13 TRUSTEE TICE: Get your numbers
14 straight, all right.

15 MR. MARTIN: Well, it's one
16 spot per 10 by 10 square foot and
17 it's one spot for the five people in
18 there. So you would think, you know,
19 every 100 square feet is --

20 MR. KELLY: Right. So this is,
21 I think, 1384 in terms of square
22 footage. So it's nowhere near as big
23 as this, but it's sizable enough.
24 For this area, I think the parking
25 spaces, there was 10 here. There was



1 PUBLIC HEARING 09-21-2023
2 about 15 required for this area.
3 That's how we get up to about 25
4 because, I believe, it's one parking
5 spot for each 100 square feet. So
6 it's 1380, it was 13.84 parking
7 spaces.

8 TRUSTEE TICE: But that's
9 parking.

10 MR. KELLY: Right.

11 TRUSTEE TICE: How many people
12 are coming in one car? Usually, two,
13 sometimes more. So my concern, I
14 said we can work something out with
15 parking, you know.

16 MR. KELLY: Right.

17 TRUSTEE TICE: As long as, like
18 I said, you don't bombard the
19 residents, I think you will be fine
20 as far as parking goes. My concern
21 is with the amount of people and how
22 it's going to operate, the hours, not
23 to extend past 9:00, 10:00 at night
24 because I want to keep that area --

25 MAYOR MCGINTY: Pardon me. Can



PUBLIC HEARING 09-21-2023

1
2 you stipulate? Counselor, I'm kind
3 of asking you and Trustee Tice. Can
4 they stipulate to an abatement, a
5 noise abatement of 10:00 or you pick
6 a time.

7 TRUSTEE TICE: That's fine.

8 Whatever we have on the books right
9 now is fine with me, whether it's
10 10:00, 9:00, all right. If you want
11 to -- because you look like a decent
12 type of guy who just wants to do a
13 good business, all right. Late noise
14 is just going to hurt your business.
15 I am just telling you from past
16 experience and what I have gone
17 through here in the 15 years when the
18 bar was active, all right. So I want
19 you to succeed. I do want you to
20 succeed because my wife likes to go
21 out to eat. So it's a lot easier for
22 me to go out to your place than go
23 somewhere else. But all kidding
24 aside, like I said, I am more
25 concerned we are not getting the



1 PUBLIC HEARING 09-21-2023

2 residents up in arms because they are
3 not going to go to you.

4 MR. MARTIN: That would be a
5 concern of ours, too. It would be
6 embarrassing if they came in here.

7 TRUSTEE TICE: They are not
8 going to go to you. They are going
9 to torture us. They will be sitting
10 there the first meeting after your
11 grand opening. If it's bad, they are
12 going to call a meeting here.

13 MR. MICHELMAN: We just want to
14 better the whole neighborhood in
15 general.

16 TRUSTEE TICE: I am on your
17 side.

18 MAYOR MCGINTY: Excuse me. Can
19 we draft a list of concerns and pass
20 this on to the zoning board.

21 TRUSTEE TICE: Well, we have
22 the transcript.

23 MAYOR MCGINTY: Well, that's
24 fine. Conceptually, our job is to
25 consider it. And as long as we do



1 PUBLIC HEARING 09-21-2023
2 not see a deleterious impact -- to
3 use this morning's phrase -- a
4 deleterious impact on the
5 neighborhood, we should pass it on to
6 the zoning and let them do their due
7 diligence and their findings of fact.

8 TRUSTEE GRACI: It's a new
9 board and it's a tough board.

10 VILLAGE CLERK: Yeah, they
11 don't mess around.

12 TRUSTEE TICE: I am still
13 concerned with that opened area.

14 TRUSTEE GRACI: Well, we can do
15 a vote.

16 MAYOR MCGINTY: We can take
17 those notes from the transcript and
18 let the zoning board give it its full
19 consideration.

20 MR. KELLY: Okay. And to your
21 point, Trustee, I will go get the
22 information about capacity.

23 TRUSTEE TICE: Okay. At least
24 if I can see it.

25 MR. KELLY: And I can forward



1 PUBLIC HEARING 09-21-2023

2 it to the Board. I will stop in and
3 hand it off to the clerk.

4 VILLAGE CLERK: Thank you very
5 much.

6 TRUSTEE TICE: If it makes it
7 easier, you can e-mail it to me, too.

8 VILLAGE CLERK: E-mail it to me
9 and I will get it to everyone.

10 MR. KELLY: And that's greatly
11 appreciated because I foresee, having
12 been a member of a zoning board
13 myself and a city council, the zoning
14 board, it's a little bit of a
15 different animal only because notices
16 are going to go to abutting
17 properties and notices are going to
18 go to the 200, right. I advise them,
19 just out of experience, you just need
20 one person in the neighborhood to
21 decide to rile up the rest of the
22 neighborhood to come and pay
23 attention and put their two cents in.
24 And once you have opposition from the
25 neighborhood, you have a whole



1 PUBLIC HEARING 09-21-2023

2 different ball game.

3 TRUSTEE TICE: See, this is why
4 I'm trying to say I would rather see
5 numbers first before I would approve
6 something. Because they are going to
7 come and say, well, you approved it
8 to go to the zoning board. You could
9 have stopped that right here. You
10 understand? And that's my concern.

11 MAYOR MCGINTY: So we will pass
12 it on to the zoning board with our
13 concerns from the transcript.

14 TRUSTEE TICE: I will concede
15 that, all right.

16 MR. KELLY: We appreciate it.
17 Thank you.

18 MR. MARTIN: Thank you, guys.

19 MAYOR MCGINTY: Thank you,
20 Counsel, and I'm sorry it was
21 delayed.

22 VILLAGE CLERK: So do you want
23 to make a motion?

24 MAYOR MCGINTY: Motion to
25 forward this case to the zoning



1 REGULAR MEETING 09-21-2023

2 board.

3 TRUSTEE GRACI: I will make it.

4 MAYOR MCGINTY: Motion by

5 Deputy Mayor Graci.

6 TRUSTEE VOLPE-RIED: Second.

7 MAYOR MCGINTY: Second by

8 Trustee Volpe-Ried.

9 On the motion.

10 VILLAGE CLERK: Trustee Graci.

11 TRUSTEE GRACI: Aye.

12 VILLAGE CLERK: Trustee Ried.

13 TRUSTEE VOLPE-RIED: Aye.

14 VILLAGE CLERK: Trustee Tice.

15 TRUSTEE TICE: Aye.

16 VILLAGE CLERK: Mayor.

17 MAYOR MCGINTY: Aye.

18 VILLAGE CLERK: Okay. Thank

19 you.

20 MR. KELLY: Thank you.

21

22

23

24

25 VILLAGE CLERK: Public Hearing



1 REGULAR MEETING 09-21-2023

2 to consider the adoption of: Local
3 Law No. 10 of the year 2021.

4 MAYOR MCGINTY: Wait a minute.
5 This is the motion -- stop me if I'm
6 wrong. There is a private area of
7 the Village Hall that's not open to
8 the public, that's what this is.

9 TRUSTEE GRACI: We still have
10 to vote.

11 VILLAGE CLERK: Right. Roll
12 call?

13 MAYOR MCGINTY: Sure.

14 VILLAGE CLERK: Trustee Graci.

15 TRUSTEE GRACI: Aye.

16 VILLAGE CLERK: Trustee Ried.

17 TRUSTEE VOLPE-RIED: Aye.

18 VILLAGE CLERK: Trustee Tice.

19 TRUSTEE TICE: Aye.

20 VILLAGE CLERK: Mayor.

21 MAYOR MCGINTY: Aye.

22 Motion to close the Public
23 Hearings?

24 TRUSTEE GRACI: Motion.

25 TRUSTEE TICE: Second.



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REGULAR MEETING 09-21-2023

MAYOR MCGINTY: On the motion.

(Whereupon, all Board Members
voted unanimously.)

MAYOR MCGINTY: Unanimous to
close the meeting.

(Time noted: 7:26 p.m.)



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C E R T I F I C A T E .

STATE OF NEW YORK)

) Ss.

COUNTY OF NEW YORK)

I, Amy Boguszewski, a Shorthand
(Stenotype) Reporter and Notary
Public, do hereby certify that the
foregoing proceedings, taken at this
time and place aforesaid, is a true
and correct transcription of my
shorthand notes.

I further certify that I am
neither counsel for nor related to any
party to said action, nor in any wise
interested in the result or outcome
thereof.

IN WITNESS WHEREOF, I have
hereunto set my hand this 2nd day of
October, 2023.


AMY BOGUSZEWSKI

