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November 30, 2010

Delivered by Hand

Nassau County Planning Department
100 County Seat Drive
Mineola, NY 11501-4825
Attn: Master Plan Comments

NC PLANNING DEPT

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To the Members of the Nassau County Planning Commission:

This office, along with co-counsel Certilman Balin Adler & Hyman, LLP, represents Birchwood Civic Association at Jericho, Inc. ("BCA"), Birchwood Park at Syosset Homeowners Association ("Birchwood Park") and Syosset Groves Civic Association ("Syosset Groves") in connection with their opposition to a proposed shopping mall located on the former Cerro Wire property in Syosset.

We understand that representatives of the Taubman Company ("Taubman"), which owns the Cerro Wire property and seeks to develop that property with a regional shopping mall, appeared at the public hearing held by the Nassau County Planning Commission ("Commission") regarding its Master Plan on November 18, 2010. We also understand that Taubman's representatives requested that the Master Plan recognize and/or endorse development of the Cerro Wire property with Taubman's proposed mall.

The purpose of this letter is to advise the Commission that the communities of Syosset, Jericho and Woodbury are steadfastly and vehemently opposed to the development of the Cerro Wire property with a shopping mall. The BCA, Birchwood Park and Syosset Groves are part of the Cerro Wire Coalition, consisting of 27 civic, business, educational and community groups representing more than 40,000 homeowners and 6,000 small business owners in Nassau County opposed to the mall project. Groups opposed to the mall development include the Jericho and Syosset Boards of Education, the Nassau Council of Chambers of Commerce and the Syosset Chamber of Commerce, along with approximately two dozen additional civic and community associations.

By any measure, a regional shopping mall as proposed by Taubman for the Cerro Wire property will devastate the surrounding area and should in no manner be recognized or supported in a proposed Master Plan for Nassau County. Enclosed is a copy of resolution No. 796-07 of the Town Board of the Town of Oyster Bay adopted on September 25, 2007 setting forth in great detail over 34 pages, the reasons why it denied a special use permit in connection with the mall project based upon myriad issues. That resolution was upheld and validated by the Supreme Court, Appellate Division, Second Department in Matter of Oyster Bay Assoc. Ltd Partnership et al.v. Town Board of Town of Oyster Bay, et al. (copy enclosed).

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The BCA, Birchwood Park, Syosset Groves and the entire Cerro Wire Coalition will continue to steadfastly oppose a mall at the Cerro Wire property. However, they also believe that this brownfield property should be redeveloped and put to a productive use. For that precise reason, the Cerro Wire Coalition, through its Alternate Development Committee, proposed in 2007 an alternative plan for the Cerro Wire property which advances many of the key planning principles set forth in the draft Master Plan--smart growth, preservation and promotion of downtowns, and prevention of sprawl. The Cerro Wire Coalition's alternate development concept calls for redeveloping the Cerro Wire property with a smart growth, mixed-use approach including sorely needed senior and next-generation housing, a boutique-style hotel, offices, and a small retail component. In fact, the Cerro Wire Coalition communicated directly with representatives of Taubman to advance the alternate development concept and seek Taubman's cooperation in redeveloping the property with sensible development that is compatible with the community. Unfortunately, that overture was rejected.

Additionally, the BCA commissioned noted economist, Martin R. Cantor, to examine the economic benefits which could be expected to ensue from development of the Cerro Wire property with a mall and with the alternate development plan. His report, also enclosed herewith, demonstrates that the economic benefits which will result from the alternate development plan will be significantly greater than those benefits generated from a proposed mall.

Also enclosed are Cerro Wire Coalition newsletters from Spring 2009 and Fall 2009 further explaining the community's position.

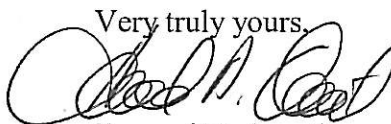
In sum, there is no question that the Cerro Wire property in Syosset should be redeveloped. However, such redevelopment must be sensible and compatible with the surrounding area. The alternate development concept developed by the Cerro Wire Coalition is just that. The mall as proposed by the property owner is totally incompatible with the surrounding area and would result in severe negative impacts to local residents and downtown Syosset which the Master Plan purports to promote.

As a result, the BCA, Birchwood Park and Syosset Groves, as part of the Cerro Wire Coalition, vehemently oppose any recognition or support of the mall concept for the Cerro Wire property in the Master Plan for Nassau County. Instead, the Commission should consider endorsing the Cerro Wire Coalition's alternate development plan for the Cerro Wire property. Further information and details regarding the alternate development plan can be found at the official website of the Cerro Wire

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Coalition, www.nomallhere.com. This office, as well as other representatives of the Cerro Wire Coalition, are also available to meet with the Commission and/or attend future hearings, if desired.

Very truly yours,

Howard D. Avrutine

HDA/cr
Enclosures

cc: Craig Snyder, President
Birchwood Civic Association
Debbi Hunter, Co-President
Birchwood Park at Syosset Homeowners Association
Julie Gropper, Co-President
Birchwood at Syosset Homeowners Association
Warren Church, President
Syosset Groves Civic Association
Todd Fabricant, Chairman
Cerro Wire Coalition
Hon. John Venditto, Supervisor
Town of Oyster Bay
Hon. Edward P. Mangano, County Executive
Hon. Peter Schmidt, County Legislator, Presiding Officer
Hon. Diane Yatauro, County Legislator, Minority Leader
Hon. Judy Jacobs, County Legislator
Hon. Rose Marie Walker, County Legislator