

Litton - 10/20/21

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

October 20, 2021
7:31 p.m.

APPLICATION: Litton
125 Ocean Avenue
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOTT MOSKOWITZ
Member

MR. ANDREW PRESTON, ESQ.
Village Attorney

MR. JACOB PLAUT
Building Department

MR. DANIEL VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

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2 CHAIRMAN KEILSON: Good evening, lady
3 and gentlemen, and welcome to the Lawrence
4 Board of Zoning Appeals. Please turn off your
5 phones. Please no conversing. If need be,
6 step out into the hall. Okay.

7 Proof of posting?

8 MR. VACCHIO: Mr. Chairman, I offer
9 proof of posting and publication.

10 CHAIRMAN KEILSON: Thank you very much.
11 Okay. We begin with the matter of Litton at
12 125 Ocean Avenue, they or their
13 representative. Please, you can sit in the
14 front row. You don't have to stand. Name and
15 address?

16 MR. LITTON: Evan Litton, 125 Ocean
17 Avenue in Lawrence.

18 CHAIRMAN KEILSON: Okay. Proceed.

19 MR. LITTON: I am asking the Zoning
20 Board and the Village of Lawrence to give us
21 relief from the code for a few basic reasons.
22 One is that it would be a tremendous hardship
23 if we had to move the sheds --

24 CHAIRMAN KEILSON: Why don't you
25 describe for us why you are here specifically?

1 Litton - 10/20/21

2 MR. LITTON: Okay. Specifically the --
3 the code states that we are supposed to have
4 accessories, structural accessories located in
5 the rear of the house and 15 feet from the --

6 CHAIRMAN KEILSON: Property line.

7 MR. LITTON: -- property line. Our
8 sheds are located, according to us, in the
9 rear of the yard because if you go down our
10 road, if you can see the pictures, if you go
11 down the road to our house, it ends up the
12 front of their house. The end of the road is
13 in front of our house, and the rear is where
14 our septic tanks are. Our neighbor's yard is
15 both facing back to back both backyards. The
16 village obviously states that the frontage is
17 the street.

18 So we are contending that our frontage
19 is -- since this house is over 100 years old,
20 and has -- we are trying to keep the
21 historical, you know, integrity to the house,
22 we don't have a garage, we don't have a
23 basement, we don't have storage in the attic,
24 we have hardly an attic. We have some crawl
25 space up there, we have no place to put

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anything. In fact, we don't even have a living room in there. It was a 100-year-old barn and we -- so we actually put the two sheds next to the existing shed that was there when we purchased the house originally.

MEMBER MOSKOWITZ: How long ago was that?

MR. LITTON: About three years ago.

CHAIRMAN KEILSON: Okay. And the shed is used for personal storage?

MR. LITTON: Shed is absolutely used for personal storage. In fact, when some of the gentlemen from the Board came down, I opened the sheds up. You can see it. I have different tchotchkes, tools and stuff like that. Bicycles. Whatever you put in a garage or basement or attic, that's what you put in the shed.

MEMBER MOSKOWITZ: Are you connected in any way to the Litton Succah business?

MR. LITTON: Yes. My sons have a Litton Succah and they come in once a year from Colorado and they manufacture Succahs and they do a number with all the Succahs.

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2 MEMBER MOSKOWITZ: Will they be doing
3 any manufacturing and Succah building in any
4 way on the property?

5 MR. LITTON: No. And it's interesting
6 you asked me that question because I have
7 heard rumors that stated that, in fact, that
8 we are running a business out of my house,
9 which is totally nonfactual.

10 MEMBER MOSKOWITZ: That business is
11 being run on Hawthorne Avenue as I understand
12 it, Hawthorne Lane.

13 MR. LITTON: What my ex-wife is doing
14 and they are doing, this is not my concern.
15 My concern is my house, and basically my house
16 there is nothing going on with any commercial
17 operation whatsoever.

18 MEMBER MOSKOWITZ: Are you willing to
19 represent that the sheds and the property will
20 not be used for any Succah manufacturing or
21 Succah business?

22 MR. LITTON: Absolutely. Absolutely.

23 MEMBER GOTTLIEB: I am glad you
24 mentioned that and cleared it up and because
25 there could be some concern that the same

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2 name, two different properties.

3 MR. LITTON: There is no room in my shed
4 for any business.

5 MEMBER GOTTLIEB: So I have been to your
6 property and saw your son there, but he wasn't
7 doing any manufacturing. Of course, it's the
8 off season.

9 If I can help you with this. Basically
10 you are coming in for two code reliefs. One
11 of them is that the way your property is
12 situated, the village considers those sheds to
13 be in the front yard. But visiting the
14 property, it's hard to tell where the front
15 and the back and the sides are because you
16 have got a long driveway, several hundred feet
17 off the street if I am not mistaken.

18 MR. LITTON: It's over 300 feet.

19 MEMBER GOTTLIEB: Maybe the back could
20 be a pond or maybe that's the side of the
21 house. So I understand that issue and then
22 the other request you have is that an
23 accessory structure should be I think 15 or 16
24 feet off the property line. And understanding
25 that would probably be in the middle of your

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2 property somewhere. I personally have been
3 there, and I think that the location of the
4 sheds are the least --

5 MR. LITTON: -- unobtrusive.

6 MEMBER GOTTLIEB: The most unobtrusive
7 location.

8 CHAIRMAN KEILSON: And there is plenty
9 of screening and plenty of distance to any
10 other neighbors.

11 MEMBER GOTTLIEB: And I believe you have
12 letters of support from your two neighbors.

13 MR. LITTON: I actually have letters of
14 support from my two neighbors, which is in
15 your packet. I actually have another letter
16 which I forgot to bring tonight, which is my
17 other neighbor Asher Cohen, which is my fourth
18 neighbor told me today that he would write a
19 letter.

20 MEMBER GOTTLIEB: The two neighbors that
21 that would be most affected are on Pond Lane?

22 MR. LITTON: Yes.

23 MEMBER GOTTLIEB: And those are the
24 letters that you submitted?

25 MR. LITTON: Yes. Chezky Klein.

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CHAIRMAN KEILSON: Anyone in the audience want to ask any question? Okay.

MEMBER GOTTLIEB: Just nothing to do with the application, but looking at your property, does your property end in the pond or before the pond because on the survey I couldn't tell.

MR. LITTON: On the 300-foot radius map it looks like it doesn't -- it looks like it ends before the pond, but I know there is agrarian rights when you have water, which I know the legal term because I am a paralegal. So basically I know that you are allowed another 10 feet into the water.

CHAIRMAN KEILSON: Into the pond.

MEMBER GOTTLIEB: So you can maintain the pond?

MR. LITTON: If you like. We try to.

CHAIRMAN KEILSON: Mr. Gottlieb, have we exhausted your questions I hope?

MEMBER GOTTLIEB: Yes, Mr. Chairman.

CHAIRMAN KEILSON: Okay. So taking into consideration the benefit to the applicant as opposed to any detriment to the community, and

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2 based on the very eloquent description from
3 Mr. Gottlieb --

4 MEMBER GOTTLIEB: Thank you for that.

5 CHAIRMAN KEILSON: -- we vote. Mr.
6 Moskowitz?

7 MEMBER MOSKOWITZ: For.

8 CHAIRMAN KEILSON: Mr. Gottlieb?

9 MEMBER GOTTLIEB: For.

10 CHAIRMAN KEILSON: Mr. Hiller?

11 MEMBER HILLER: For.

12 CHAIRMAN KEILSON: Mr. Felder?

13 MEMBER FELDER: For.

14 CHAIRMAN KEILSON: And the chairperson
15 votes for as well. And good luck with your
16 sheds. You will not have to shed your shed.

17 MR. LITTON: Thank you.

18 (Whereupon the hearing concluded at 7:39 p.m.)

19 *****

20 Certified that the foregoing is a true and accurate
21 transcript of the original stenographic minutes in
22 this case.

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YAFFA KAPLAN
Court Reporter

Bais Medrash of Harborview - 10/20/21

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

October 20, 2021
7:40 p.m.

APPLICATION: Bais Medrash of Harborview
218 Harborview S.
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOTT MOSKOWITZ
Member

MR. ANDREW PRESTON, ESQ.
Village Attorney

MR. JACOB PLAUT
Building Department

MR. DANIEL VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Bais Medrash of Harborview - 10/20/21

2 MR. PLAUT: Are we going to mention the
3 adjournments?

4 CHAIRMAN KEILSON: The matter of Bais
5 Medrash of Harborview by consent of both
6 parties is adjourned to the next available
7 date.

8 (Whereupon the hearing concluded at 7:40 p.m.)

9 *****

10 Certified that the foregoing is a true and accurate
11 transcript of the original stenographic minutes in
12 this case.

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YAFFA KAPLAN

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Court Reporter

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Moerman - 10/20/21

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

October 20, 2021
7:40 p.m.

APPLICATION:

Moerman
240 Juniper Circle E.
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOTT MOSKOWITZ
Member

MR. ANDREW PRESTON, ESQ.
Village Attorney

MR. JACOB PLAUT
Building Department

MR. DANIEL VACCHIO
Building Department


Yaffa Kaplan
Court Reporter

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CHAIRMAN KEILSON: And the matter of
Moerman of 240 Juniper Circle East as well,
the applicant asked for an adjournment to the
next available date. Thank you, Mr. Plaut.
Always on the ball.

(Whereupon the hearing concluded at 7:40 p.m.)

Certified that the foregoing is a true and accurate
transcript of the original stenographic minutes in
this case.



YAFFA KAPLAN

Court Reporter

Futersak - 10/20/21

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

October 20, 2021
7:40 p.m.

APPLICATION: Futersak
30 Rosalind Place
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOTT MOSKOWITZ
Member

MR. ANDREW PRESTON, ESQ.
Village Attorney

MR. JACOB PLAUT
Building Department

MR. DANIEL VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Futersak - 10/20/21

CHAIRMAN KEILSON: Matter of Futersak at 30 Rosalind Place. Somebody step forward and share with us what you are trying to do. Please tell the stenographer your name and address.

MR. FUTERSAK: My name is Meir Futersak. I live at 30 Rosalind Place in Lawrence.

CHAIRMAN KEILSON: Okay. So we have all been to the site. Most of us have been to the site, and we are going to ask Mr. Vacchio just to set the table. You don't have to stand, but you have to get closer.

MR. VACCHIO: So 30 Rosalind Place is located in the FF District which is normally zoned for apartment buildings. FF District building coverage is based on 30 percent of the lot size. And Mr. Futersak today has come in and asking for 37.6 percent.

MEMBER GOTTLIEB: What does that come to in square feet, sir?

MR. VACCHIO: Square feet. Overage?

CHAIRMAN KEILSON: Eighty-one square feet.

MEMBER GOTTLIEB: Yes, the overage.

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2 MR. VACCHIO: Square foot overage would
3 be 356.8 square feet, and if it weren't a C-1,
4 14.8 percent.

5 CHAIRMAN KEILSON: C-1 is irrelevant.

6 MR. VACCHIO: That's irrelevant.

7 CHAIRMAN KEILSON: So in response to
8 your question, as opposed to the existing,
9 it's 81 additional square feet. The permitted
10 is 2,193, the existing is 2,671. The proposed
11 is 2,752. You are losing because they are
12 working with 30 percent which is unusual.

13 MEMBER GOTTLIEB: So we are really not
14 81 square feet over existing.

15 CHAIRMAN KEILSON: Correct.

16 MR. VACCHIO: The current is 36.5
17 percent, 36.5 percent. And he is coming in
18 today --

19 CHAIRMAN KEILSON: That's not the
20 overage.

21 MEMBER GOTTLIEB: That's the lot
22 coverage.

23 MR. VACCHIO: The current coverage what
24 he is proposing is 37.6 percent. Just wanted
25 to --

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2 MEMBER MOSKOWITZ: Those numbers that
3 were cited are the coverage, not the overage.

4 CHAIRMAN KEILSON: Right. Okay. And
5 then what else is he asking us for, Mr.
6 Vacchio?

7 MR. VACCHIO: Okay.

8 CHAIRMAN KEILSON: Front yard setback.

9 MR. VACCHIO: So we are asking here for
10 a front yard -- okay. The allowable for a
11 residential District FF is 50 feet, the front,
12 and he is asking for 18 foot, 5 and a half
13 inches.

14 MEMBER HILLER: The existing?

15 MR. VACCHIO: The existing is 19 foot,
16 11 and a half.

17 MEMBER GOTTLIEB: So you are actually
18 bringing the house back --

19 MR. VACCHIO: He is taking another foot.
20 This is encroachment.

21 MEMBER GOTTLIEB: Got it.

22 MR. VACCHIO: Now, the rear yard,
23 required rear yard is 25 feet. He is asking
24 for 21 feet, 8 and a half inches, and keep in
25 mind the existing rear yard encroachment is

1 Futersak - 10/20/21

2 22.1 and a half inches.

3 CHAIRMAN KEILSON: Mr. Futersak, can you
4 explain why you are making these requests?

5 MR. FUTERSAK: Yes. So we want to
6 expand the house because of space constraints.
7 We have space --

8 CHAIRMAN KEILSON: How many children do
9 you have?

10 MR. FUTERSAK: We have six.

11 CHAIRMAN KEILSON: Okay. What exactly
12 are you changing in the house?

13 MR. FUTERSAK: Right. So the -- so we
14 are looking for the three variances, seeking
15 three variances --

16 CHAIRMAN KEILSON: Variances we know but
17 what are they attributable to? What are you
18 doing interior-wise?

19 MR. FUTERSAK: So we are doing the
20 kitchen, expanding back the kitchen somewhat,
21 the front of the house, the foyer of the
22 house, and the second -- the second level, the
23 existing structure, second-level bedroom. One
24 bedroom on the second level.

25 CHAIRMAN KEILSON: Okay. So obviously

1 Futersak - 10/20/21

2 because of the need of the size of the family?

3 MR. FUTERSAK: Correct. It's very,
4 very tight.

5 MEMBER GOTTLIEB: For example, the front
6 of the house, that would be coat closets
7 pretty much?

8 MR. FUTERSAK: Yes. Yes.

9 MEMBER GOTTLIEB: And it's about 60
10 square feet so --

11 MEMBER HILLER: How many bedrooms do you
12 have now?

13 MR. FUTERSAK: Right now we have five
14 including the master.

15 MEMBER GOTTLIEB: So while you are
16 bringing the house out, you are only bringing
17 it out the width of 8 feet, 7 and a half feet.

18 MR. FUTERSAK: Correct, 7 and a half.

19 MEMBER GOTTLIEB: And I mentioned it, it
20 shouldn't be considered this is the entire
21 house is being bumped out; just that small
22 area in the middle?

23 MR. FUTERSAK: Correct.

24 CHAIRMAN KEILSON: Why don't you
25 continue? In the rear what is he doing? He

Futersak - 10/20/21

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is doing covering?

MEMBER GOTTLIEB: So in the rear it seems like it's minimal. Maybe 20 square feet in the rear because you are covering over what already is covered?

MR. FUTERSAK: Existing.

MEMBER GOTTLIEB: You are covering over what's an existing patio if you will?

MR. FUTERSAK: It's a -- it's an existing patio, correct.

CHAIRMAN KEILSON: Any other questions from the Board? Anyone in the audience have any questions?

MEMBER GOTTLIEB: If I am not mistaken, you had a prior variance a couple of years ago. I remember there was a bedroom closet in the front.

MR. FUTERSAK: Correct. There was what?

MEMBER GOTTLIEB: You added a bedroom closet and a study. Did that work out well?

MR. FUTERSAK: Fantastic.

MEMBER GOTTLIEB: Your wife was happy with the closet?

MR. FUTERSAK: You remember.

1 Futersak - 10/20/21

2 MEMBER HILLER: You won't be coming
3 back.

4 MR. FUTERSAK: The closet she wanted.
5 The den she didn't.

6 MEMBER GOTTLIEB: We understand. A
7 woman needs -- people need closets. Binary
8 society now.

9 CHAIRMAN KEILSON: Taking into
10 consideration the benefit to the applicant,
11 which is relatively minor, as opposed to any
12 detriment to the community, and similar, we
13 are going to take a vote and start with Mr.
14 Felder.

15 MEMBER FELDER: For.

16 CHAIRMAN KEILSON: Mr. Hiller?

17 MEMBER HILLER: For.

18 CHAIRMAN KEILSON: Mr. Gottlieb?

19 MEMBER GOTTLIEB: For.

20 CHAIRMAN KEILSON: Mr. Moskowitz?

21 MEMBER MOSKOWITZ: For.

22 CHAIRMAN KEILSON: I vote for as well.
23 And how much time do we need? Board of
24 Building Design.

25 MR. VACCHIO: Definitely Board of

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Building Design because it's the front.

CHAIRMAN KEILSON: Okay. So how much
time?

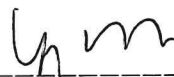
MR. VACCHIO: I guess two years it
should take him. Less.

MEMBER GOTTLIEB: The way construction
is going, it could take two years. Everyone
seems to be working in this town already.

CHAIRMAN KEILSON: Good luck, sir.

(Whereupon the hearing concluded at 7:48 p.m.)

Certified that the foregoing is a true and accurate
transcript of the original stenographic minutes in
this case.



YAFFA KAPLAN

Court Reporter