

10 Andover Lane
Manhasset, New York 11030
May 19, 2008

Hon. Jon Kaiman
Supervisor
Town of North Hempstead
220 Plandome Road
Manhasset, New York 11030

Dear Supervisor Kaiman:

After having attended the April 15th Town Board meeting and having been given the opportunity to hear information about the proposed rezoning of the Christ Church property, I am opposed to the application for a zoning change to multiple residence. I believe the application should be dismissed in its entirety and there should be no zoning change to erect any apartment house of any size at the site.

To place an apartment house at this location would have a significant negative effect on the quality of life in Manhasset. The impact would be felt on all levels: from an aesthetic standpoint; as an additional burden on our already overtaxed traffic infrastructure; as a further strain on our educational and town services; and as a greater stress on our emergency, fire and police services. If all of the above were not bad enough, the significant negative environmental impact of the installation of a network of cesspools, which the Nassau County Planning Commission deemed not feasible at such density, or, in the alternative, of a residential sewer hook up to the Great Neck Sewer district which is currently overburdened itself (see *The Great Neck Record*, 5/8/08, *Sewer Showdown* by Carol Frank), demonstrate that no apartment house should be allowed to be placed on this site.

The information provided by the developers, Michael Puntillo and Martin Soja, who, of course, have an interest in advancing this project, is self-serving and fails to tell the whole story. When one looks at all of the relevant information, it becomes obvious that this application should be denied. This proposal is a bad idea not only for the immediate neighborhood but for Manhasset as a whole.

The proposed zoning change to allow a 61 unit apartment house of approximately 130,000 square feet including above-ground and underground parking of approximately 30,000 square feet in a very small and heavily trafficked space only serves to facilitate the developers' goal and not the needs of the community at large. The space in question – only 2.68 acres – is directly across the street from the Michaels/Linens-n-Things shopping center. The proposed site backs onto several residential houses on George Street, which runs parallel to Northern Boulevard, and would be immediately adjacent to the existing Christ Church and cemetery at the corner of Northern Boulevard and

Plandome Road. In addition to the 61 unit apartment house, the proposed project would have 193 parking spaces (some of which would be in an underground garage) and an additional 6,000 square foot, 2 story building for the Church, all to be put in place of the existing 26,000 square foot parish house on the Church grounds.

THE PROPOSAL FAILS TO FIT IN WITH
CHARACTER OF COMMUNITY

First, from an aesthetic standpoint, this proposal does not fit in with the character and charm of our community and would overwhelm the neighboring houses on George Street and Onderdonk Avenue. The proposed 4½ floor apartment house would be approximately 50 feet high. The height would be within a foot of the existing parish house but would be like a box, adding another whole floor, where the sloping roof of the existing parish house is now. It would be almost six times larger than the existing parish house. **Manhasset does not have any structures that large or that dense in the entire community. Manhasset also does not have any structures even half the size of the one proposed even taking into consideration commercial structures in the community.** Even if the developers decided to cut the development in half, it would still be overwhelming. In addition, the proposed new 6,000 square foot two story parish building would be almost double the size of any of the neighboring houses, which range in size from 2,100 square feet to 3,600 square feet. The George Street residents would be faced with a stark, lightless existence in the shadow of these huge buildings, not to mention that their property values would significantly decline.

IS THERE *REALLY* NO HISTORICAL OR
ARCHITECTURAL SIGNIFICANCE TO
THE EXISTING PARISH HOUSE?

Additionally, Mr. Puntillo has asserted that the existing parish house has no architectural significance and that nothing historically significant occurred at the site. It is my understanding that the building may qualify for landmark status. Perhaps an unbiased second opinion from a learned historian or architect should be obtained to determine those points before any decision is made to permit demolition.

THE PRESENT CONDITION OF THE
BUILDING DOES NOT SEEM TO BE AS BAD
AS IT HAS BEEN ASSERTED

The developers' assertions that the building is now literally falling apart also strikes me as odd. It is my understanding from a local architect that the building is structurally sound. Although not being an expert myself, it sounds plausible especially since I understand that the Church is currently renting the parish house to the Children's Orchestra Society on weekday afternoons and to a religious organization on Sundays. I would hope that the Buildings Department would have closed down the parish house if it in fact was not structurally sound for children and families. A concerned neighbor spoke

to someone at the Town's code enforcement bureau about the violations, and was told that while the parish house did have some violations, they were all minor.

NEGATIVE TRAFFIC IMPACT

Next, one must look at the significant negative traffic impact of having such an apartment house with 193 parking spaces wedged into that location on Northern Boulevard, an already heavily trafficked State road, and off of Plandome Road, another very busy road. Of course, one also must consider the traffic flowing from Shelter Rock Road which is only a short distance away from the proposed site.

A. Density Is an Issue

To place an apartment house with 61 units, and with such a projected large traffic density, at the location in question would cause even more serious and dangerous traffic conditions than currently exist for Manhasset families. In 2006, the RBA Group, hired by the Town for the Plandome Road Visioning Process, found the accident rate for Plandome Road (from Webster Avenue to Northern Boulevard) was nearly 5 times the statewide average. As local politicians with the community's interests at heart, I would find it difficult to believe that you would want to take responsibility for allowing rezoning to build such an apartment house in light of the possibility of injuries and perhaps even fatalities from the sheer number of cars that would be added to the Manhasset community.

B. The Developers' Traffic Analysis is Faulty

The Gothic Church Property's traffic "expert," Eschbacher VHB, in its report dated December 20, 2007 filed with the developers' application, predicts the future trip generation results as being only 26 cars (entering/exiting) in the a.m. weekday peak hour and 31 cars (entering/exiting) in the p.m. weekday peak and a Saturday peak hour total of 28 cars (entering/exiting). The traffic "expert" also states "It is not expected that there will be a net increase in traffic associated with the church, since it is already in operation on the property." **The "expert" fails in its report to state what exactly the current operation is now.** In addition, the consultant states "the relative traffic volume in all cases are lower than 4%, which is relatively very minor impact. It should also be noted that these percentages may even be lower because many people will be walking to the nearby train station, library and stores, thus further reducing the increases. In any event, the roadways can readily accommodate the minor volume increases without the need for traffic mitigation." This statement is also an absurd prediction and lacks any reasonable analysis.

In addition, the developers' "expert" in his report stated the project site size as being 4.79 acres, which is wrong. The proposed apartment house, the proposed parish house and all of its 193 parking spaces will sit on 2.68 acres according to the developer's April 15th presentation and according to the filed plans and application. Annexed hereto is a copy of the developer's traffic report obtained through a FOIL request.

C. The Developers Overstate the Current Use

It has been asserted by the developers' "expert" that the traffic resulting from the proposed project would be a "wash" with the present use. As mentioned above, I understand that the parish house is being used by the Children's Orchestra Society for after school music lessons and orchestra, by a religious group which utilizes the space on Sundays and by Christ Church parishioners who have 3-4 services on Sundays. In addition, there apparently is commuter parking, which I understand is not a legal use. Obviously, the only appropriate before-and-after comparison would be with the current legal use, which would exclude the commuters. Even taking the commuters into account, though, it is far from obvious that the impact of these commuters' arriving and departing (one round trip per day) to their homes both south and east of Manhasset (e.g., Roslyn, Glen Cove, North Hills) could ever be a "wash" with the projected use of the proposed 61 unit apartment house with over 100 cars and over 100 more additional cars for their visitors entering and exiting the entire day from the site – many of them more than once daily. Additionally, the community activities to take place in the proposed 6,000 square foot parish house most likely would include a nursery school or day care services, resulting in yet more traffic.

At the April 15th hearing, the developers' traffic "expert" also stated that the traffic impact would be minimal and estimated that the proposal would add only one car every 7-8 minutes. This is an absurd projection and makes absolutely no sense. A neighbor who has walked her dog around the parish house for years at various times of the day has only seen generally 30 -35 cars at a time at the site (front and back total). The neighbors surrounding the Christ Church property have also confirmed about the same number. Is there another use of the parish house that the community is not aware of? Could that possible additional use lead any reasonable person to the conclusion "that the proposed project will not have an adverse impact on the surrounding roadway network"? It is utterly shocking that an "expert" could reach such a conclusion given the facts as they really exist.

D. There Is a Strong Probability of Two Cars Per Unit

Of course, 61 cars is probably a great underestimation by me because most Manhasset families have two cars. Why would an affluent family (including a person 55 or over) moving into a luxury condo on Long Island be any different?

My parents, one over 70 years old and one over 80 years old, who live in a middle class neighborhood, both have cars and drive daily - going out at least twice or three times a day. They, too, live within walking distance of some stores, restaurants, etc. but generally do not walk to all because it sometimes is not realistic especially during poor weather conditions or when items purchased are too heavy and need to be transported by car. In addition, many stores and destinations are too far to walk to. When Mr. Puntillo lived on Colonial Parkway, a walk to all, I'm certain, and his neighbors can attest to the fact that he and his wife both had cars and used them daily. I also would guess that Mr.

Puntillo did not take the train or the bus to his office on Long Island. I'm certain this is true for Mr. Soja, as well.

In addition, the proposed development provides for approximately 2½ parking spaces per unit – and not standard ones, either, but smaller ones so that they can be squeezed into the available space. That's already over 100 cars on the Manhasset streets. In addition, there will be friends and family, delivery people, cleaning services, contractors, building staff, and others entering and exiting the property on a daily basis. All of the traffic will impact not only Northern Boulevard and Plandome Road, which are already bumper-to-bumper at many times of the day, but also George Street, which would be totally overwhelmed by the additional traffic. Based on the developer's own traffic volumes, which are discussed below, the traffic volume would be at minimum a 10% increase on George Street which already averages 2,000 cars daily. People confronted with these tie-ups will then seek other short-cuts, some of which have already been found, and burden all the surrounding streets as well. Also, one must consider the traffic from the community activities and possibly a nursery school at the proposed 6,000 square foot parish house.

E. Underground Parking Would Set a Bad Precedent

The underground parking of 30,000 square feet would also set a bad precedent for Manhasset. The proposed underground parking would be larger than the size of the current parish house which is 26,000 square feet. Thus far, the Town has denied underground parking for everyone else applying in the neighborhood. In addition, such a proposal could cause soil and groundwater contamination as well as noise and air pollution and damage from water runoff and drainage from the site onto adjacent properties and especially since the developer proposes to place the apartment house with only a 5 foot buffer from the existing houses on George Street.

F. Existing Traffic Volume Demonstrates that the Neighborhood Cannot Reasonably Bear Any Additional Volume

The developers' traffic report is laced with obvious falsehoods to facilitate gaining the zoning to build such a monstrous apartment house. I must also stress that even half the amount of units would cause disastrous results.

However, the developers' consultant's current hourly traffic volumes sound plausible. The consultant's traffic volume from December 4, 2007 through December 10, 2007 on George Street runs on average of 2,000 vehicles daily. This real number is overwhelming for a street with single family homes and adding another 200 plus cars from the apartment house would be seeking disaster.

The volumes for the other streets are also already staggering. The traffic volume during the same period on Plandome Road was on average 13,000 vehicles daily. The traffic volume on Onderdonk was on average 6,500 vehicles daily. The traffic volume on

Northern Boulevard was on average 39,600 vehicles daily. These numbers are overwhelming!

Consultant's Traffic Volumes

Tues., December 4 – Mon., December 10, 2007

George Street

Tues., December 4, 2007	Total 2,209 vehicles
Wed., December 5, 2007	Total 2,050 vehicles
Thurs., December 6, 2007	Total 2,252 vehicles
Fri., December 7, 2007	Total 2,512 vehicles
Sat., December 8, 2007	Total 1,835 vehicles
Sun., December 9, 2008	Total 1,345 vehicles
Mon., December 10, 2007	Total 2,056 vehicles

Northern Boulevard

Tues., December 4, 2007	Total 43,353 vehicles
Wed., December 5, 2007	Total 42,139 vehicles
Thurs., December 6, 2007	Total 44,320 vehicles
Fri., December 7, 2007	Total 43,259 vehicles
Sat., December 8, 2007	Total 38,658 vehicles
Sun., December 9, 2008	Total 28,526 vehicles
Mon., December 10, 2007	Total 37,035 vehicles

Plandome Road

Tues., December 4, 2007	Total 15,673 vehicles
Wed., December 5, 2007	Total 15,672 vehicles
Thurs., December 6, 2007	Total 7,428 vehicles* (*result of a malfunction)
Fri., December 7, 2007	Total 16,744 vehicles
Sat., December 8, 2007	Total 12,748 vehicles
Sun., December 9, 2008	Total 10,632 vehicles
Mon., December 10, 2007	Total 11,500 vehicles

Onderdonk Avenue

Tues., December 4, 2007	Total 7,136 vehicles
Wed., December 5, 2007	Total 6,877 vehicles
Thurs., December 6, 2007	Total 7,427 vehicles
Fri., December 7, 2007	Total 7,062 vehicles
Sat., December 8, 2007	Total 5,772 vehicles
Sun., December 9, 2008	Total 4,125 vehicles
Mon., December 10, 2007	Total 6,862 vehicles

G. Manhasset's Roadways Already Are Dangerous

Although it may not get front page news in the *Manhasset Press*, numerous serious accidents and injuries have occurred in our town and the added magnitude of vehicles from the proposal and the additional vehicles of their visitors makes for a more disastrous situation. I have a friend who was severely injured last year after being hit by a car on Locust Place behind Raindeu. My friend, a pedestrian who has three kids, was thrown 20 feet and was completely incapacitated for months. Although better now, she is still partially incapacitated. She is a thirty something woman who can't stand or walk for too long a period. In addition, my neighbor and her daughter were seriously injured in a car accident on Shelter Rock Road, a short walk from the proposed site. Due to that accident, her daughter required major shoulder surgery and is still recovering. I also have another neighbor whose father was critically injured after an accident in town and he is now totally incapacitated and living in a nursing home. Twelve years ago, I myself, was in a car accident on Shelter Rock Road near the parking lot exit of Lord & Taylor, a short walk from the proposed apartment house. A woman broadsided me in the intersection and my two week old car was completely totaled. Luckily, I survived with no major injuries.

Former Council member Wayne Wink supported the Coalition for a Safer Manhasset and understood the traffic problems in Manhasset. Mr. Wink once stated Plandome Road is the heartbeat of the community, "It's downtown," and not simply a thoroughfare to the highways. Although Mr. Wink is no longer a part of the Town government, we in Manhasset still face the same traffic problems. Actually, the traffic problems are even worse. All Manhasset residents who have lived here for more than two years can attest to that fact, too. In the Town's 2006 study by RBA Group, their research showed Northern Boulevard (near Plandome Road) to be "a big problem – you can't get to it. It is a state road, their mandate is to move traffic, and state takes precedence over county. Drivers could wait from 3 to 5 minutes at the intersection at Plandome Road." Two years later, our traffic has become increasingly worse. The reason for the rise in traffic in Manhasset is because of all these neighboring developments going up. All of the additional drivers from the surrounding towns are coming through Manhasset all the time. More and more drivers going to Port Washington from west of Manhasset (Great Neck) cut through Manhasset and more drivers are coming from the east (Roslyn, Glen Cove), too. The traffic and the wear and tear add up. With all these recent new developments, such as Mill Pond, Sterling Glen, Horizon at Roslyn, The Bristol at North Hills, the Harbor Links Development and now to come the Ritz Carlton at North Hills and the Amsterdam at Harborside in Port Washington, the resident drivers come through Manhasset. They come with their cars and they go to Whole Foods, the Americana, Filene's, Lord & Taylor, King Kullen, Staples and Macy's, etc. They also come into town and Plandome Road when they can find a parking spot and they come to visit our library. When I was trying to get people to sign the petitions opposing this rezoning, most of the people in the library and Whole Foods were not from Manhasset.

H. Manhasset is Overburdened and the Town is Saturated by Recent Developments

The developers' consultant's traffic impact statement of December, 2007 is further inadequate in determining the traffic impact of such a development because it fails to also consider the very new additional developments which are not at full capacity in the neighboring towns. The Horizon at Roslyn, a 55 and over, 55 unit development, is only filled to half capacity, and the Sterling Glen, also a 55 and over, 150+ unit building also is nowhere near capacity. Similarly, the Bristol at North Hills is not fully occupied. Furthermore, the Ritz Carlton in North Hills, a 244 unit condo development, the Amsterdam at Harborside in Port Washington, a 226 unit residential development and the 50,000 square foot office building being built on Northern Boulevard, near Middle Neck Road, are not yet even complete.

These new local residential developments and the ones under construction nearby should satisfy the need, if one really exists, for senior housing and have even caused a saturation with some not being at full capacity. Do we really need another one?

As an elected official, are you willing to take the responsibility for the injuries and deaths that will surely result from an influx of such a multitude of cars from this proposed apartment house?

I. "Walk to All" is an Unrealistic Statement

The developers can try to downplay their assertions that the folks are going to "walk to all" – that is, go everywhere on foot in pursuit of their daily tasks. Who walks to the grocery store when they food shop? In the dead of winter, do people even 55 and older walk to all? The answer is no. Most people with reasonable intelligence drive their cars to places in inclement weather – when it is raining, when it is dangerously hot in the summer, in the cold and snow, they drive. Even though the developers, their consultants and agents try to make it seem plausible, not every day of the year is 70 degrees and sunny.

Just across the street from the proposal at St. Mary's Church, the clergy and the nuns all have cars along with reserved parking spots in their lots. Occasionally they walk to Town but more often they drive.

Unfortunately, Long Island's railroad and bus systems are not practical for most traveling on Long Island, which has caused people to become more automobile dependent. People need their cars to travel to places such as jobs on Long Island and large stores not found on Plandome Road. I don't see how the erection of a luxury apartment house near town is going to solve this problem – instead, it will only increase our traffic problem by adding a magnitude of vehicles into the community.

NEGATIVE IMPACT ON COMMUNITY SERVICES

One must also consider the impact on the educational and town services. Mr. Puntillo has represented that the apartments will be limited to persons 55 and over and has asserted in the *Manhasset Press* that nobody under the age of 18 would be allowed to live there. Perhaps *one* of the initial occupants of a unit would have to be of that age, but I am not aware of how the owner's immediate family members could be excluded. As a result, some of the residents likely would be of school age and become a corresponding burden on our educational system and those children over 18 would further add to the traffic burden.

Also, the large population residing in the apartment house will drive up the costs for all town services. Currently, there are about 850 homes in Manhasset. Adding 61 apartments would be approximately a 7% increase in residences added to our community. In addition, it would adversely impact fire, police and medical emergency services as well as our water supply. Not to mention, it will require additional traffic police just to monitor illegal parking that would take place at the nearby library due to lack of adequate visitors parking at the proposed site. The developers' statement of minimal impact is unsupportable.

NEGATIVE ENVIRONMENTAL IMPACT

The significant negative environmental impact of placing such a large apartment house at this location cannot be overlooked either. Manhasset, by its established plan and design, does not have a residential sewer system. The proposal seeks approval to get a sewer system. This runs counter to the desires of the community and violates the comprehensive plan of the Town. In addition, the community would have to bear the cost for any such sewer system's installation and ongoing maintenance. In addition, there is an issue whether a sewer system hookup to the Great Neck Sewer service is feasible in light of the current DEC directives. If a network of cesspools to accommodate such a large apartment house was implemented instead, this would have serious negative effects on our environment including our drinking water, groundwater and soil. A network of cesspools was also deemed not feasible at such proposed density by the Nassau County Planning Commission.

NO TAX BENEFIT

Any purported tax benefit allegedly derived from this proposal would be a wash due to the additional town and possible educational services required, the possible cost of installation and maintenance of the purported sewer lines coupled with the additional wear and tear on the already heavily trafficked roads with the addition of well over 100 resident cars added to the Manhasset community and also the additional wear and tear on the roads from the vehicles of visitors and employees entering the property on a daily basis which alone could possibly total well over 100 more daily.

MOST MANHASSET RESIDENTS
OPPOSE THE DEVELOPMENT

Mr. Puntillo also makes claims that this development will “allow Manhasset’s active adults the opportunity to remain in the community they helped make the place it is today.” This is simply not true. Everyone on my block, Andover Lane and all my Manhasset friends and neighbors oppose the rezoning. All my neighbors over the age of 55 and all of their friends over 55 are completely against the proposal. In addition, any elderly Manhasset residents that I have approached in Town are also opposed to the rezoning and have “no desire to pay one million bucks to live across from Filene’s Basement and next to a cemetery.”

I mean no disrespect to Rev. Lowry, the Church or its parishioners and its desire to raise funds by disposing of a portion of the property. I am certain that there are adequate alternatives that the Church never seriously considered reaping similar monetary benefits for the Church as this proposal without necessary action by the Town Board. The developer can build 16 senior homes for the Church without a zoning change but instead proposes this monstrosity. Of course, the Church can sell the property to whomever they choose.

However, an application like the one before the Town Board requiring the Town’s decision for a change in zoning, the community’s reasonable objections and concerns of the negative impact on the community that this proposal would cause must be given a hard look and given serious consideration to the fullest extent possible by the Town Board in its decision making process.

Rezoning the property to allow for this apartment house will overburden and would have a deleterious impact on the community. In conclusion, Gothic Church’s application should be dismissed in its entirety and there should be no zoning change to erect any proposed apartment house of any size at the Christ Church property.

I thank you for your time and consideration in this most pressing matter.

Sincerely,

Elizabeth Miller

Enc.