

## GLEN COVE

# Suit seeking to halt condos tossed

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A state Supreme Court judge in Nassau County has dismissed a lawsuit seeking to block construction of a 176-unit luxury condominium complex near downtown Glen Cove.

Judge George Peck on Wednesday rejected arguments by plaintiffs Roni Epstein and Marsha Silverman — who live in a hilltop house above the site — that city officials did not perform adequate environmental reviews and did not follow legally mandated procedures in approving the project, called The Villa at Glen Cove. They had asked Peck to annul city approval for The Villa, which is being built by Queens-based Livingston Development Corp.

Peck wrote that the city, in fact, “took a hard look” at the impact of the project on the environment, and that “plaintiffs’



A rendering of The Villa, a 176-unit condominium complex.

argument that the public was denied access to the process . . . is controverted by the extensive record in this matter which includes numerous public notices and extensive public hearings.”

Livingston first proposed the project in 2007, and the planning board approved it in April 2016. It will include six buildings of two to four stories.

City Attorney Charles McQuair said the years the city

took to analyze the project, and the changes the city required Livingston to make, illustrate how carefully The Villa was scrutinized.

“This is the second-most-heavily vetted project by the city, I think, in my lifetime,” McQuair said, surpassed only by the giant Garvies Point project on the city’s waterfront.

Silverman said she and Epstein, her wife, are likely to appeal the decision by Peck, who earlier rejected their motion requesting he recuse himself from the case.

“The judge had shown bias toward the defendant throughout the case,” she said.

Silverman said the project’s density and the traffic, noise and light pollution will harm the quality of life for many city residents.

Amy Marion, an attorney for Silverman and Epstein, as-

serted that, despite what Peck wrote, the city did not conduct a complete environmental analysis, and The Villa did not comply with the city’s master plan. Although there were public hearings on The Villa, the city did not provide adequate notice nor provide residents with enough documentation about the project before the hearings, she said.

Peck on Wednesday also lifted an injunction prohibiting Livingston from cutting down trees on a portion of the site. With that barrier gone, “Mr. Livingston intends to proceed with construction” and is confident an appeal would fail, said Patrick Hoebich, an attorney for Livingston’s owner and president, Daniel Livingston.

Keith Lanning, a vice president of Livingston, said the company hopes to finish demolishing buildings on the site in the next few weeks.