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4 INCORPORATED VILLAGE OF LAWRENCE
5 BOARD OF BUILDING DESIGN MEETING
6 Held on Monday, August 7, 2023

7 At

8 VILLAGE OF LAWRENCE
9 196 Central Avenue
10 Lawrence, New York 11559

11 6:59 p.m.
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2 A P P E A R A N C E S:
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4 BARRY POMERANTZ, Chairperson

5 MAX KATZ, Member

6 JOSEPH DAVIDSON, Member

7 NICO MARRA, Building Department
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Weinstein

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MR. POMERANTZ: This is the meeting of

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the Board of Building Design, August 7th. The

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meeting is Mr. Katz, Mr. Davidson, Mr.

5

Pomerantz. We will take the applications as

6

listed.

7

First application is Berardi, 74 Beach

8

2nd Street. Anybody here? Okay.

9

We will go to the next one. Weinstein

10

at 75 Sealy Drive?

11

MS. WEINSTEIN: Right here.

12

MR. POMERANTZ: Okay. Please stand.

13

Stand right there. Okay. So fine. So we see

14

that you are looking to do -- you have right

15

now a T driveway yourself, the front?

16

MS. WEINSTEIN: Yes.

17

MR. POMERANTZ: Which we approved for

18

you last time you were here, I guess.

19

MS. WEINSTEIN: Well, I don't think so.

20

It's a brand-new -- it's a brand-new

21

application.

22

MR. POMERANTZ: Okay. It was approved

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by -- I guess was your architect here when the

24

house was --

25

MS. WEINSTEIN: I doubt it. He hasn't

Weinstein

1 left his house in three years.

2
3 MR. POMERANTZ: Okay, fine. So the
4 regulations in the guidelines for the village
5 of Lawrence state you must be 50 feet from the
6 curb to the building, to the staircase, or
7 whatever it may be. Based on your plans, you
8 are less than 20 feet from the curb to the
9 stairs, correct?

10 MS. WEINSTEIN: Correct but I am on
11 Sealy Drive.

12 MR. POMERANTZ: Okay. Sealy Drive has a
13 total of three other homes in the entire
14 street that have circular driveways. The ones
15 that are there except for the one diagonally
16 across from you, which was approved 30 years
17 ago before there was regulation. The other
18 ones that have been approved are set back much
19 more than the 20 feet that you have.

20 MS. WEINSTEIN: Okay.

21 MR. POMERANTZ: So the question is
22 because you are on Sealy Drive, it's more of a
23 reason that we are not going to permit it, and
24 the reason being is the fact that Sealy Drive
25 is the only street in Lawrence that has

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Weinstein

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alternate side street parking.

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MS. WEINSTEIN: Yes and there is a spot

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right where my driveway is. Someone can park

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there, and I can't get out.

6

MR. POMERANTZ: That's something you

7

should notify Motor Vehicles of that.

8

MS. WEINSTEIN: Not only that, my

9

husband is in a wheelchair. It's almost

10

impossible to maneuver. There is no space to

11

get out of the car, for me to get out and him

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to get out. It's really impossible. I don't

13

even need the round -- the circular. I just

14

need a way of getting out, and there is no way

15

of getting out.

16

MR. DAVIDSON: You have enough coverage

17

to widen the driveway if you would like.

18

MS. WEINSTEIN: Can I have a double cut?

19

MR. DAVIDSON: Sorry if I misspoke. I

20

believe you have the width, but you have to

21

check.

22

MS. WEINSTEIN: If I can make -- you

23

know, if the calculations worked that way, so

24

if I can get a double cut, then I will be able

25

to get out of the driveway.

Weinstein

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2 MR. POMERANTZ: First, that, by the way,
3 has to go through the Zoning, the coverage.
4 You need the coverage for that.

5 MS. WEINSTEIN: Well, it would be less
6 than what's here.

7 MR. POMERANTZ: No, you are going to be
8 coming further toward the street.

9 MS. WEINSTEIN: No. I just want to
10 widen the current driveway to where it's --

11 MR. KATZ: Which part?

12 MS. WEINSTEIN: Nine or 10 feet.

13 MR. KATZ: Near the stairs?

14 MS. WEINSTEIN: Not the stairs. The
15 street. So now it's about 10 feet wide, 9, 10
16 feet wide. Then I just -- I just want to
17 widen. Then I can widen it to 19 feet just to
18 double it so I can get in and out.

19 MR. POMERANTZ: Okay. Again, by making
20 it 19 feet, you are considering it 7 feet you
21 are taking it from the grass to concrete or
22 whatever or blacktop and that has to be taken
23 up with the Zoning to make sure that you have
24 the coverage.

25 MS. WEINSTEIN: So what I am asking for

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Weinstein

2 now is also going to be on the grass and 10,
3 so I believe doubling it will be less than
4 what I am asking for now.

5 MR. DAVIDSON: One has nothing to do
6 with the other. This you are applying for a
7 roundabout circular driveway that's going to
8 be voted on. An alternative is as Mr.
9 Pomerantz is explaining it to go back to the
10 zoning and the other suggestion is to expand
11 the driveway to give you what you need, but
12 that's a whole separate application or
13 discussion with the zoning. We are going to
14 vote on just the circular.

15 MS. WEINSTEIN: I have to submit another
16 application?

17 MR. MARRA: Yes. To our -- it would be
18 Danny.

19 MS. WEINSTEIN: It would be a hardship,
20 but that's fine if that's the best you can do.

21 MR. POMERANTZ: We can't vote because
22 that has to do with coverage, and we have
23 nothing to do with coverage.

24 MS. WEINSTEIN: Okay.

25 MR. DAVIDSON: We can only vote on this

1 Weinstein

2 which we will vote, but as Mr. Pomerantz
3 said --

4 MR. POMERANTZ: Unfortunately, it's far
5 from what the standards permit.

6 MS. WEINSTEIN: I understand and then
7 there was one other thing. The height of the
8 fence apparently last --

9 MR. POMERANTZ: There is no fence in the
10 application.

11 MR. KATZ: Right.

12 MS. WEINSTEIN: This came up last week.
13 So William Fence Company who put the fence in
14 just matched the neighbor's fence. The
15 neighbor is Abittan.

16 MR. POMERANTZ: So how high is the fence
17 in the back going to be?

18 MS. WEINSTEIN: The back is 6 feet so
19 that's fine. It's the side one.

20 MR. POMERANTZ: The side ones. And
21 how --

22 MS. WEINSTEIN: So I have a picture of
23 it. I have a picture. May I approach? So if
24 I was to put in a 5-foot wall -- and it wasn't
25 intentional anyway. The guy just put it up.

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Weinstein

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He tells me he has no knowledge there was a

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rule 5 feet and he has been doing it in

4

Lawrence and Abittan who is next to me has a

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6-foot fence and he didn't ask.

6

MR. POMERANTZ: On the side as well?

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MS. WEINSTEIN: Yes.

8

MR. POMERANTZ: How long do they have
the fence up?

9

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MS. WEINSTEIN: Two years. This is the

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other side, so you can see it's a double

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fence. I have a fence up too and so does he.

13

I have a pool, so I needed it enclosed.

14

MR. POMERANTZ: The actual regulations

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is from the grade, from your grade on your
property.

16

17

MS. WEINSTEIN: Right. So on that side,

18

then the fence theoretically would have only

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been 3 feet. The neighbor would have only had

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3 feet of a fence, so the kids would have been

21

able to climb over.

22

MR. POMERANTZ: So in retrospect, they

23

are in violation by having 6 foot on the side?

24

MS. WEINSTEIN: Well, Abittan is, yes.

25

MR. POMERANTZ: Yes. So they have to

Weinstein

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2 correct it. The regulations are 5 feet from
3 the grade level. And so on your property you
4 are permitted to put a 5-foot fence up. But
5 that would have to be a separate application
6 because it has to be filed.

7 MS. WEINSTEIN: Okay.

8 MR. POMERANTZ: Nico, am I correct?

9 MR. MARRA: Yes. That would have to go
10 in a different meeting.

11 MR. POMERANTZ: That has nothing to do
12 with us now, but I would suggest take into
13 consideration 5-foot way high, we would permit
14 a 5-foot height.

15 MS. WEINSTEIN: What about around the
16 pool?

17 MR. POMERANTZ: Around the pool has to
18 be a minimum of 4 feet. That's state law.

19 MS. WEINSTEIN: But because the property
20 next to me is higher grade, if I put up a
21 higher fence, it will be lower on their side
22 than 4 feet. It will be a 3-foot fence.

23 MR. POMERANTZ: I think the regulations
24 under state regulations that around the pool
25 itself has to be 4 feet. So that's for

Weinstein

1 security for children.

2
3 MR. KATZ: There is no concern about
4 what the neighbor --

5 MS. WEINSTEIN: But it's a very small
6 backyard so to be around the pool is basically
7 this fence.

8 MR. KATZ: You just follow what the
9 rules are to be. You will be okay.

10 MR. POMERANTZ: It's a state regulation.

11 MR. KATZ: I know what she is concerned
12 about.

13 MR. POMERANTZ: About the neighbors
14 looking over but that's unfortunate, but that
15 has to be another application in any case.

16 MS. WEINSTEIN: Fine.

17 MR. POMERANTZ: And we will look into
18 the neighbors who have put up the other fence
19 that height without our approval.

20 MS. WEINSTEIN: Okay. I am not here for
21 that.

22 MR. DAVIDSON: Approximately. Well, we
23 possibly --

24 MR. POMERANTZ: Well, we didn't approve
25 a 6-foot side fence. Okay, perfect. So we

Unger

2 will vote on it. Okay. As far as the
3 circular driveway?

MR. KATZ: No.

MR. DAVIDSON: No.

6 MR. POMERANTZ: Nobody agrees on that so
7 fine. We didn't approve that. And just have
8 to bring to the zoning and if they say that
9 the surface coverage is okay.

10 MS. WEINSTEIN: Okay, fine. Okay.

11 Thank you.

12 MR. POMERANTZ: Okay. We have some
13 other people here now.

14 Is Berardi here? No? Okay. Last one
15 is Unger. Okay. So this is on Bayberry.

16 It's for a fence. You have an existing fence?

17 MS. UNGER-BENTOLILLA: Livia

18 Ungar-Bentolila. I live on 36 Bayberry. I
19 moved into the house four years ago. There
20 was an existing back fence that my neighbor
21 had put in before we moved in. I don't know
22 how long ago. And now that my kids are
23 getting older, I am nervous that they are
24 running into the street, I need to put a fence
25 on the side. And I would like to continue

1

Unger

2 what I had in the backyard so it doesn't look
3 mismatched. I would take it all the way till
4 I don't know.

5 MR. POMERANTZ: I have pictures of it.

6 MS. UNGER-BENTOLILA: The garage, the
7 house is not like a square. It's not a
8 perfect square. It indents in so after the L.
9 I am trying to explain it as best as I can.

10 MR. KATZ: At the end of the garage?

11 MS. UNGER-BENTOLILA: Yes.

12 MR. POMERANTZ: How high is the fence
13 going to be?

14 MS. UNGER-BENTOLILA: So the house --
15 the fence that is existing already is a white
16 fence which I found the same. Six foot.
17 That's what I am applying for today.

18 MR. POMERANTZ: Unfortunately, as you
19 just heard, we only permit 5 feet.

20 MS. UNGER-BENTOLILA: Even if it's going
21 to look like this? You see it from all sides
22 when you come into Bayberry when you are
23 looking out. On all sides it will look
24 mismatched.

25 MR. KATZ: It will look beautiful.

Unger

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2 MR. POMERANTZ: They level it down so it
3 doesn't look that bad at all. I have seen it
4 before. Who is your fence company?

5 MS. UNGER-BENTOLILA: It's in the
6 application. I don't remember the name. I
7 got a couple of quotes.

8 MR. KATZ: I think we could permit
9 unless --

10 MR. MARRA: J. Melgour Corp. I think
11 that's how you pronounce it.

12 MR. KATZ: Would we permit levelling it
13 down? She would have to start at 6 feet, and
14 then they level it down.

15 MR. POMERANTZ: They do that. They can
16 do it. They can come at 6.

17 MR. KATZ: But the levelling down would
18 be on her property, but it would have to start
19 at 6 feet.

20 MS. UNGER-BENTOLILA: So starts in the
21 back at 6 feet and then goes down 5?

22 MR. POMERANTZ: Well, the way they do is
23 not like a gradual going down. What they do
24 is make a little curvature down, and then it's
25 5 feet for the fence.

1

Unger

2 MS. UNGER-BENTOLILLA: You can't make it
3 slowly gradually to 5?

4 MR. POMERANTZ: No.

5 MR. MARRA: It would look 6 feet in the
6 back and then 5 is what you are concerned
7 with.

8 MS. UNGER-BENTOLILLA: I am just saying
9 it's going to look like Mickey Mouse.

10 MR. KATZ: It will also increase the
11 cost.

12 MS. UNGER-BENTOLILLA: To have the 6
13 foot?

14 MR. KATZ: To gradually lower it as
15 opposed to just putting up existing 5-foot
16 structure. This would have to be custom-made.

17 MR. POMERANTZ: You are going to have
18 gates on both sides?

19 MS. UNGER-BENTOLILLA: No. On the right
20 -- on the left.

21 MR. POMERANTZ: Not by the garage; the
22 other side?

23 MS. UNGER-BENTOLILLA: No, on the garage.
24 Not on the other side.

25 MR. POMERANTZ: Okay, fine. And where

Unger

1
2 would you put the garbage?

3 MS. UNGER-BENTOLILLA: The garbage is in
4 front because I need to have sanitation to
5 have access.

6 MR. POMERANTZ: I was going to say that
7 sanitation has to get there, but you also
8 can't see the garbage from the street?

9 MS. UNGER-BENTOLILLA: No. The garbage
10 has -- I built a small enclosed -- like you
11 could say, I don't know something small just
12 like this so it could stay nice and neat
13 because there is a lot of wind from the water.
14 Garbages get moved around. So I have it nice
15 and neat. I like my property very neat, very
16 perfect. That's why -- that's why I didn't
17 move to another place.

18 MR. POMERANTZ: As far as the fence, is
19 it white matte finish or white shiny finish?

20 MS. UNGER-BENTOLILLA: Can there be
21 something called semigloss? It's not like
22 lipsticks?

23 MR. MARRA: All matte finish.

24 MS. UNGER-BENTOLILLA: I honestly don't
25 know what it is, but I have no problem getting

Unger

1
2 matte. That I don't mind.

3 MR. POMERANTZ: For a 5-foot matte
4 finish white fence we will permit it.

5 Approved.

6 MR. DAVIDSON: Approved.

7 MR. KATZ: Approved.

8 MR. POMERANTZ: So unanimously we
9 approve for white foot PVC matte finish fence.

10 MR. KATZ: Are we approving the gradual?

11 MR. POMERANTZ: They are going to make
12 it. It's a way to drop it down.

13 MR. KATZ: It still has to start at 6
14 feet. Even if they drop it down, it has to
15 start at 6 feet.

16 MR. POMERANTZ: That's only for 2
17 inches, so I don't think that's a big problem.
18 If they could do it.

19 MS. UNGER-BENTOLILLA: If they could do
20 starting at 6?

21 MR. POMERANTZ: No. That's not
22 permitted.

23 MR. KATZ: Instead of having a gradual
24 thing, which would cost you a lot of money,
25 just the end point of the fence as it touches

Berardi

the other fence can be 6 feet.

MR. POMERANTZ: We are approving the one on 2nd Street, the fence.

MR. KATZ: Is there a height specified?

MR. MARRA: I believe 5 feet. Where is the height specified?

MR. POMERANTZ: It's a custom fence.

MR. KATZ: I don't care if it's custom.

MR. POMERANTZ: I think on the application.

MR. KATZ: I don't have that. I don't have the height. All right. So why don't we specify? Five-foot fence.

MR. POMERANTZ: Okay especially if they are not here too.

MR. MARRA: I have it on mine.

MR. POMERANTZ: The address of Berardi, 74 Beach 2nd Street, the application is for a custom-made wood fence, and we will approve it with a height of 5 foot.

MR. DAVIDSON: Approved.

MR. MARRA: All in favor.

MR. POMERANTZ: Perfect.

MR. KATZ: Motion to adjourn.

Berardi

(Time noted: 7:19 p.m.)

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Berardi

C E R T I F I C A T E


STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

I, YAFFA KAPLAN, a Notary Public
within and for the State of New York, do
hereby certify that the foregoing record of
proceedings is a full and correct
transcript of the stenographic notes taken
by me therein.

IN WITNESS WHEREOF, I have hereunto
set my hand this 20th day of August,
2023.


YAFFA KAPLAN