

November 19, 2019

A Public Hearing for the Board of Trustees was held on the above date at 8:10 pm.

Present were Mayor Dominick A. Longobardi, Trustees Kevin M. Fitzgerald, Lynn Pombonyo, Archie T. Cheng and Frank J. Chiara, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Superintendent of Public Works Kevin Ginnane, Superintendent of Buildings Renee Marcus, Police Commissioner Stephen McAllister and Village Attorney John E. Ryan

The application of John Cavallo, Lessee, 374 Tulip Avenue, Floral Park, NY, for a Special Use Permit for the proposed service of alcoholic beverages in an existing food service establishment located within an R-1 District.

Trustee Fitzgerald offered Resolution No. 2019-232 to reserve decision and close the public hearing.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Aye
Mayor Longobardi	- Aye

The hearing was closed at 8:25 pm.

A copy of the transcript and a copy of the legal notice of public hearing is attached and made a part of these minutes.

Susan E. Walsh
Village Clerk

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M I N U T E S
OF THE MEETING
OF THE
PUBLIC HEARING
INCORPORATED VILLAGE OF FLORAL PARK
November 19, 2019
8:00 p.m.

P R E S E N T:

- | | |
|----------------------|----------------------|
| DOMINICK LONGOBARDI, | MAYOR |
| KEVIN M. FITZGERALD, | DEPUTY MAYOR/TRUSTEE |
| ARCHIE T. CHENG, | TRUSTEE |
| DR. LYNN POMBONYO, | TRUSTEE |
| FRANK J. CHIARA, | TRUSTEE |

ALSO PRESENT:

- JOHN RYAN, ESQ. Village Attorney
- GERARD M. BAMBRICK, Village Administrator
- SUSAN E. WALSH, Village Clerk
- RENEE MARCUS, Supt. Public Works & Bldgs.
- STEPHEN MCALLISTER, Police Commissioner

CATHERINE P. MURPHY
Court Reporter

- 11/19/19 - BOARD OF TRUSTEES - 374 TULIP/CAVALLO -

1 MAYOR LONGOBARDI: Good evening everybody.

2 Thank you all for coming.

3 (Pledge of Allegiance said.)

4 MAYOR LONGOBARDI: Now, we will have our
5 public hearing, if you could, Miss Walsh.

6 MS. WALSH: Thank you, Mayor Longobardi.

7 Legal Notice of Public Hearing Incorporated
8 Village of Floral Park, New York. Notice is
9 Hereby Given that the Board of Trustees of the
10 Incorporated Village of Floral Park will hold a
11 public hearing at Village Hall, One floral
12 Boulevard, Floral Park, New York, on Tuesday
13 November 19, 2019 at 8:00 p.m. in relation to
14 the following application:

15 The application of John Cavallo, Lessee,
16 374 Tulip Avenue, Floral Park, New York, is
17 made in accordance with Section 99-44 of the
18 Zoning Ordinance of the Incorporated Village of
19 Floral Park, New York, which requires that when
20 a building is used for a nonconforming use it
21 may not be changed to a different nonconforming
22 use until authorized as a special use after a
23 public hearing by the Board of Trustees.

24 The structure for which said Special
25 Permit is applied is situated on the south side

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1 of Tulip Avenue, 140 feet southeast of Birch
2 Street, and known as 374 Tulip Avenue, Section
3 32, Block 249, Lot 16 on the Nassau County Tax
4 Map.

5 A copy of the application is on file in
6 the Office of the Village Clerk, One Floral
7 Boulevard, Floral Park, New York and may be
8 examined by any persons interested therein
9 during business hours Monday through Friday,
10 inclusive, except legal holidays, from 8:30
11 a.m. to 4:30 p.m.

12 Now Take Notice that all parties in
13 interest and citizens will be given the
14 opportunity to be heard at the aforesaid time
15 and place.

16 By Order of the Board of Trustees
17 Incorporated Village of Floral Park, New York
18 Susan E. Walsh, Village Clerk, dated November
19 6, 2019.

20 This legal notice was posted according to
21 law and sent to the Nassau County Planning
22 Commission who recommended taking action as
23 deemed appropriate.

24 MAYOR LONGOBARDI: Thank you, Miss Walsh.
25 I would also like to place on the record that

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1 the applicant had previously filed an affidavit
2 of service indicating that all neighbors within
3 a 200 foot radius of the dwelling had been
4 served with notice.

5 So okay, I ask the applicant's to come up
6 and to please be sworn in.

7 (Whereupon, John Cavallo and Chris Cavallo
8 were sworn in.)

9 JOHN CAVALLO: John Cavallo, 350 Union
10 Avenue, Lynbrook.

11 CHRIS CAVALLO: Chris Cavallo, 12 Wisteria
12 Avenue, Mineola. I actually should have
13 brought ribs.

14 MAYOR LONGOBARDI: So actually guys, if
15 you could tell us what the application is, what
16 you're planning to do. We know it's to serve
17 beer and wine.

18 CHRIS CAVALLO: We're looking to expand a
19 little bit what we serve there and you know,
20 keep it simple. That's why we're not -- a lot
21 of people call and asked and we also lose a lot
22 of people coming in because unfortunately, we
23 don't serve that. We figured try to come
24 before you guys and see if we can put forth
25 that add to the menu over there.

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1 JOHN CAVALLO: Just offer beer and wine to
2 stay and pretty much not changing anything else
3 around there, just offering that. That's
4 basically it.

5 MAYOR LONGOBARDI: When you say beer to
6 stay, you wouldn't be selling it to leave?

7 JOHN CAVALLO: No. If someone is having
8 dinner there, offer them a beer and that's
9 about it.

10 MAYOR LONGOBARDI: Because I know you do a
11 lot of take-out business.

12 JOHN CAVALLO: Most of our business is
13 take-out.

14 CHRIS CAVALLO: Take-out and catering. We
15 lost because six years of being there, a lot of
16 people call and said they want to come in and
17 then ask to bring their own beer but no, you
18 can't, you need the same permit to do that.
19 Sometimes they get upset and say, we will not
20 be there. A group of ten guys going out for
21 someone's birthday is what we come across the
22 most. They don't venture over due to that
23 reason, which you know --

24 MAYOR LONGOBARDI: You're not planning
25 anything else like parties or anything else

- 11/19/19 - BOARD OF TRUSTEES - 374 TULIP/CAVALLO -

1 like that?

2 JOHN CAVALLO: No. We can't really hold
3 that many. Parties of 8 to 10 will be usually
4 our max, if that. Nothing different than what
5 we are doing now.

6 CHRIS CAVALLO: If you fill up in there
7 now, it is tough. We'll fill one Friday or
8 Saturday, you know, try to fill again. Maybe
9 this will attract a little more of an increase.
10 Everything in there, an increase brings the
11 community, an increase of what we do with the
12 community on top of that.

13 MAYOR LONGOBARDI: I will turn it over in
14 case anyone has questions by the Board.

15 TRUSTEE FITZGERALD: Thank you for coming
16 in. A couple of questions. Are you changing
17 your hours at all?

18 JOHN CAVALLO: We're thinking about it.
19 Right now, we have nothing set in stone. An
20 extra hour open, not too sure about that.

21 CHRIS CAVALLO: If we go Friday and
22 Saturday, we wouldn't go past 10:00, if we do
23 even decide to do that. We were going to gauge
24 it when we got in there and took everything in
25 increments.

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1 TRUSTEE FITZGERALD: What time are you
2 open now?

3 CHRIS CAVALLO: 8:00 now. 9:00 Friday and
4 Saturdays.

5 TRUSTEE FITZGERALD: So, it will be the
6 weekend to 10:00?

7 CHRIS CAVALLO: Maybe during the week to
8 9:00. I don't see us going any further than
9 that. I don't see past 10:00 being that's the
10 latest.

11 JOHN CAVALLO: We work enough. We don't
12 want --

13 CHRIS CAVALLO: We can't add another 16
14 hours to our work week.

15 TRUSTEE FITZGERALD: You're not making any
16 changes to the interior?

17 JOHN CAVALLO: No.

18 TRUSTEE FITZGERALD: There will be no bar
19 there?

20 JOHN CAVALLO: No, just be whatever we do
21 behind the counter, if we do bottles or
22 kegerator.

23 MAYOR LONGOBARDI: You wouldn't have
24 people coming in and stand at a bar?

25 CHRIS CAVALLO: No. We don't have it set

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1 up in there.

2 JOHN CAVALLO: No.

3 CHRIS CAVALLO: If they come in, sit down
4 and come eat their meal, a rack of ribs. I
5 don't see them going past two beers. It is
6 different stuff.

7 JOHN CAVALLO: We don't apply for the
8 whole liquor license. We don't want them to
9 come in for that. We emphasize the food.

10 TRUSTEE FITZGERALD: What about delivery,
11 big beer trucks, how would the delivery be
12 done?

13 JOHN CAVALLO: I would think --

14 CHRIS CAVALLO: No, a buddy of ours has a
15 beverage center, Hillside Beverage. We can
16 reach out to him for things. I don't see us
17 with big beer trucks on that street.

18 TRUSTEE FITZGERALD: The reason for the
19 question is, will it stop traffic flow? Some
20 of those trucks are pretty massive.

21 JOHN CAVALLO: I don't know for sure. I
22 don't assume it will be. I would like to say
23 we will sell a ton about -- I don't see a
24 future of that. I don't know how to answer
25 that fully.

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1 TRUSTEE FITZGERALD: Thank you.

2 JOHN CAVALLO: Not a problem.

3 TRUSTEE POMBONYO: Hi. Thank you for
4 coming in and thank you.

5 JOHN CAVALLO: Thank you for having us.

6 TRUSTEE POMBONYO: You've been providing
7 Floral Park with such a wonderful restaurant.
8 I just want to add too, I don't know if
9 everyone knows, but thank you for all the work
10 you do with the students and special needs and
11 accommodating them in the restaurant.
12 Secondly, providing an opportunity for them to
13 have hands-on learning experience in a
14 restaurant with the school's district staff.

15 JOHN CAVALLO: There's no need to thank us
16 for that.

17 CHRIS CAVALLO: It is not a problem.

18 JOHN CAVALLO: Thank you.

19 CHRIS CAVALLO: Thank you. I am glad you
20 recognize that. I hope to expand on that and
21 hopefully this can help too.

22 TRUSTEE POMBONYO: Good. Good.

23 CHRIS CAVALLO: That's part of our goal.
24 It is part of the community and we're very
25 happy here.

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1 TRUSTEE POMBONYO: You work with the
2 students. It is very helpful.

3 CHRIS CAVALLO: There's no need to thank
4 us for that. Thank you for your work.

5 TRUSTEE POMBONYO: In terms of the
6 changes, you are going to be selling that beer
7 on tap as well as in bottle, both?

8 JOHN CAVALLO: We're thinking about it.
9 We're not too sure. See what fits best in the
10 restaurant. If we did, maybe one tap and
11 bottle.

12 CHRIS CAVALLO: Like a beer of the month
13 and then, you know, cans and bottles and that's
14 that. We put wine in the permit. We don't
15 know if we will implement that. We're not
16 sure. The gentleman that helped us with the
17 fine and permits helped us apply for it. We
18 don't have to serve it. We take everything one
19 day at a time. We'll develop as we go. If you
20 need any information as we develop, that's not
21 a problem. We will accommodate you with
22 whatever you guys need or request. That sort
23 of thing.

24 TRUSTEE POMBONYO: For those of us who do
25 take-out, you might have mentioned this, but to

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1 clarify, for those who do take-out, can you
2 order bottles of beer to go with the food that
3 you order for the take-out? Will you be
4 selling it that way?

5 JOHN CAVALLO: They said if we're doing
6 deliveries, we can but we're not selling
7 outside, like if someone calls to the house and
8 asks us to deliver six beers, we don't even
9 deliver. So that wouldn't be that. They said
10 that legally by New York State, if someone came
11 in and ate and had a bottle of wine and they
12 didn't finish it, they're allowed to take the
13 wine home if they cork it and put it on top and
14 take it home. But only if they eat. They
15 can't take it home. That will be New York
16 State. I don't see -- we're not delivering
17 alcohol to the homes, no.

18 TRUSTEE POMBONYO: Thank you.

19 TRUSTEE CHENG: If I'm not mistaken, the
20 New York State Liquor Authority rules, you
21 can't just walk out from a restaurant with a
22 bottle of beer. You can buy a six pack, put it
23 in a bag and take it out. Please be corrected.
24 That's my understanding. That's the old days.

25 JOHN CAVALLO: When she mentioned during

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1 the permit, she said something along those
2 lines, that was part of the plan. But I think
3 you're right with that kind of thing.

4 TRUSTEE CHENG: I'm pretty sure I am.

5 CHRIS CAVALLO: You have both. They can
6 buy a six pack, take it to go. We're not
7 looking to sell.

8 JOHN CAVALLO: If we do catering events,
9 provide catering at -- beer at catering events.

10 TRUSTEE CHENG: It is kind of funny when
11 you look out and see, I didn't know they're old
12 enough to drink. Now they're getting a liquor
13 license.

14 CHRIS CAVALLO: We were surprised they
15 permit and stuff like that. We don't even do
16 their and cook and out of there.

17 TRUSTEE CHENG: I'm not sure you're old
18 enough to drink yet. I have to say and I will
19 say this for the record, that unfortunately you
20 have the distinct privilege of living around
21 the corner, of having a business around the
22 corner from a trustee who passes your place
23 everyday and I see the way you operate and I
24 see the way you maintain the front. I see how
25 your deliveries come in at present. Yes, they

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1 have the pickup truck with the giant grill on
2 the back. That's the necessary evil you have
3 to go through when you're picking it up.

4 CHRIS CAVALLO: It is 450 pounds.

5 TRUSTEE CHENG: I never heard a complaint
6 by a neighbor in that vicinity as to how you're
7 operate your business. I don't see this
8 personally to be any kind of real issue.

9 JOHN CAVALLO: Okay.

10 TRUSTEE CHENG: Obviously, if you don't
11 follow the rules that's why we have our police
12 department and I'm not concerned about it. I
13 know you gentlemen and I think it sounds like
14 you have --

15 TRUSTEE CHIARA: Might have to do a little
16 more quality control. I have no questions.
17 Good luck. Thank you very much.

18 JOHN CAVALLO: Thank you.

19 CHRIS CAVALLO: Thank you.

20 MAYOR LONGOBARDI: Not to make this go
21 longer, but I do echo Trustee Cheng. As you
22 know, not only are you around the corner from
23 the trustee, but you are around the corner from
24 the Mayor.

25 But the reality is again, thank you very

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1 much for everything you have done for the
2 community. It is an extremely popular place
3 and extremely popular in my house. It is the
4 type of thing where we see a business like that
5 and we see how everything, how well it's run,
6 it is for our community. We try to help.

7 Again, we will deliberate this. We always
8 do. But the reality is, we do thank you for
9 everything you have done for the community and
10 again, having a solid establishment, we hope to
11 continue to many, many years and continued
12 success.

13 CHRIS CAVALLO: Thank you.

14 JOHN CAVALLO: Thank you very much. I
15 appreciate it.

16 MAYOR LONGOBARDI: With that, I will as
17 you to sit down and at this time, I'll invite
18 anyone from the public to speak. They may not
19 have the same comments, but we will --

20 JOHN CAVALLO: Thank you very much again.

21 MAYOR LONGOBARDI: Ask them to come up on
22 the application. We ask you to come up now.

23 (Whereupon, Kevin Greene was sworn in.)

24 KEVIN GREENE: Kevin Greene, 41 Remsen
25 Lane. I would like to speak in favor of the

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1 application. It is great to have a business in
2 town like this almost six years ago. They
3 built a nice business in an area where it is
4 kind of tough to build in when you think about
5 it. They did a successful job. The neighbors
6 are pleased. Again, community involvement as
7 in six years has really been a benefit to our
8 Village. I appreciate it. Great to have a
9 business like this. I wanted to speak in favor
10 of it.

11 MAYOR LONGOBARDI: I want to recognize
12 former Mayor Kevin Greene for his comments.
13 Thank you very much.

14 Anybody else who wishes to speak on this
15 application? Okay, if not, anything else you
16 wish to add?

17 CHRIS CAVALLO: Thank you for your time.

18 JOHN CAVALLO: Yeah, thank you for having
19 us here.

20 MAYOR LONGOBARDI: Any questions from the
21 Board? With that, I am going to ask for a
22 motion to close the public hearing and reserve
23 decision.

24 TRUSTEE FITZGERALD: So moved.

25 TRUSTEE POMBONYO: Second.

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1 MAYOR LONGOBARDI: Miss Walsh, will you
2 please poll the Board.

3 MS. WALSH: Trustee Fitzgerald?

4 TRUSTEE FITZGERALD: Aye.

5 MS. WALSH: Trustee Pombonyo?

6 TRUSTEE POMBONYO: Aye.

7 MS. WALSH: Trustee Cheng?

8 TRUSTEE CHENG: Aye.

9 MS. WALSH: Trustee Chiara?

10 TRUSTEE CHIARA: Aye.

11 MS. WALSH: And Mayor Longobardi?

12 MAYOR LONGOBARDI: Aye. Gentlemen, thank
13 you so much.

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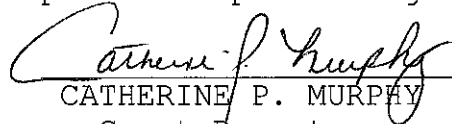
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Certified to be a true and
accurate transcript of the proceedings.

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CATHERINE P. MURPHY
Court Reporter

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NOTICE OF
PUBLIC HEARING
INC. VILLAGE OF
FLORAL PARK, NY

NOTICE IS HEREBY
GIVEN, that the Board of
Trustees of the Incorporated
Village of Floral Park, NY will
hold a Public Hearing at the
Village Hall, One Floral
Boulevard, Floral Park, NY on
Tuesday, November 19, 2019
at 8:00 pm in relation to the
following application:

The application of John
Cavallo, Lessee, 374 Tulip
Avenue, Floral Park, NY, is
made in accordance with
Section 99-44 of the Zoning
Ordinance of the Incorporated
Village of Floral, NY,
which requires that when a
building is used for a noncon-
forming use it may not be
changed to a different non-
conforming use until author-
ized as a special use after a
public hearing by the Board
of Trustees.

The structure for which
said Special Permit is applied
is situated on the south side
of Tulip Avenue, 140 feet
southeast of Birch Street, and
known as 374 Tulip Avenue,
Section 32, Block 249, Lot(s)
16 on the Nassau County Tax
Map.

A copy of the application
is on file in the Office of the
Village Clerk, One Floral
Boulevard, Floral Park, NY
and may be examined by any
persons interested therein
during business hours Mon-
day through Friday inclusive,
except legal holidays, from
8:30 am to 4:30 pm.

NOW TAKE NOTICE that
all parties in interest and citi-
zens will be given the oppor-
tunity to be heard at the
aforesaid time and place.

BY ORDER OF THE BOARD
OF TRUSTEES

INCORPORATED VILLAGE
OF FLORAL PARK, NY

Susan E. Walsh
Village Clerk

Dated: November 6, 2019