



NORGATE NEWS

AN IRREGULAR PUBLICATION OF THE
NORGATE CIVIC ASSOCIATION

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SUNSET CHAPELS SITE REDEVELOPMENT

The Initial Plans & Discussions with the Developer

In the Fall 2022 issue of the Norgate News we reported to our residents that the three commercial lots on Northern Boulevard on which the former Sunset Chapels funeral home was located, and the empty Norgate residential lot at 22 Norgate Road, had been sold and that a company named 1285 Northern Boulevard, LLC, had been formed to develop those properties as a BMW automobile dealership. John Burns, the principal of the new owner, attended our annual meeting in June to tell us of his proposal for the site. Thereafter he shared site plan drawings and we responded by email with a number of concerns that centered on the need to buffer the neighborhood from views, lights, and noise of the commercial uses along Northern Boulevard. We met at the Manhasset Public Library in August and after initial discussions Mr. Burns, his designer, and his lawyer accompanied us to Norgate to look at the area from our perspective.

A number of mature hardwood trees and pines presently line the borders of the three commercial lots where they abut Norgate properties. Over the years many low trees and shrubs have grown up between and below the larger trees. Those plantings constitute our present buffer. Under the initial plans for the site, substantial regrading would have disturbed the roots of the trees and shrubs, requiring their removal.

Further Study & Consultations

As a result of our August meeting with Mr. Burns and his team, he agreed to take another hard look and to engage a professional arborist to consider preservation of the mature trees along the property lines. In September an arborist examined the plantings along the borders, selected mature trees that should be retained, and helped to prepare a new landscaping plan for the site. A new set of draft plans were prepared in which parking, lighting, grading, and landscaping were significantly changed from the earlier version to provide more protection to Norgate. On October 24th we again met with Mr. Burns, his daughter, designer, and the arborist at the Manhasset Public Library to review the new draft plans. As a group we then moved to the site to discuss the needed tree removals.

Development & Submission of Revised Plans. Further Consultations

As a result of our conversations with Mr. Burns and his team, revised plans were finalized and dated on October 26th, and they were then submitted to the Town's Building Department for site plan approval.

On November 28th we met with Councilwoman Veronica Lurvey and Town Director of Planning Michael Levine to discuss the revised plans. Those plans do not conform to several provisions of the Town Code relating to, among other things, the required number of parking spots, front yard setbacks, the buffer zone between the commercial lots and the lot at 22 Norgate Road, and the need for a dedicated loading and unloading area. The landscaping plan calls for re-

landscaping an area of Town property about 10 feet wide and 157 feet long between the curb on the eastern side of Norgate Road and the property line of the adjoining commercial lot from Northern Boulevard to Highmeadow Road. Work in that area will require a special permit from the Town Highway Department. A recorded 1954 declaration of covenants and restrictions burdens one of the commercial lots by requiring certain fencing, landscaping, and setbacks, and by prohibiting a curb cut into Norgate Road. The revised plans differ from the requirements of the 1954 document.

On December 12th we again met at the site with Mr. Burns and members of his team, including his arborist, and Town officials to review the proposed landscaping along Norgate Road and the program of tree removal and replacement.

Building Department Disapproval & Application for Variances, etc.

On January 11, 2023, the Town Building Department issued a notice of disapproval of the revised site plans with a list of the ways in which they do not conform to provisions of the Town Code. The plans were disapproved because they violate certain Town Code provisions relating, among other things, to the required number of parking spots, and necessary front-yard setbacks. Automobile dealerships also require a conditional use permit. The disapproval was entirely expected and is part of the normal development process. On the same, day 1285 Northern Boulevard, LLC, applied to the Town's Board of Zoning and Appeals (the BZA) for necessary variances and a conditional use permit. A hearing on that application is scheduled to be held by the BZA at 10 A.M. on Wednesday, [February 15, 2023](#), at Town Hall.

If the variances and permit are granted, the matter will come before the Town Board to consider replacement of the 1954 covenants and restrictions with new ones that will further protect our neighborhood.

The Position of the Board of the Norgate Civic Association

As you can see from the foregoing, the Board of your association has exercised due diligence in carefully considering the development plans for the Sunset Chapels site. We offered feedback on the initial drafts of those plans which led to important, substantive revisions designed to protect our neighborhood. We have consulted regularly with the developer and with Town officials to make our views known.

The derelict Sunset Chapels site cries out for redevelopment by someone. The only questions are by whom and when. The BMW sales office plan promises to result in a relatively low intensity use of the site. We've worked with Mr. Burns and his team, and they have been highly responsive to our concerns. He plans to redevelop the site in a way that is relatively sensitive to the needs of Norgate residents. To oppose this fairly good plan and see it rejected could mean that another, less cooperative developer will come along with a worse design.

Our assessment of the revised plans is that they will adequately protect Norgate from views, lights, and noise emanating from the commercial areas along Northern Boulevard. It does not appear that redevelopment will result in a noticeable increase in traffic through our neighborhood. There will be a significant loss of trees and low foliage initially, but these will be replaced by evergreens that will grow to screen Norgate in all four seasons rather than in only two as at present.

Although in the course of construction much of the foliage along the borders of the commercial lots will have to be removed, the plans call for an appropriate 15-foot buffer zone along Norgate lots composed of six-foot vinyl fencing, a number of retained mature trees, and a large number of new, fast-growing, green giant arbor vitae. The empty lot at 22 Norgate Road will

become part of the buffer zone and will be planted with 29 green giants. It will remain zoned as a residential lot and pedestrian and vehicular access to and from the commercial lots through it will be prohibited. The east side of Norgate Road from Highmeadow Road to Northern Boulevard will be relandscaped and cared for by the BMW dealership. The commercial part of the premises will be used for automobile sales only and will not contain a service department. New cars will be driven to the site and will not be delivered by car carriers.

The bottom line.

Some minor matters remain with respect to the project plans and application for a variance, as well as the important terms of a new declaration of covenants and restrictions to replace the 1954 version that are acceptable to the developer, to the NCA, and to the Town Board. Those matters are the subject of ongoing discussions with counsel for the developer. We are confident that they will be settled satisfactorily and, assuming that to be the case, the NCA Board favors granting the necessary variances and conditional use permit. It is our view that the requested variances are appropriate given the nature of the proposed use of the site and that conditions on that use and revised covenants and restrictions will adequately protect our neighborhood.

Have Questions and Want Answers?

Relevant documents are posted on the Norgate Civic Association's page of the web site of the Council of Greater Manhasset Civic Associations at www.manhassetcivic.org/nca:

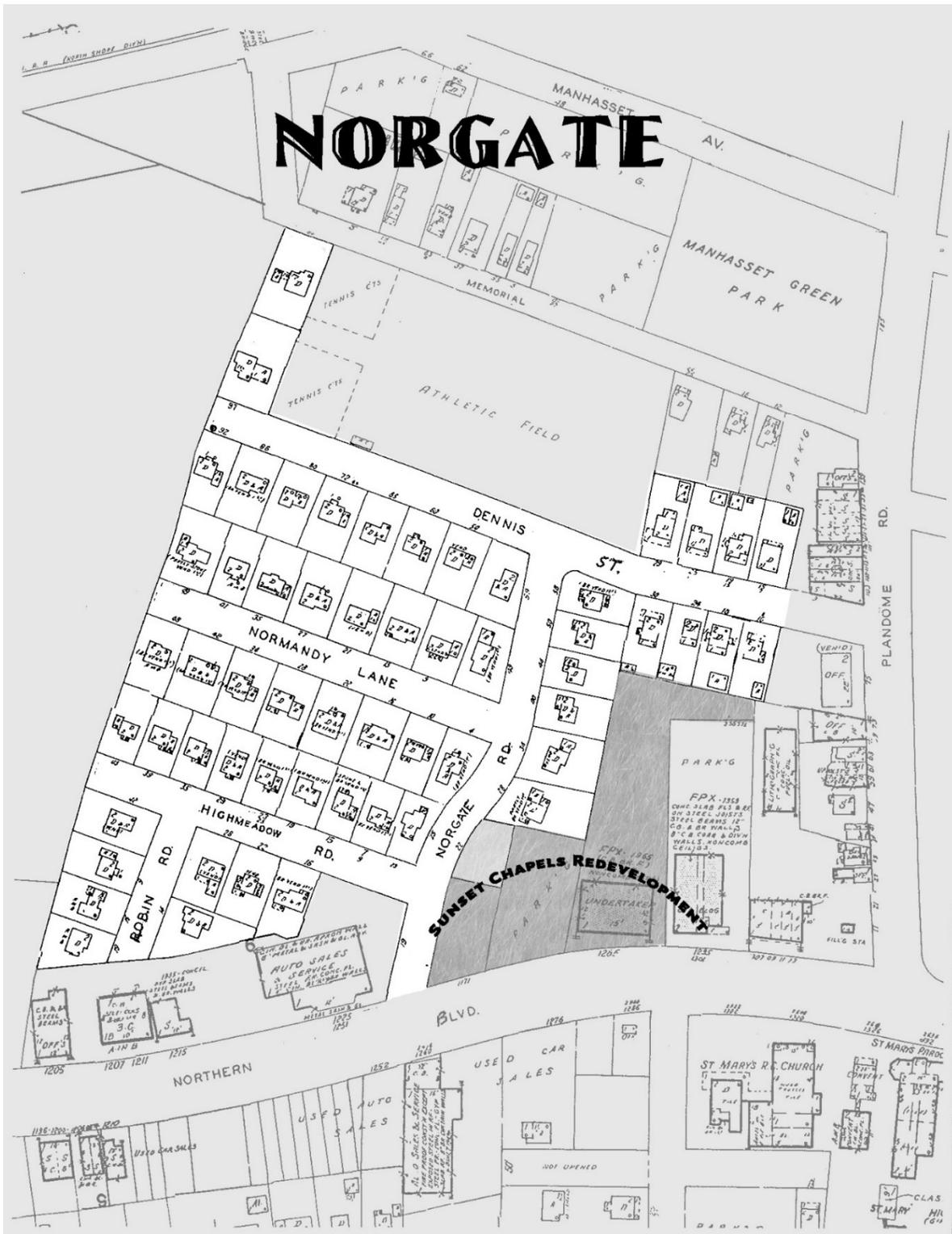
- A map of the lots that are the subject of the redevelopment plans and their relation to the lots in Norgate;
- The initial set of site plans, completed in March 2022, and later withdrawn after consultation with NCA officers, block captains, and adjoining lot owners;
- The revised plans completed in October 2022;
- A site survey and architectural plans for the proposed structure.
- The developer's application to the BZA for variances and a conditional use permit. The document packet includes, among other things, the Building Department Notice of Disapproval, the form application and its addendum, a copy of the 1954 declaration of covenants and restrictions, and architectural plans for the proposed BMW sales office building; and,
- A traffic impact study completed in January 2023.
- A map of the properties within 300 feet of the development site.

The NCA Board has full-size, printed sets of both the Spring 2022 and revised October 2022 plans that can be made available for your inspection. We will be pleased to attempt to answer your questions. Email them to norgatecivicassociation@gmail.com and we will get back to you promptly.

We will hold a Zoom meeting with Mr. Burns and members of his team, open to all Norgate residents, at which your questions can be asked and answered. That meeting is scheduled for 7:30 P.M. on Monday, February 6, 2023. Click the [meeting link](#) to join the meeting. We hope to see and speak with you then.

What comes next?

A representative of the NCA will likely speak at the BZA hearing and before the Town Board to express its position on the issues. Those are public meetings and anyone from the community is welcome to attend and express his or her own opinion.



SPECIAL NORGATE CIVIC ASSOCIATION RESIDENTS' MEETING
via Zoom—7:30 P.M., Monday, February 6, 2023
Details Inside