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Crisis in Village "Real Estate Casino" Charged by East Hills Environmental Advocate

East Hills, NY, August 6, 2015 -- A possible epidemic of illegality, as well as percolating resident-anger regarding the re-development 'Gold-rush' in East Hills came to light at the village Architectural Review Board meeting of Monday, August 3, 2015, according to the account of a local environmental advocate who regularly attends the meetings.

Local environmental activist Richard Brummel, who for about three years has attended and testified at the monthly meetings of the Architectural Review Board or "ARB" , called the meeting an eye-opener into the largely unabated "casino-mentality" that he charged pervades real estate in East Hills and elsewhere in this area.

"We have laws designed to 'protect the tree canopy' (Village Code Section 186-1) and to protect the 'harmony' and 'prevailing aesthetic character' (Village Code Section 271-186)of our once-serene neighborhoods, but the current administration has permitted speculation and over-building to run wild, turning East Hills into a 'real estate casino' instead of a peaceful suburban refuge as it was designed to be," said Mr. Brummel.

Mr. Brummel, 55, a native of East Hills and the the author of Planet-in-Peril.org, who has recently taken to quoting the Pope in appealing to village and County land-use overseers like the ARB, has unsuccessfully sued East Hills through the state courts' appellate division to halt the overdevelopment and destruction of mature trees and forests in the area.

Hidden Spaces Trigger Stop Work

On Monday, during its regular meeting, ARB attorney Mitchell Cohen revealed during the public session that the Village Buildings Department has been issuing Stop Work orders after discovering hidden living space being built evidently to evade size limits on the expansive homes currently being built across the village.

Since the ARB's monthly meeting in July, Mr Cohen has made it a new practice of asking builders to pledge during their testimony that there are not "any hidden rooms that can be made habitable...by removing a piece of wood...."

The purpose of that Mr. Cohen's formulaic questions was not clear until he

followed up a resident's question to developer Shomrim Hedvat about the likelihood of the "unfinished basement" to be finished at some point. Mr. Hedvat brought knowing laughs from the board when he said there was no way he could know what the new owner would do after the house was built.

He warned Mr. Hedvat that "others who have built very large homes on the framing inspection received Stop Work orders that have been in effect for many months." He told him "your answers make me concerned" and advised him to review the "building code".

Neighbors Condemn Project

Meanwhile neighbors of Mr. Hedvat's proposed 6,096 square foot house at 18 Lawn Drive (off Chestnut Drive) in Country Estates condemned the trend of overbuilding in the area, apparently taking the ARB by surprise.

"We're losing my neighborhood. We look at what's going on and we're losing the character," said Debbie Hoffman of Lawn Drive in arguing against Mr. Hedvat's newest proposal, which she called "a monstrosity...a castle."

Her husband David Hoffman, an attorney, told the board his family moved to East Hills because is areas like Country Club in Roslyn Heights "it's McMansion after McMansion...and that's what's happening to East Hills now. I am pleading with you guys [the ARB members] to take your time...Your job is so important aesthetically to East Hills....."

Neighbor Gil Bilkis, also an attorney, said the 6,096 square foot home was like putting "the Eiffel Tower on the size of a postage stamp" and said such development "was not the reason I moved to Country Estates," but he stated he was "pro-development" and would be satisfied is the house were moved further back on the property.

After hearing residents' criticism, ARB chairman Spencer Kanis admonished developer Shomrim Hedvat, telling him "you've pushed the envelope" on his recent proposals for rebuilding.

In July, the board had praised Mr. Hedvat's last project, a 5,981 square foot home at 5 Palm Court, off Town Path near Northern Boulevard after he changed the proposed siding and reduced the number of mature trees to be removed from nine to six -- although the new number included three rare Tulip trees Mr. Brummel, the environmentalist, had urged the board to protect, and which simply made space for a "patio".

Missing Tree Report

The board decided to delay its decision pending a re-evaluation of trees on the property.

But it was unclear whether the board had intended to do so at the outset of the hearing, because while their tree consultant, Tree Health, had filed letters advising the need for re-inspection at two properties, Chairman Kanis neglected to note this fact in introducing the Lawn Drive proposal, although he was very clear in noting it with respect to an earlier application regarding 6 Northern Woods Drive.

At the hearing, the letter first came to light when Mr. Brummel in his testimony alleged a number of technical and substantive flaws in the Lawn Drive application, including the Tree Health note, which stated that the nine trees proposed for removal needed to be better marked for inspection.

"We've been very cooperative to you," Mr. Kanis told Mr. Hedvat before urging him to revise his proposal in response to the residents' issues.

Former Member Who Resigned Attends Meeting

Former long-time ARB member Jana Goldenberg, also a civic association president in Country Estates, quietly resigned from the board this past winter because of her unhappiness with the board's conduct, culminating in the approval of a large house on Chestnut Drive built by Robert Beer, who built a number homes in East Hills in recent years, including 90 Fir Drive, which Mr. Brummel sued unsuccessfully over.

Ms. Goldenberg was at the Monday meeting, apparently to support the neighbors on Lawn Drive, although she did not address the board.

Chairman Kanis told one of the neighbors that he was glad that the neighbors appeared because often he hears opposition to new houses after the meetings have already concluded.

Mr. Brummel criticized Mr. Kanis's passing-the-buck to neighbors. Mr. Brummel noted that he often knocks on neighbors' doors in the days prior to ARB meetings only to discover that residents had no idea the immensity of a project proposed, its design, or the trees next to their property proposed to be destroyed.

"The vague letters provided to neighbors about 'some neighboring project' being before the board, as well as the lack of convenient access to the plans or descriptions on the Village website -- as required by the state Open Meetings

Law -- makes Mr. Kanis's 'blame to neighbors' approach really indefensible," Mr. Brummel said.

Neighbors are also afraid of speaking out, Mr. Brummel said. He noted that his own testimony provided regular critiques of home size, style, and tree destructions, and that the board and the board's attorney had often rudely interrupted and dismissed his comments.

Zoning Review Committee Remains Silent

Meanwhile, a committee set up in 2012 to review East Hills' land use laws has failed to issue any reports or recommendations, and has not met in months. The chairman is Sol Nieto, an architect and longtime member of the ARB.

"The review committee, set up after I gathered a critical petition and was featured on the front page of The Roslyn News in 2012, was a sham from the start, filled with only the mayor's cronies and those who were responsible for approving the overdevelopment as it stood," said Mr. Brummel. "I attended its few meetings. Whenever their consultant made a suggestion, for harsher fines or tighter rules, the board shut them up. It was obviously going nowhere," he added.

One member of the review commission -- whose "next meeting date" remains pending on the Village website -- told Mr. Brummel they were considering reducing the allowed square footage of new houses in their most recent discussions.

"I go back to the law I found in the Village Code from 2005 -- ten years ago -- which says 'The recent trend of tearing down existing houses and replacing them with expansive houses or building extremely large additions to existing houses threatens the appearance, integrity, health, safety, welfare and quality of life of residents in East Hills' [Village Code section 271-225]," Mr. Brummel said.

"By lax regulation and 'free-market' appointments to Village boards, the people in charge of East Hills have turned it into a 'real estate casino'," Mr. Brummel said.

"But the real dirty secret in East Hills is that most residents here, with their Range Rover-envy, incessant air-conditioning, and incomes from Wall Street, are too selfish and self-indulgent to either care or do something about it. As Pope Francis said, environmental protection is a moral issue, and morality is a weak seller compared to Gucci in the area I currently live in," Mr. Brummel said.

Asks for Wildlife Review for Targeted Trees

Other issues Mr. Brummel has recently repeatedly raised with the ARB lately ask for the board to post relevant documents on the Village website as required by

the state Open Meetings Law, and for the board to evaluate every healthy mature tree proposed for removal as to whether it is home to wildlife like birds, squirrels and raccoons, and take necessary measures to protect such animals.

The board has failed to act on the requests, although Mr. Brummel noted the Village is far more forthcoming with public review of documents than, for example, Nassau County, whose Planning Commission recently kicked him out of its office and threatened to call the police when he attempted to photograph public filings related to the state environmental review law.

Mr. Brummel, a graduate of Yale College, currently works as a professional cook at a private club. In 2014, Mr. Brummel sued the Village for defamation, and the case is currently on appeal before the state Appellate Division, NYS Supreme Court, Nassau County, Index #2772/2014.

Accompanying:

Photos of 18 Lawn Dr. East Hills CURRENT and PROPOSED,
Photo of Richard Brummel.

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