



Oyster Bay's ZBA approves height, parking variances for proposed hotel



Jericho residents Yang Cheung, left, and Alice Zhang display photos of parking around the Jericho Commons shopping center at Thursday's meeting of the Oyster Bay Zoning Board of Appeals.

By Ted Phillips// February 3, 2020

A hotel planned for Jericho that has sparked vocal opposition from neighboring residents has received approvals from the Oyster Bay Zoning Board of Appeals.

The board approved variances for parking and height sought by owner Kimco Realty Corp. to build a 93-unit hotel at Jericho Commons, on North Broadway, over objections from residents.

Kimco received a variance to provide 1,576 parking spaces at the shopping center rather than the 2,128 required under the town code. It also received a variance to build to a height of 41.7 feet when the code permits a height of up to 35 feet. The board approved the variances at its Thursday meeting.

Businesses at Jericho Commons include the Milleridge Inn, a restaurant, Kimco's corporate headquarters, Marshalls, Whole Foods, and others.

Residents of the adjacent neighborhood asked the ZBA to deny the variances, raising concerns about additional traffic and parking spilling over onto their streets.

"The parking spot shortage will make cars going to the hotel, surroundings, jobs and restaurants to overflow to streets such as Merry Lane and Hazelwood Drive," residents' attorney Jin Cao told the zoning board. "There will be no harmony for those streets."

Kimco's attorney, Bram Weber of Weber Law Group LLP, told the zoning board that a town review of the plan showed "peak parking demand would be significantly less than the proposed parking supply."

Restrictive covenants filed with Nassau County last month require Kimco to implement a valet parking plan during "peak times," which the covenants did not specify, at the Milleridge Inn.

A resident whose backyard abuts the property said the height would block sunlight from reaching his home.

Weber said if Kimco didn't get a height variance it would build a different kind of roof that the code allowed to be 50 feet high. Weber also told the zoning board that if Kimco didn't get its variances, the company could demolish the Milleridge Inn and build commercial space and apartments on the site without a variance.

Milleridge Inn was first constructed in the Colonial era and is not protected under the town's landmarking laws. John Collins, a member of the town's landmark preservation commission, said in an interview that it's unlikely the inn could be protected because so little of the historic structure remains.

"The whale of the additions swallowed the original historic part," Collins said.

Following the hearing, the ZBA voted 6-0 to approve the variances, with a restriction that the valet parking could not include parking cars on Merry Lane.

“It appears to me that they've addressed the concerns of the residents,” ZBA chairwoman Arlene Van Loan said, explaining her vote.

A Kimco spokeswoman did not provide additional details Monday about the timing of construction or financing of the hotel.

A 2017 application to the Nassau County Industrial Development Agency for tax breaks estimated the cost of building, furnishing, and equipping the hotel at \$21.7 million.