

## Oyster Bay Town Board OKs permit for Jericho hotel plan



*Union members and residents at the Oyster Bay Town Hall meeting Tuesday night. Credit: Shelby Knowles*

**By: Ted Phillips**

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The Oyster Bay Town Board approved a special-use permit for a controversial hotel in Jericho shortly before midnight Tuesday after hours of public comments at a packed meeting.

The board vote was unanimous, 5-0, with two recusals — from Councilwoman Michele Johnson and Councilman Anthony Macagnone. Johnson recused herself because her father, Anthony Capetola, has a financial interest in the Milleridge Inn, a restaurant at the property that is expected to benefit from business from hotel guests.

The approval was a crucial step for New Hyde Park-based Kimco Realty to move ahead with plans to build a three-floor, 93-room Marriott Residence Inn in a rear parking lot of the Jericho Commons shopping center, which Kimco owns.

The special-use permit is required because the property is zoned for general business, which includes retail, office and service uses but not hotels. The project still needs a variance from the town because it lacks hundreds of required parking spaces and the company is seeking tax breaks.

The hotel has been fiercely opposed by Jericho residents over concerns that it would bring traffic and parking to residential streets where children use the library and playground, change the character of their community, depress property values, and infringe on privacy.

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About 40 people addressed the board as more than 300 people crowded into Town Hall. More than two dozen people, mostly Jericho residents, spoke against the project.

“I cannot afford to risk my kids’ safety,” Xiaophong Ma, 41, a nurse practitioner from Jericho told the board, holding one child in her arms while another held a sign that said, “No Hotel.” “I’m scared because the hotel will add a lot of strangers nearby my house.”

About a dozen construction union members spoke in favor of it.

Matthew Aracich, president of the labor group Building and Construction Trades Council of Nassau and Suffolk Counties, told the board that the project “will bring revenue to the town of Oyster Bay, provide opportunities to many of the town’s residents.”

Kimco's attorney, Bram Weber of Weber Law Group LLP, told the board that the developer had “successfully addressed every single issue that’s been raised both through the review and through the public.”

The town board resolution included restrictive covenants that require a valet parking plan during “peak times” but which residents have said was inadequate. Residents of houses adjacent to the hotel site complained about a loss of privacy from the hotel with upper floor windows that

could provide views into their homes and yards. The restrictive covenants also require the developer to plant 9- to 10-foot-tall evergreen trees to provide year-round screening.

In explaining his vote to approve the permit, Town Supervisor Joseph Saladino said the town board had listened to residents and his staff during the approval process, which included a Jan. 29 public hearing.

“We asked questions and learned that there are covenants and restrictions that will be put in place,” Saladino said. On Monday, the town published on its website the list of restrictive covenants that the board would impose on the project.

“After listening carefully to the residents and listening to the data, I vote yes,” Saladino said.

After the vote, one resident shouted, “Shame on all of you!” Jin Cao, an attorney with offices in Flushing and Manhattan, said after the meeting that Jericho residents would explore legal options to stop the hotel.

Town Clerk James Altadonna Jr. said Wednesday that Jericho residents had been “disenfranchised” by the vote. Altadonna, who is challenging Saladino in November, said building additional stores on the site instead of a hotel “would have been a win-win for the community and for labor.”