

APPLICATION BEFORE
THE BOARD OF ZONING APPEALS
OF THE
INCORPORATED VILLAGE OF OLD BROOKVILLE
FOR
PROPERTY BELONGING
TO
ST. FRANCIS RESEARCH
AND EDUCATIONAL CORP.

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EXHIBITS

- Exhibit A Survey
- Exhibit B Radius Map
- Exhibit C November 12, 1991 Zoning Board Decision
- Exhibit D Proposed plans for Old Brookville Police Dept.
 prepared by Angelo Francis Cowan & Associates consisting of:

- (1) Site Alignment Plan (sheet A1.2)
- (2) Site Grading and Drainage Plan (sheet A 1.3)
- (3) Lower Level Floor Plan (sheet A2.1)
- (4) Main Level Floor Plan (sheet A2.2)
- (5) Building Elevations (sheet A3.1)

Exhibit E Environmental Assessment Form

SYNOPSIS

INCORPORATED VILLAGE OF OLD BROOKVILLE
APPLICATION TO AMEND USE VARIANCE

- 1. PLOT NAME :
- 2. (a) PROPERTY LOCATION : 51+ acre parcel of land located on the northerly side of Northern Boulevard at its intersection with the westerly side of Valentine's Lane
- (b) TAX MAP DESIGNATION : Section 20, Block J-7, Lot 860
- 3. (a) OWNER : St. Francis Research and Educational Corp.
- (b) ADDRESS : c/o George F. Rice, Esq.
229 Seventh Street, Suite 100
P.O Box 7775
Garden City, NY 11530-7775
- (c) TELEPHONE NUMBER : (516) 592-6800
- 4. (a) APPLICANT : St. Francis Research
And Educational Corp.
- (b) ADDRESS and TELEPHONE NUMBER : c/o Applicant's attorney
- 5. (a) SURVEYOR :
- (b) ADDRESS :

- (c) TELEPHONE NUMBER :
6. (a) APPLICANT'S ATTORNEY: Geroge F. Rice, Esq.
- (b) ADDRESS : 229 Seventh Street, Suite 100
P.O. Box 7775,
Garden City, NY 11530-7775
- (c) TELEPHONE NUMBER : (516) 592-6800
7. (a) ARCHITECT : Angelo F. Corva, R.A.
- (b) ADDRESS AND TELEPHONE NUMBER : 1691 Northern Blvd., P. O. Box 4321
Manhasset, NY 11030, (516) 869-9800
8. (a) AREA OF LAND : 51+ acres
- (b) ZONING DISTRICTS : R-2A and R-3A Residence District
- (c) WATER DISTRICT :
- (d) IS LAND LOCATED WITHIN:
- 500 feet of Village Boundary?: Yes
- 500 feet of navigable or large body of water? : No
- (e) IS ANY PART OF LAND UNDER WATER OR SUBJECT TO PERIODIC FLOODING? : No
- (f) HAVE TEST HOLES BEEN DUG? : No
- (g) HAVE VILLAGE ENGINEERS & NASSAU COUNTY DEPT. OF PUBLIC WORKS TENTATIVELY APPROVED PROPOSED DRAINAGE FACILITIES? : No

- (h) DOES SURVEY SHOW LOCATION OF EVERY STRUCTURE ON LAND? : Yes
- (i) IS LOCAL WATER DISTRICT ABLE TO SUPPLY WATER TO PROPERTY? : Yes
- (j) RELIEF REQUESTED : Amend existing variance granted by the Board of Zoning Appeals by decision dated October 17, 1991, filed with the Village Clerk on November 12, 1991 to permit expanded use of Premises and the construction on and use of part of the property as the Village of Old Brookville Police Department Headquarters as shown on the Plans attached hereto as Exhibit D.
9. (a) LEGAL STATUS OF LAND:
- (b) IS LAND ENCUMBERED BY A MORTGAGE OR LIEN? : No.
- (c) IS LAND AFFECTED BY ANY OTHER ENCUMBRANCES, SUCH AS UTILITY EASEMENTS, RIGHTS OF WAY, COVENANTS, RESTRICTIONS OR RESERVATIONS? : Yes. Scenic easement imposed by Board of Zoning Appeals in 1991 as shown on Site Plan
- (d) ARE VILLAGE, SCHOOL AND TOWN TAXES ON THE PROPERTY IN ARREARS? : No
10. MISCELLANEOUS INFORMATION : The names, mailing addresses and section, block and lot numbers of all contiguous property owners of the subject property are shown on page 9 of the within application.

11. SIGNATURE AND
CERTIFICATION :

We have read the foregoing application and understand that any false statements made therein are punishable as a Class A Misdemeanor, pursuant to Section 210.45 of the Penal Law.

Dated: August , 2007

St. Francis Research and Educational Corp.

by

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PROPERTY DESCRIPTION

The subject property consisting of approximately 51 acres, is located on the northerly side of Northern Boulevard (Route 25A) at its intersection with the westerly side of Valentine's Lane in the Inc. Village of Old Brookville (hereinafter the "Village") and is designated on the Land and Tax Maps of Nassau County as Section 20, Block J-7, Lot 860 (hereinafter the "Premises"). The Premises is located in the Village's R-2A and R-3A Zoning Districts. A survey of the Premises is attached hereto as Exhibit A and a 500' radius map of the Premises is attached hereto as Exhibit B.

PROPERTY HISTORY

On or before May of 1991, the Premises was owned and occupied by New York Chiropractic College and utilized as an educational institution pursuant to a special use permit granted by the Village's Planning Board in 1978. On or about May of 1991, St. Francis Corporation applied to the Board of Zoning Appeals of the Village (hereinafter the "Board") for the necessary variance to permit the use of the Premises by the Applicant as a community education center, cardiac fitness and rehabilitation center and for medical education, administrative offices and clinical research. The Board granted the requested variance by decision dated October 17, 1991 which was filed with the Village Clerk on November 12, 1991 (hereinafter the "Decision"). A copy of the Decision is annexed hereto as Exhibit C. The Board, in granting the requested variance restricted the use of the Premises to:

- (a) a community education center with programs such as stress management and smoking cessation, nutritional programs, diet and cholesterol management and screening programs, and like programs,
- (b) a cardiac fitness and rehabilitation center with exercise and fitness programs,
- (c) medical education seminar facility providing continuing education for medical and professional staff,
- (d) administrative offices for a computer center, financial and accounting services, administrative services for clinical research and similar administrative functions,
- (e) clinical research involving patients of Saint Francis Hospital limited to the hours of operation of the subject property. The subject property shall not be used for clinical treatment of patients on an in-patient, or out-patient basis or used in any manner which would require a patient to remain on the property overnight i.e., except as

specifically stated aforesaid the property shall not be used for general hospital purposes.

On or about May 20, 2002 the Applicant made application to the Board of Trustees of the Village for a building permit for interior renovations/alterations to the DeMattis Center located on the Premises to permit the expansion of the existing cardiovascular research laboratory at the site. The Board of Trustees granted the building permit necessary to permit such use on the following terms, covenants and conditions:

- (a) The proposed renovations are being made for the specific and limited purpose of expanding the existing cardiovascular research laboratory at the site.
- (b) The proposed renovations will affect approximately 60% of the overall building; 30% to be used for cardiovascular disease research (imaging) and 30% for conference and classrooms specifically related to such research. The remainder of the overall building will continue to be utilized for cardiovascular rehabilitation, common access ways and general administrative functions.
- (c) There will be a total maximum of 74 employees on site for all operations at the Premises comprised of research physicians, scientists and support staff. The total employee population is being reduced from 199 employees as a result of the proposed internal reconfiguration resulting from the relocation of the finance department off site.
- (d) The use of the proposed research laboratories shall be strictly limited to high level clinical research only, i.e., clinical research on patients meeting specific protocol criteria for research testing. The clinical testing will involve imaging of the heart with MRI, ultrasound, PET scanning and radiological diagnostic techniques and technology. The research will not involve new medical treatments for heart disease.
- (e) There will be absolutely no medical treatment or surgery (diagnostic or otherwise) of any kind performed to any of the clients/patients attending the research laboratories.
- (f) The facility will not be used as a substitute or supplemental location for the main St. Francis Hospital facility for MRI imaging or other out-patient treatment.
- (g) There will be no fee for services of any kind charged to any of the client/patients attending the research facility.