

ORIGINAL

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VILLAGE OF LAWRENCE

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BOARD OF ZONING & APPEALS

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101 Causeway  
Lawrence, New York

May 21, 2019  
7:30 P.M.

TRANSCRIPT OF PROCEEDINGS

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COURTNEY BIONDO  
Official Court Reporter

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A P P E A R A N C E S :

CHAIRMAN: LLOYD KEILSON

MEMBERS: ELLIOT MOSKOWITZ  
DANNY HILLER  
AARON FELDER

VILLAGE ATTORNEY: STEPHEN MARTIR

DEPUTY VILLAGE ADMINISTRATOR: GERRY CASTRO

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2 CHAIRMAN KEILSON: Good evening.

3 Welcome to the Lawrence Board of Zoning  
4 Appeals.

5 Please turn off your cell phones, and if  
6 you have to converse, please do it outside in  
7 the hall.

8 Thank you for joining us this evening.  
9 We have, hopefully, a short calendar. We will  
10 see.

11 Mr. Castro, could you propose things?

12 DEPUTY VILLAGE ADMINISTRATOR CASTRO:

13 Yes, Chairman. I offer posting and  
14 publication.

15 CHAIRMAN KEILSON: Okay. Thank you very  
16 much.

17 The first matter that we will address  
18 this evening is Weiss at 130 Central Avenue.

19 If they or their representative is  
20 present, please step forward.

21 MR. SAVALDI: Good evening to the Board.

22 My name is Amiel Savaldi, One Meadow  
23 Drive, Woodsburgh, New York. Do we need to --  
24 I am presenting.

25 CHAIRMAN KEILSON: Put him on the

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2 record.

3 MR. WEISS: Shlomo Weiss, S-H-L-O-M-O,  
4 W-E-I-S-S.

5 CHAIRMAN KEILSON: And your address, for  
6 the record?

7 MR. WEISS: 130 Central Avenue,  
8 Lawrence, New York 11559.

9 MR. SAVALDI: I am representing  
10 Mr. Weiss, and his wife sits in the back.

11 The Weisses live in the house for six  
12 years. They have been in front of --

13 CHAIRMAN KEILSON: Excuse me. You are  
14 going to have to please allow -- thank you.

15 MR. SAVALDI: The family has been --

16 CHAIRMAN KEILSON: Hold on. Do you want  
17 to move some of the chairs around?

18 (Pause in the proceedings.)

19 CHAIRMAN KEILSON: I'm sorry. continue.

20 MR. SAVALDI: The family has been living  
21 in the house for about six years. They have --  
22 they had plans to do work. They were filing  
23 plans earlier, and it wasn't -- they did not  
24 feel it was right for them.

25 So now we worked on the plan again, and



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2 we have the plans that you have in front of  
3 you.

4 If I may go just briefly over the plans,  
5 you will see that we are --

6 CHAIRMAN KEILSON: How many children do  
7 you have?

8 MR. WEISS: Four.

9 CHAIRMAN KEILSON: Okay. Very good.

10 MR. SAVALDI: We are proposing adding a  
11 two-story rear addition, adding a second floor,  
12 an existing one-story in the back, and filling  
13 in a one-story in the back that is under  
14 existing second floor.

15 On the first plan, on the drawing A2,  
16 you will see that we are proposing recreation  
17 and bedrooms in the basement that is for the  
18 Shabbos guests that they are planning.

19 CHAIRMAN KEILSON: How many bedrooms.

20 MR. SAVALDI: We are proposing three  
21 bedrooms here.

22 CHAIRMAN KEILSON: Okay.

23 MR. SAVALDI: It is three --

24 MR. WEISS: Yes.

25 MR. SAVALDI: And on the first floor,

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2 you will see the garage on the left side is  
3 existing.

4 The entrance is -- the front of the  
5 house is pretty much the way it is now. You  
6 can see here the front elevation. The -- it is  
7 pretty much the way it looks now. You can see  
8 it here on the photo, on the actual photo.

9 And in the back, you will see the  
10 addition that is the -- we are filling in the  
11 first floor under the second floor here  
12 (indicating).

13 We have an addition behind the existing,  
14 the two-story here, and we are having this  
15 atrium, this sunroom, over the breakfast area,  
16 and with access -- with stairs to the master  
17 bedroom. That's A3.

18 On drawing A4, we are showing again all  
19 of the most -- from left to right in the front,  
20 it is all existing, which we are just going to  
21 do alteration.

22 In the back, we are redoing the space  
23 with the two bedrooms in the back, the atrium  
24 in the middle, and then the master bathroom for  
25 the master bedroom in the back.

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2 The variances that we are requesting the  
3 Board to grant are -- the first one is a  
4 building coverage. The difference is small.  
5 It is -- we are allowed 2,862 square feet and  
6 .37, and we are proposing 2874 square feet. So  
7 it is .4 percent.

8 CHAIRMAN KEILSON: Over range of 11.63  
9 square feet.

10 MR. SAVALDI: On the area impervious  
11 surface coverage, we are allowed 3,245 square  
12 feet, and we are proposing 4,813. So that's --

13 CHAIRMAN KEILSON: But the overage as  
14 compared to the existing is how much?

15 MR. SAVALDI: Forty-eight percent.

16 CHAIRMAN KEILSON: No. What is the --

17 MR. SAVALDI: 1,568. It is 1,568 square  
18 feet over --

19 CHAIRMAN KEILSON: Over the existing.  
20 What percentage is that?

21 MR. SAVALDI: Forty-eight percent.

22 CHAIRMAN KEILSON: No. 200 square feet.

23 MEMBER HILLER: Over the existing.

24 MR. SAVALDI: Over the existing?

25 CHAIRMAN KEILSON: Right.

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2 MR. SAVALDI: Over the existing, it is  
3 200, 200 square feet.

4 CHAIRMAN KEILSON: What percentage,  
5 Gerry?

6 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
7 Six.

8 CHAIRMAN KEILSON: Six percent over on  
9 the surface coverage, as compared to the  
10 existing?

11 MR. SAVALDI: Correct.

12 CHAIRMAN KEILSON: Okay.

13 MR. SAVALDI: The third variance that we  
14 are requesting is a side yard setback. The  
15 existing -- the required setback is 15 feet.

16 On the east side we have 17 feet 11  
17 inches, currently. We are not changing it.

18 On the left side, we have 10 foot 6. We  
19 are proposing to do a little bit more than  
20 that. With the addition, it would be 11 foot,  
21 2 inches. So it is 3 feet, 10 inches --

22 CHAIRMAN KEILSON: It is an improvement?

23 MEMBER HILLER: Improvement.

24 MR. SAVALDI: It is improvement of what  
25 is the existing variance.

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2 CHAIRMAN KEILSON: Okay.

3 MR. SAVALDI: The fourth variance is the  
4 aggregate. Again, here there is no difference,  
5 but still we are required 30 feet, and we have  
6 29.1 percent.

7 The last variance that we are requiring  
8 is the side yard setback ratio. The required  
9 is one and a half, and we are proposing 1.8.  
10 It is 1.86, actually, on the west side. That  
11 is also preexisting. That's actually the way  
12 it is now. It is right on the -- by the  
13 bedroom, by the master bedroom.

14 Mr. Weiss spoke to his neighbors, and  
15 the two -- there are two abutting neighbors,  
16 and both of them signed a consent, which we  
17 would like to present to you.

18 CHAIRMAN KEILSON: Please. Okay.

19 MR. SAVALDI: They are two abutting.

20 CHAIRMAN KEILSON: Two abutting.

21 MR. SAVALDI: Would you like to add  
22 anything?

23 MR. WEISS: No.

24 CHAIRMAN KEILSON: In terms of the need  
25 -- variances are granted on based on the need.

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2 So what need are we addressing, and how are we  
3 curing it?

4 MR. WEISS: So firstly, right now, the  
5 upstairs has six bedrooms, which doesn't  
6 necessarily work for us. We are looking to put  
7 bathrooms in each bedroom. Eventually, the  
8 kids will get married. They can come back.

9 The basement is currently, basically, a  
10 shell, so we would like to put in bedrooms so  
11 that we can host guests, as well as we like to  
12 do charity work. We have done quite a few  
13 events in the house and we would like to  
14 continue to do that with more space and more  
15 availability.

16 MEMBER HILLER: To your knowledge, has  
17 the house ever had a variance before?

18 MR. WEISS: We went for one.

19 MR. SAVALDI: We were granted, but we  
20 didn't go through with it.

21 MR. WEISS: Right.

22 MEMBER HILLER: Has it had a variance  
23 prior to you moving in?

24 I only say that because you are already  
25 over for impervious surface coverage.

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2 MR. SAVALDI: The impervious is a new  
3 requirement. It wasn't there in the previous  
4 times.

5 CHAIRMAN KEILSON: New zoning  
6 regulations.

7 MR. SAVALDI: New zoning.

8 MEMBER HILLER: Okay.

9 MR. WEISS: Also, relative to the  
10 neighborhood, we are not taking down the house.  
11 We are not going crazy. You know, we are  
12 basically doing basic renovations. It hasn't  
13 been updated in over twenty years. So --

14 CHAIRMAN KEILSON: You are in the house  
15 six years?

16 MR. WEISS: Yes.

17 CHAIRMAN KEILSON: Any other questions  
18 from the Board? Mr. Moskowitz?

19 MEMBER MOSKOWITZ: No questions.

20 CHAIRMAN KEILSON: Does anyone in the  
21 audience want to speak to the matter?

22 MEMBER OF THE PUBLIC: I think it is a  
23 great idea.

24 CHAIRMAN KEILSON: Dr. Martone, do you  
25 have a comment.

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2 MEMBER OF THE PUBLIC: I think it is a  
3 great idea.

4 CHAIRMAN KEILSON: You have to put  
5 yourself on the record. Okay?

6 I see all of your neighbors came down in  
7 support.

8 MR. WEISS: I didn't expect this  
9 overwhelming crowd.

10 CHAIRMAN KEILSON: Okay. Statutory  
11 criteria in terms of granting variances is the  
12 benefit to the applicant, as opposed to any  
13 detriment to the health, safety, and welfare to  
14 the neighborhood.

15 So at this time, we would be calling for  
16 a vote. I will turn to Mr. Felder first.

17 MEMBER FELDER: For.

18 CHAIRMAN KEILSON: Mr. Hiller?

19 MEMBER HILLER: For.

20 CHAIRMAN KEILSON: Mr. Moskowitz?

21 MEMBER MOSKOWITZ: For.

22 CHAIRMAN KEILSON: I vote for it, as  
23 well.

24 I give you two years. Is that adequate?

25 MR. SAVALDI: Yes.



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2 CHAIRMAN KEILSON: Any need for --

3 VILLAGE ATTORNEY MARTIR: Mr. Chairman,  
4 also declaring Type II under SEQ, so no  
5 further eval will be necessary.

6 CHAIRMAN KEILSON: Thank you.

7 VILLAGE ATTORNEY MARTIR: So is there a  
8 motion for that?

9 CHAIRMAN KEILSON: Yes, there is a  
10 motion to accept that.

11 All in favor?

12 MEMBER MOSKOWITZ: Aye.

13 MEMBER HILLER: Aye.

14 MEMBER FELDER: Aye.

15 CHAIRMAN KEILSON: Aye.

16 DEPUTY VILLAGE ADMINISTRATOR CASTRO:

17 Are there changes to the existing house  
18 exterior or will it blend in --

19 MR. SAVALDI: It will blend in, and in  
20 the front -- it is really in the back.

21 DEPUTY VILLAGE ADMINISTRATOR CASTRO:

22 The roof line is going to continue?

23 MR. SAVALDI: Yes. Whatever you see  
24 here in the front, it is pretty much what is  
25 existing.

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2 DEPUTY VILLAGE ADMINISTRATOR CASTRO: So  
3 then there is no Board of Building Design  
4 requirement.

5 VILLAGE ATTORNEY MARTIR: Granted, two  
6 years.

7 CHAIRMAN KEILSON: Yes.

8 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
9 Are those AC units existing alongside of the  
10 house or some of them at the very least?

11 MR. SAVALDI: It is a new location.

12 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
13 Okay. We will have to discuss possibly  
14 screening in front of them, since it is on  
15 Winchester.

16 MR. SAVALDI: Okay.

17 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
18 Okay.

19 CHAIRMAN KEILSON: Thank you very much.

20 MR. WEISS: Thank you, everyone. Take  
21 care. Thank you.

22 MR. SAVALDI: Thank you.

23 \* \* \*

24 CHAIRMAN KEILSON: The next matter is  
25 that of Horowitz, 200 Broadway.

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2 They or their representative --

3 Before you begin, I would really  
4 appreciate if you try to keep the conversation  
5 to an absolute minimum so we can conduct the  
6 hearing.

7 Please speak up because she is at a  
8 distance, so she can't hear you. You have to  
9 speak up very, very clearly.

10 MR. CAPOBIANCO: Okay.

11 CHAIRMAN KEILSON: I want to mention two  
12 things in consideration of this hearing.

13 Number one matter, I want so say on the  
14 record that I am a member of the synagogue and  
15 based on -- are you, also, Mr. Felder?

16 MEMBER FELDER: I am not.

17 CHAIRMAN KEILSON: So I am a member of  
18 the synagogue. It is a long-stated legal  
19 opinion that, even as a member, we can  
20 participate in decisions that relate to or  
21 hearings that relate to the specific property,  
22 as long as there is no pecuniary interest, and,  
23 of course, that is the case here tonight.

24 So there is no conflict of interest. I  
25 need not recuse myself.

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2 The other thing I would mention, just as  
3 a preamble, is that one of the laws that will  
4 govern tonight's discussion, and I think it is  
5 very important for everyone to understand, is  
6 what is called RLUPA, which is the U.S.  
7 Religious Land Use and Incarcerated Person's  
8 Act, which was passed in the year 2000.

9 In essence, RLUPA says as follows:

10 "No government shall impose or implement  
11 a land use regulation in a manner that imposes  
12 a substantial burden on the religious exercise  
13 of a person, including a religious assembly or  
14 institution, unless the government demonstrates  
15 that imposition of the burden on that person,  
16 assembly, or institution is in furtherance of a  
17 compelling government interest, and B, is the  
18 least restrictive means of furthering that  
19 compelling governmental interest.

20 "The tests of RLUPA are, number one,  
21 substantial burden on religious exercise;  
22 number two, a compelling village interest in  
23 restricting use, which has actually been  
24 interpreted by the United States Supreme Court  
25 as a substantial threat to public safety,

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2 peace, or order; and lastly, the restriction is  
3 the least restrictive means of furthering  
4 compelling government interest."

5 Now, one of the other things we will be  
6 discussing tonight is that the Board is always  
7 sensitive to neighbors' legitimate concerns  
8 about the health, welfare, and safety of the  
9 neighborhood and community, and whether the  
10 proposed variance will have an adverse effect  
11 or impact on the areas's physical environmental  
12 condition.

13 The Board, as I have indicated, is aware  
14 of and supportive of the constitutional and  
15 legal protection of religious freedom.

16 The primary concern with granting a  
17 requested variance of this nature rests with  
18 issues of traffic congestion, traffic flow,  
19 availability of parking, and vehicle and  
20 especially pedestrian safety.

21 It is utmost in our mind that we have to  
22 be concerned about the residentiality of the  
23 community and that will also have some impact  
24 in terms of our decision tonight.

25 So without further ado, Mr. Capobianco,

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2 procedurally, we will have the applicant  
3 present through his architect or through  
4 whomever. There will be questions from the  
5 Board, and then we will open the floor for any  
6 questions or comments from anyone in the  
7 audience.

8 MR. CAPOBIANCO: Good evening.

9 I am here this evening to represent  
10 Rabbi Horowitz and the shul on 200 Broadway in  
11 Lawrence.

12 We are requesting variances, five  
13 variances.

14 The first one is section 212-12.1, which  
15 is the building coverage variance. We are  
16 excess of 920 square feet or 31.7 percent.

17 We are requesting a variance for  
18 impervious coverage of 6,350, for an excess of  
19 3,000, which is about 92.2 percent.

20 We are also requesting a minimum rear  
21 yard variance, which requires 30, and because  
22 of the lot being on a corner, and you have to  
23 take the actual -- you know, opposite the  
24 narrower street frontage, so it is really the  
25 side yard of the residence. So that's why the

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2 setback is only 6.7. But they are actually  
3 calling it a rear yard. And then the side  
4 yard, which is the actual rear yard, doesn't  
5 require a variance.

6 I am also requesting a variance for  
7 height setback ratio, which is 3.5, and we are  
8 requesting a variance for parking. The parking  
9 variance required here, for the amount of  
10 square footage, and based on public assembly  
11 calculation, using one per five people, we came  
12 up with fifty-two cars, based on the occupancy  
13 of the building. We are providing three.

14 So these are the actual variances that  
15 we are seeking.

16 We feel that this application will --  
17 when we get into the presentation, you will see  
18 that the application should not actually cause  
19 any adverse effect to the neighbors or  
20 detriment to the area.

21 I would like to actually present to you  
22 now letters of support which people have  
23 actually signed and written that are in the  
24 vicinity of the shul, the people across the  
25 street, people on the side, people at the rear.

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2 CHAIRMAN KEILSON: In their own words?

3 MR. CAPOBIANCO: Pardon me?

4 CHAIRMAN KEILSON: In their own words?

5 MR. CAPOBIANCO: Actually, we have a  
6 letter that says the neighbors of the  
7 congregation have reviewed the application and  
8 they are very comfortable with the street and  
9 vehicular traffic to and from the shul. People  
10 who come to pray abide by the Village rules, do  
11 not obstruct our driveway, and are courteous  
12 and respectful. The current parking pattern  
13 does not pose a problem for us in any way, and  
14 they have absolutely no objection to the  
15 application.

16 What I would like to do is submit this  
17 to the Board as the letter, as the number of  
18 people who signed.

19 In addition, these are letters that they  
20 have written in support of the application,  
21 after having reviewed the application and  
22 studied what we are presenting tonight.

23 So this is all of the letters from the  
24 neighbors.

25 What the Board represents here -- and I



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2 believe you have it in your package on the  
3 desk. We have prepared a sun study or shadow  
4 study of the proposed -- of the existing house  
5 and the proposed addition.

6 Now, it is pretty clear when you look at  
7 this that the addition that we are adding in  
8 the rear of the building, which is  
9 approximately 20 by 36, pretty much lines up  
10 with the existing structure of the house at  
11 the -- what I call the rear, which is the side,  
12 and it has pretty much an alignment, except it  
13 does jog out about a foot and a half on the  
14 east side of the property line.

15 But the study that you see before you  
16 was based on the existing house and this  
17 addition, and what we discovered and found,  
18 based on the summer rising of the sun and  
19 setting, the spring, the fall, the winter, is  
20 that, based on what was previously there, there  
21 is really no significant change in the amount  
22 of shadow that will be thrown onto the  
23 neighbors based on this addition. It is pretty  
24 much the same as what is already there.

25 CHAIRMAN KEILSON: Hold on one second.

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2 Let's see if we can bring in more chairs.

3 (Pause in the proceedings.)

4 VILLAGE ATTORNEY MARTIR: For the  
5 record, there is one, two, three, four, five,  
6 six pages of letters in support that were  
7 submitted on the record.

8 They are going to go marked as Exhibit A  
9 for the record's purpose.

10 MR. CAPOBIANCO: Okay.

11 VILLAGE ATTORNEY MARTIR: They will be  
12 collectively marked as Exhibit A.

13 MR. CAPOBIANCO: That's correct.

14 (Pause in the proceedings.)

15 CHAIRMAN KEILSON: Okay. John, please  
16 proceed.

17 MR. CAPOBIANCO: I would just like to  
18 mention one other thing regarding the letter  
19 that I had submitted as evidence, the one that  
20 was signed by the ten residents.

21 They are pretty much, with the exception  
22 of one, all on Lawrence Avenue. That describes  
23 in the paragraph above that, you know, that  
24 they are okay with the -- they have no  
25 difficulty with the amount of cars parked on

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2 Lawrence Avenue when people come to shul.

3 Also, I would like to mention to the  
4 Board that I recognize this is a hot Board, and  
5 I am not going to take too much time for the  
6 presentation.

7 CHAIRMAN KEILSON: It is now a cool  
8 Board.

9 MR. CAPOBIANCO: But this rendering  
10 here, as you see, the isometric kind of  
11 illustrates that we are carrying the same look  
12 of the rear of the building, continuing it to  
13 east, and that we are lining up with the  
14 existing, which I call rear, the real rear of  
15 the house, which is side by virtue of the  
16 zoning ordinance. And then it would be  
17 approximately 20 by 35.

18 And it would be a two-story addition,  
19 plus a basement, and we are going to create a  
20 staircase that goes down. We are going to move  
21 it from where its present location is to go  
22 down to the basement where the mikvah is, so  
23 that it is an easier access from the rear, and  
24 to then maintain the separate entrance for the  
25 women's section to come into the synagogue.

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2 And we also -- what we did that was  
3 significantly -- on the drawing that you see,  
4 we reversed the stair in the building so that  
5 the residence above the synagogue could be  
6 entered separately without having to walk  
7 through the synagogue. So it has its own  
8 entrance to the apartment above.

9 We did add a few bedrooms upstairs to  
10 increase the living space for the rabbi's  
11 family. They needed additional bedrooms.

12 But the first floor, what we did is to  
13 add approximately -- an area which can house  
14 another 25 to 30, depending how you pack them  
15 in there, but say 25 additional women's seats  
16 for worship, in addition to the women's section  
17 that is there now, so it would bring it up to  
18 about 60, 61.

19 CHAIRMAN KEILSON: Again, net increase  
20 of seats for the women is?

21 MR. CAPOBIANCO: About 25 seats.

22 MEMBER HILLER: And men?

23 MR. CAPOBIANCO: Men is about 118.

24 MEMBER HILLER: Additional seats?

25 MR. CAPOBIANCO: No, that's present. No

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2 additional for men. This is going to be  
3 additional for the women.

4 MEMBER HILLER: What are you doing with  
5 the new basement area?

6 MR. CAPOBIANCO: The basement right now,  
7 they are going to use the stairs access to go  
8 to the mikvah, and then they are going to use  
9 the downstairs for like a storage area and  
10 maybe a rec area for gathering the kids.

11 CHAIRMAN KEILSON: If you want to take a  
12 moment off the record to show the audience, in  
13 case people have questions later.

14 MR. CAPOBIANCO: Yes.

15 (Whereupon, a discussion was held off  
16 the record.)

17 MR. CAPOBIANCO: What we are actually  
18 doing here is putting an addition at the rear  
19 of the building, kind of squaring off the -- I  
20 would say the northeast corner of the building,  
21 consistent in design and architecture to what  
22 is already there.

23 It will be a two-story addition, as you  
24 see here, in the back, and there will be a  
25 separate entrance for the women to come into

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2 the synagogue on shul, and it would house  
3 approximately another -- like on the first  
4 floor, 25 seats for the women.

5 And then the rabbi's entrance to  
6 upstairs, the apartment, that would be a  
7 separate entrance so he doesn't have to walk  
8 through the shul to get to his apartment. And  
9 we will house additional bedrooms on the top.

10 Then, basically, it is kind of, you  
11 know, inconspicuous in the sense that it ties  
12 right into the building. And you can see from  
13 this rendering here (indicating), it is pretty  
14 much untouched in the front.

15 And we are going to have additional  
16 parking -- you know, three spots that are here  
17 are always going to be used, and whatever is  
18 used during normal morning prayer.

19 And then, you know, the actual rear yard  
20 is -- well, I call it the rear yard. They call  
21 this the rear yard on this side. That's why  
22 the variance sounds so bad, but it is really a  
23 side yard. The rear yard is going to be the  
24 same.

25 But that's essentially -- and carrying

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2 the same kind of material that is in the back  
3 of the building.

4 So essentially, that's the addition that  
5 we are putting on. It is about -- I have it  
6 here. It is like 825 square feet, the  
7 footprint, on two levels, plus the basement.

8 CHAIRMAN KEILSON: Okay.

9 MR. CAPOBIANCO: That's the  
10 architectural presentation.

11 CHAIRMAN KEILSON: If anybody would like  
12 to, we can have an appeal afterwards.

13 MR. CAPOBIANCO: Excuse me?

14 CHAIRMAN KEILSON: We can have an appeal  
15 afterwards.

16 MR. CAPOBIANCO: Any time. We will have  
17 an appeal.

18 CHAIRMAN KEILSON: How long has the  
19 synagogue --

20 Again, please. You are not in  
21 synagogue. You are here. Okay?

22 MR. CAPOBIANCO: Seven years.

23 CHAIRMAN KEILSON: How many family  
24 members are there, number of family?

25 MR. CAPOBIANCO: How many family members

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2 are there?

3 MEMBER OF THE PUBLIC: Family members,  
4 near a hundred.

5 MR. CAPOBIANCO: About a hundred.

6 CHAIRMAN KEILSON: On a given Sabbath,  
7 do you have extra seats? Are you at capacity?

8 MEMBER OF THE PUBLIC: Over capacity.

9 CHAIRMAN KEILSON: Why don't we have one  
10 person step up.

11 MR. CAPOBIANCO: Yes. Why don't we do  
12 that.

13 CHAIRMAN KEILSON: And you are?

14 MR. GENACK: Evan Genack, G-E-N-A-C-K, 9  
15 Boxwood Lane, Lawrence, New York.

16 CHAIRMAN KEILSON: You are the projected  
17 contractor for this project?

18 MR. GENACK: Doubtful.

19 CHAIRMAN KEILSON: Is that something you  
20 want to share with us?

21 MR. GENACK: We will see if it gets  
22 approved.

23 MR. CAPOBIANCO: So all of the questions  
24 you are having --

25 CHAIRMAN KEILSON: Current use, how



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2 often, what are the services like, what is the  
3 timetable?

4 MR. GENACK: So there is a -- Sunday  
5 morning, there is a morning prayer at 8:30, and  
6 the rest of the week at 8:00, and afternoon  
7 service in the summer is at 6:30, and in the  
8 winter at 1:30, and evening service at ten p.m.

9 And then there is Sabbath. There is  
10 Friday night at sundown, and Saturday morning  
11 at nine a.m., and Saturday afternoon, sundown.

12 CHAIRMAN KEILSON: Okay. Approximately  
13 how many people attend these different  
14 services?

15 MR. GENACK: So the biggest attendance I  
16 would say is Saturday morning.

17 CHAIRMAN KEILSON: You have a full  
18 house?

19 MR. GENACK: Where you have a full  
20 house.

21 CHAIRMAN KEILSON: You have a full  
22 house.

23 MR. GENACK: Mainly -- the main reason  
24 we are seeking a variance is mainly the lack of  
25 seating for the women. There is a

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2 disproportionate amount of seats for the men  
3 versus the women, and we are trying to  
4 accommodate. We are an equal opportunity shul,  
5 and would like to accommodate the women in our  
6 shul.

7 CHAIRMAN KEILSON: That in terms of  
8 seating only or in terms of services?

9 MR. GENACK: No, it is seating only.

10 CHAIRMAN KEILSON: I thought there would  
11 be a change.

12 MR. GENACK: It depends on the donations  
13 that come in.

14 CHAIRMAN KEILSON: I see. Okay.

15 In terms of the variances that are being  
16 requested now, other than the parking, are they  
17 all being impacted by this specific  
18 construction or they relate to preexisting  
19 nonconforming?

20 MR. CAPOBIANCO: Well, there is some  
21 preexisting nonconforming, such as the rear  
22 yard, which is preexisting nonconforming. That  
23 really was already in place in there.

24 The side yard -- I mean, the building  
25 coverage obviously is being increased by the

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2 footprint of 825 square feet.

3 And the impervious surface coverage is  
4 also being increased, not much, but just on the  
5 basis of the footprint of the new addition. So  
6 it is the other 825 square feet, which would  
7 increase the area of impervious coverage.

8 CHAIRMAN KEILSON: So, as you know, in  
9 the post-Sandy era, we are extremely concerned  
10 about surface coverage and impervious surface  
11 coverage because of the absorption problem.

12 MR. CAPOBIANCO: Right.

13 CHAIRMAN KEILSON: We have a lingering  
14 and ongoing water problem in the Village of  
15 Lawrence.

16 MR. CAPOBIANCO: Right.

17 CHAIRMAN KEILSON: We are always loathe  
18 to permit expansions in terms of surface  
19 coverage and the like. So we have to balance  
20 that against any specific need that has been  
21 described in terms of the members.

22 We understand that, with the shortage of  
23 seats, it is not very comfortable, and we are  
24 very sensitive to that.

25 MR. CAPOBIANCO: Well, one of the

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2 fortunate things is that this ground is on  
3 higher ground. The subsurface soil here is  
4 very good. The drainage works very well, and  
5 if we add a dry well in the back, it will  
6 handle the additional runoff off the roof of  
7 water flow. And I don't believe --

8 CHAIRMAN KEILSON: Is the dry well on  
9 the drawing?

10 MR. CAPOBIANCO: Well, we -- no. Well,  
11 we show a dry well, yes, at the rear.

12 CHAIRMAN KEILSON: A new dry well?

13 MR. CAPOBIANCO: It is a new dry well,  
14 which will collect the water from the new roof,  
15 which is shown on the Lawrence Avenue side at  
16 the rear or side yard, whatever you like to  
17 call it. We are showing a dry well.

18 The calculations, when we submit for a  
19 building permit, will be submitted to the  
20 building department based on three-inch  
21 rainfall, and the ground can more than handle  
22 it.

23 CHAIRMAN KEILSON: Okay. Mr. Castro,  
24 was there any discussion about the water runoff  
25 and the like?

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2 Have you reviewed the plans and are you  
3 comfortable in terms --

4 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
5 Yes.

6 CHAIRMAN KEILSON: -- of supporting the  
7 additional building surface coverage?

8 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
9 Yes. It is fine.

10 CHAIRMAN KEILSON: Members of the Board?

11 MEMBER HILLER: My main concern was the  
12 parking.

13 I understand that right now the  
14 neighbors at least claim there is no problem  
15 with the parking.

16 Is there anything you can do, other than  
17 the three spots, which I assume have to be  
18 taken by the rabbi and his family?

19 MR. CAPOBIANCO: Well, you know, as you  
20 see on the site plan, if you look at the site  
21 plan --

22 But before I get into that, I do want to  
23 mention, I noticed on the site plan we did have  
24 dry well calculations. It should be in front  
25 of you how the calculations were done based on

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2 the three-inch rainfall.

3 So we were providing an eight-foot  
4 diameter by five-foot deep dry well, based on  
5 the additional volume of runoff that we are  
6 having. I just want to make that clear. I  
7 don't know if you had seen that.

8 But with regard to parking, I mean, we  
9 have the three spots, but --

10 You can answer.

11 MR. GENACK: First of all, I want to  
12 thank the Committee for giving us the  
13 opportunity for the possibility of expanding.  
14 We appreciate that.

15 And regarding the parking, so cars  
16 park -- on the Sabbath, Saturday, there is no  
17 parking, and the extension really is mostly  
18 going to be used on Saturday. And so the  
19 addition really should not lend itself to any  
20 more cars than already currently are in use on  
21 the facility, which has been running for seven  
22 years. And I don't think there has been an  
23 increase over that time of cars in the morning.

24 I think it is really between 8:00 and  
25 9:00 during the week when the services are in

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2 play that there could potentially be a parking  
3 issue.

4 Other than that --

5 MEMBER HILLER: How many people come on  
6 an average morning? Not Sunday, average  
7 morning.

8 MR. GENACK: Average morning, I would  
9 say average is about 30.

10 MEMBER HILLER: And Sunday?

11 MR. GENACK: Sunday morning.

12 CHAIRMAN KEILSON: About 50?

13 MR. GENACK: Maybe -- I think about the  
14 same. I think about the same.

15 MEMBER FELDER: On the average morning,  
16 how many of them would you say actually drive?  
17 I am sure many of them walk.

18 MR. GENACK: They are not driving. That  
19 is a good point. Not everybody is driving. It  
20 is a lot of neighbors that are using it.

21 I use it two or three times a week when  
22 I wake up late, so it is not -- but the cars  
23 that park, let's say, on Lawrence Avenue,  
24 usually -- first of all, there is no parking  
25 here to corner on both sides.

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2 MEMBER HILLER: I understand that that  
3 is not always respected.

4 MR. GENACK: Actually -- so from my  
5 experience, I -- actually, the only person that  
6 I have seen park beyond the sign is a police  
7 car for the middle school, for walking the  
8 kids. I wouldn't recommend -- I have picture,  
9 actually.

10 CHAIRMAN KEILSON: On the west side?

11 MR. GENACK: I don't know -- I would be  
12 on the west side. I'm not sure which corner it  
13 is.

14 CHAIRMAN KEILSON: Northwest side.

15 MR. GENACK: It would be on the  
16 northwest?

17 CHAIRMAN KEILSON: Yes.

18 MR. GENACK: Yes. Okay. So it is  
19 opposite the shul.

20 CHAIRMAN KEILSON: Yes.

21 MR. GENACK: Okay. So on that corner,  
22 every morning is a police car. I would  
23 actually recommend perhaps that the police car  
24 could park on the other side, in case there is  
25 a turning issue, which -- from my experience, I



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2 have not seen a traffic issue there. It is not  
3 that many cars that park, and they do respect  
4 the no parking here to corner, from what I have  
5 observed over there.

6 MEMBER HILLER: We would ask the  
7 synagogue to make it very clear to the members  
8 that that turning area could present itself as  
9 a danger to pedestrians or to cars that want to  
10 make the turn, and to stress to the members not  
11 to park in those areas, to make sure those  
12 areas are really respected.

13 MR. GENACK: Agreed.

14 CHAIRMAN KEILSON: Okay. Any questions?

15 MEMBER MOSKOWITZ: No questions at this  
16 time.

17 CHAIRMAN KEILSON: I think, unless I  
18 missed it, was there a discussion of the fact  
19 that you have a kollel?

20 MR. CAPOBIANCO: Yes.

21 MR. GENACK: Yes. So during the week  
22 and on Sunday, too, there are usually, during  
23 the day hours, typically around ten people that  
24 are using the facility to study. Some of them  
25 are dropped off by the wives. Some of them

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2 park inside the driveway.

3 There probably are a scattering of a few  
4 cars, maybe a handful of cars that you may find  
5 during the day, maybe on Broadway or Lawrence  
6 Avenue, but I don't think it would have the  
7 appearance of anything more than just a  
8 residential situation during the day.

9 CHAIRMAN KEILSON: Okay. Now, in terms  
10 of the use of the mikvah --

11 MR. GENACK: So there is a mikvah on the  
12 premises, which is used exclusively on Friday  
13 nights, and so, again, that doesn't --

14 CHAIRMAN KEILSON: No driving.

15 MR. GENACK: There is no driving.

16 And further detailed questions, if you  
17 have?

18 MEMBER FELDER: I mean, they park on  
19 Broadway, also. The parking could be spread  
20 out between Broadway and Lawrence. It is not  
21 like any particular street is over congested  
22 because the cars come.

23 MR. GENACK: Right. And the  
24 possibility -- it is not my place -- it is for  
25 the Committee to decide, obviously, but among

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2 the letters that were presented to the Board,  
3 to the Committee, was -- and John had already  
4 mentioned, was that one letter really that had  
5 the signature of everybody, with the exception  
6 of two people that live closer to Central  
7 Avenue and do agree with the contents of the  
8 letter, that the traffic flow does not harm  
9 them at all, that they don't have any  
10 complaints.

11 Of course, anyone that is here can speak  
12 up about that, if there is a problem that we  
13 are not aware of.

14 So I think that the possibility that the  
15 Committee may consider is alternate side. I  
16 think that that would hamper the block. I  
17 think that that would cause cars to go all the  
18 way up Lawrence Avenue. I think that may  
19 disturb neighbors, and they have voiced that,  
20 that they prefer not to have that.

21 They don't feel, in the first place,  
22 that there is a parking issue. So if there is  
23 a traffic issue on Lawrence Avenue, I think we  
24 would certainly be willing to listen, if there  
25 is a problem, but we are not sure that there is

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2 one at this time.

3 CHAIRMAN KEILSON: Normally, in this  
4 type of a situation, we would expect that the  
5 institution would do a traffic study, but in  
6 light of the fact that we have such compelling  
7 testimony through the submissions that there is  
8 no issue in terms of the parking and the  
9 congestion, I think -- at least from my  
10 perspective, I think that we can forgo that,  
11 which will save you a lot of money and a very  
12 boring presentation.

13 MR. GENACK: And it would be greatly  
14 appreciated by us.

15 CHAIRMAN KEILSON: Okay. Any other  
16 questions from the Board?

17 Okay. I wanted to discuss that,  
18 historically, we have precedent in the Village  
19 with other house synagogues, and since we are  
20 overly concerned where you have a parking  
21 situation where you require 52 or whatever it  
22 was -- 50 plus would be required, and we really  
23 only have available three, and our concerns  
24 with any sort of any gathering that would  
25 happen during the week, other than on the

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2 Sabbath, there were some stipulations and  
3 conditions that these house synagogues in the  
4 past have accepted upon themselves.

5 I have shared them with you previously,  
6 but I would like to go over it, certainly for  
7 the record, and have a discussion if they would  
8 be acceptable to your group, in the event that  
9 we would be inclined to grant the variance.

10 MR. GENACK: Sure.

11 CHAIRMAN KEILSON: Do you have a copy?

12 MR. GENACK: I do.

13 CHAIRMAN KEILSON: Thank you for coming  
14 prepared.

15 Okay. So some of conditions that we  
16 have discussed -- and, again, anyone in the  
17 audience who wants to speak to it afterwards,  
18 we will be more than happy to listen. At least  
19 I would. Mr. Moskowitz will want to go home to  
20 eat dinner.

21 Number one, no on-premises catering  
22 Saturday night through Friday prior to the  
23 Sabbath.

24 Number two, no catering trucks, other  
25 than for deliveries.

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2 Number three, no brisim ceremonies or  
3 collations Sunday through Friday prior to the  
4 Sabbath.

5 MR. GENACK: If I may just interject on  
6 that --

7 CHAIRMAN KEILSON: Sure.

8 MR. GENACK: It would be -- with  
9 permission of the Committee, it could be  
10 possible if perhaps a bris could take place in  
11 the shul, but not the catering, the meal that  
12 comes together with that, where perhaps they  
13 would go up the block to a catering hall.

14 CHAIRMAN KEILSON: The concern we have  
15 is it will draw the traffic. And historically,  
16 we know from preexisting conditions the fact  
17 that there is no catering I don't think will be  
18 the overriding issue here.

19 MR. GENACK: Okay.

20 CHAIRMAN KEILSON: And certainly all of  
21 the other synagogues, house synagogues, have  
22 accepted it to date.

23 MR. GENACK: Okay.

24 CHAIRMAN KEILSON: Okay. No bar mitzvah  
25 or bat mitzvah ceremonies or collations Sunday

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2 through Friday prior to the Sabbath.

3 Five, no community lectures or public  
4 gathering Saturday night through Friday prior  
5 to the Sabbath, with the exception of  
6 father-son learning program on Saturday night.

7 MR. GENACK: How would this impact the  
8 kollel?

9 CHAIRMAN KEILSON: The kollel would be  
10 carved out. We will permit, obviously, the  
11 existing kollel.

12 MR. GENACK: Right.

13 CHAIRMAN KEILSON: It would not be  
14 impacted. We would have an exception for that.

15 MR. GENACK: Right.

16 MEMBER OF THE PUBLIC: Can the kollel  
17 have a lecture now and then?

18 CHAIRMAN KEILSON: She doesn't have your  
19 name. This is Rabbi Horowitz.

20 RABBI HOROWITZ: This is Rabbi Horowitz.

21 I guess if we have a functioning kollel,  
22 every now and then, we will have a lecture.

23 CHAIRMAN KEILSON: Again, I think what  
24 we will do, we will carve out Sunday for the  
25 kollel, and any attendant classes and lectures

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2 associated with the kollel.

3 RABBI HOROWITZ: How about a shir for  
4 the shul?

5 CHAIRMAN KEILSON: As a general  
6 statement, we are trying to limit anything that  
7 would draw crowd of people.

8 RABBI HOROWITZ: Okay.

9 CHAIRMAN KEILSON: Let's continue.  
10 We have one morning minyan Sunday  
11 through Friday with attendant classes.

12 Number seven, one afternoon-evening  
13 minyan Sunday through Friday with attendant  
14 classes.

15 Eight, services not to begin earlier  
16 than seven a.m. or to end later than 10:30 p.m.  
17 Sunday through Friday prior to the Sabbath.

18 Number nine, no recreational activities  
19 on premises. That would mean also Sunday  
20 through Friday.

21 MR. GENACK: Can the tenant exercise?

22 CHAIRMAN KEILSON: Beg your pardon?

23 MR. GENACK: The tenant, can they  
24 exercise?

25 CHAIRMAN KEILSON: Yes. We will take a



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2 vote on that separately.

3 Number ten, location must be brought up  
4 to code to the satisfaction of the building  
5 department.

6 Number eleven, the location will have a  
7 maximum of -- how many seats?

8 MR. CAPOBIANCO: It would be about 170  
9 or 180. About 180.

10 CHAIRMAN KEILSON: What would the  
11 capacity be?

12 MR. CAPOBIANCO: The capacity? I think  
13 it is on the plan. Let me check. So it would  
14 be 200, actually.

15 CHAIRMAN KEILSON: Okay. Building  
16 department?

17 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
18 Existing, and the new is 247.

19 MR. CAPOBIANCO: Yes.

20 DEPUTY VILLAGE ADMINISTRATOR CASTRO: So  
21 247.

22 MR. CAPOBIANCO: 247 with the addition.

23 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
24 You have nine approximately for existing and  
25 new coat room. I am going to disregard that.

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2 It is 247.

3 CHAIRMAN KEILSON: 247 is the number?

4 MR. CAPOBIANCO: Yes. We don't have  
5 that many seats.

6 CHAIRMAN KEILSON: Okay. Number twelve,  
7 a public commitment by the petitioners that  
8 subsequent lay leaders of 200 Broadway, as well  
9 as the property owner, will comply with all of  
10 the conditions and restrictions.

11 Number thirteen, that the exterior of  
12 the proposed premises shall remain consistent  
13 with the residential character of the  
14 neighborhood, as shall all aspects of the  
15 structure.

16 Number fourteen, on-site garbage shall  
17 be covered and stored in a shed at a site  
18 approved by the building department.

19 Number fifteen, there shall be full  
20 compliance with all state and village  
21 regulations, including sprinklers, smoke  
22 detectors, et cetera.

23 And number sixteen, that there shall be  
24 no outdoor signage of any kind on or near the  
25 proposed site.

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2 MR. GENACK: Agreed.

3 CHAIRMAN KEILSON: Okay. Any questions  
4 at this point?

5 MEMBER MOSKOWITZ: No.

6 CHAIRMAN KEILSON: Is there anyone in  
7 the audience -- let's do it this way. If there  
8 is anyone in the audience who would like to  
9 speak against the application and if you have  
10 the nerve to stand up --

11 RABBI HOROWITZ: I would like to know if  
12 I can ask one of the women congregants in our  
13 shul to explain the nature of the present and  
14 the setup in the women's section and why we  
15 feel so strongly that we need the expansion.

16 CHAIRMAN KEILSON: I was going to open  
17 the floor for anyone that wants to speak for,  
18 but by any means, if you have been  
19 preselected --

20 MRS. GREENBLATT: My name is Debbie  
21 Greenblatt. I live at 25 Lawrence Avenue in  
22 Lawrence, which is actually three houses down  
23 from the synagogue, but across Broadway.

24 I am a member of the synagogue, and we  
25 very much appreciate having Rabbi and Rebbetzin

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2 Horowitz in the community, and we feel that  
3 they have drawn in older people and younger  
4 people and have created a sense of vibrancy in  
5 the community, which is --

6 CHAIRMAN KEILSON: Excuse me. Please.

7 MRS. GREENBLATT: -- which is very good  
8 for the community, both in terms of keeping  
9 vibrancy in the community, keeping the stores  
10 busy, and keeping the community young.

11 When they fixed up the synagogue -- it  
12 is very beautiful. It was done very  
13 beautifully, and thank you to everyone that  
14 participated. A lot of people gave a lot of  
15 time and effort.

16 So it is very pretty, the women's  
17 section, but it is very disproportionate to the  
18 men's section. Now, the men have prior shawls  
19 and things that they wear, and they need a  
20 little bit more room to spread out when they  
21 pray.

22 The women basically need a comfortable  
23 chair and somewhere to lean their prayer book.

24 Actually, they have fairly comfortable  
25 seats, but there actually was a problem with

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2 them, and they have -- it is hard to describe,  
3 but behind the back of the seat, there is a  
4 little ledge, which you rest your prayer book  
5 or your Chumash, your Torah book, when you are  
6 not using it.

7 So they needed repairs, and some people  
8 donated to have repairs, because it is so  
9 congested in the women's section, that, because  
10 the little shelf behind the seat was broken,  
11 the hinges were not working, so when you stood  
12 up, the chairs were so close together, that you  
13 actually bang your shins into that little  
14 shelf.

15 This is not a major calamity; however,  
16 it is not comfortable. And the way that it  
17 works is, if the women are happy in the  
18 synagogue, then everybody in the synagogue is  
19 going to be happy. And if the women in the  
20 synagogue are not happy, then they are not  
21 going to be happy, and Rabbi Horowitz and  
22 Rebbetzin Horowitz are not going to be happy.

23 But I want to stress, it is a  
24 tremendously vibrant place where people of all  
25 ages really like to be. They draw inspiration

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2 from both the Rabbi and the Rebbetzin. It is a  
3 place --

4 I have been living on Lawrence Avenue --  
5 I was thinking about it as we were coming here.  
6 I have been living here for thirty-two years,  
7 since January '87, I think, and we have seen  
8 the community blossom, and we consider that  
9 this is really almost like the cherry on top of  
10 the community.

11 So anything that can be done to make it  
12 comfortable for all of the present congregants  
13 to pray there -- and, of course, with the women  
14 come the children, and that creates a  
15 tremendously vibrant place.

16 Right now, it is overly congested, and  
17 if there is -- you know, even on a regular  
18 Sabbath where nothing special is going on,  
19 there is no additional prayers or it is not a  
20 holiday, all of the seats are full to capacity.  
21 Anybody that comes a little bit late has to  
22 stand in the back, and it creates a very  
23 uncomfortable situation.

24 So I certainly feel that this would be  
25 just -- it is not about expanding the community

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2 of the shul. It is about making the people who  
3 are already committed and involved in the  
4 synagogue much more comfortable.

5 CHAIRMAN KEILSON: Mrs. Greenblatt, as  
6 the shul grows, do we have to be further  
7 concerned about safety because of the traffic?

8 During the week there are crossing  
9 guards. We are now going to increase the size  
10 of the shul, meaning more women and, I assume,  
11 more children. We have crossing guards during  
12 the week because of the safety.

13 MRS. GREENBLATT: So that is a great  
14 question.

15 CHAIRMAN KEILSON: No doubt.

16 MRS. GREENBLATT: That's a great  
17 question. It happens to be that, sometime ago,  
18 there wasn't always -- all of the years that I  
19 am living on Lawrence Avenue, there wasn't  
20 always a traffic light on the corner of  
21 Broadway and Lawrence Avenue.

22 Was there always? I don't know if there  
23 was.

24 MEMBER OF THE PUBLIC: Always.

25 MRS. GREENBLATT: Or if they made a

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2 turning lane -- I don't know. They changed  
3 something over there.

4 But there are also two crosswalks. In  
5 other words, there is a crossing -- you know, I  
6 don't know what that is called.

7 CHAIRMAN KEILSON: Crosswalk.

8 MRS. GREENBLATT: A crosswalk from  
9 Broadway, across Broadway, and also one across  
10 Lawrence Avenue, and as I have seen -- I mean,  
11 I go that corner all the time, and I turn on  
12 that corner early in the morning, and I see the  
13 cars.

14 I think that people so far have been  
15 respecting the crosswalk and have basically  
16 been crossing in those crosswalks, rather than  
17 just dashing across the street.

18 This is part of community education, and  
19 that needs to be something that is emphasized  
20 certainly by the people who run the synagogue.

21 CHAIRMAN KEILSON: Was it ever a  
22 consideration, Mr. Genack, in terms having  
23 somebody there both for security and safety for  
24 the Sabbath morning prayers.

25 MR. GENACK: To have somebody -- for the



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2 synagogue to hire somebody for security?

3 CHAIRMAN KEILSON: Right, and safety.

4 MR. GENACK: It has been talked about.

5 You mean to have a police officer cross  
6 people?

7 CHAIRMAN KEILSON: No. It doesn't have  
8 to be a police officer. It can be private. I  
9 think the Wedgewood synagogue used to have -- I  
10 don't know if they still have.

11 MR. GENACK: If the Committee thinks we  
12 should consider that, we will.

13 CHAIRMAN KEILSON: I think it is also a  
14 question for the membership. They are going to  
15 bear the cost.

16 MR. GENACK: Yes.

17 CHAIRMAN KEILSON: Anyone else from the  
18 audience that wants to speak to the matter?

19 Please step forward, and brevity is the  
20 hallmark tonight. State your name and address.

21 MR. LIFSCHUTZ: Joseph Lifschutz,  
22 L-I-F-S-C-H-U-T-Z, 6 Regent Drive, forty years.

23 CHAIRMAN KEILSON: He was born there.

24 MR. LIFSCHUTZ: Okay. I came as an  
25 infant.

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2 CHAIRMAN KEILSON: Okay.

3 MR. LIFSCHUTZ: I would like to address  
4 the list, which I was a little surprised to  
5 hear of the restrictions.

6 MEMBER OF THE PUBLIC: Louder.

7 MR. LIFSCHUTZ: I would like to address  
8 the matter of the restrictions that I heard  
9 that apply to the synagogue.

10 They can't do this, they can't do this,  
11 they can't do this, they can't do this.

12 I think there are times we have to do  
13 some of those things. I think it would be much  
14 fairer and not imposing on people if you had a  
15 certain limit, that you allow them to have like  
16 a half a dozen nights for this or a half dozen  
17 nights for that during the year, that they may  
18 need to on occasion have something at the  
19 synagogue.

20 I don't think it would cause a great  
21 hardship to anybody to allow six, instead of  
22 nothing, or eight, instead of nothing, just to  
23 give a certain leeway, that the synagogue has  
24 the ability to have certain things going on  
25 during the year.

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2 CHAIRMAN KEILSON: I can tell you that,  
3 from our experience -- because we have had this  
4 question arise before, and there, they were  
5 asking for one or two. We find that, number  
6 one, who is going to monitor that, in truth?  
7 Okay?

8 And number two, I think we have to get  
9 into a situation of seeing how we can live with  
10 these restrictions, and it doesn't preclude the  
11 synagogue from coming back and asking for  
12 modifications.

13 And since the other synagogues, house  
14 synagogues, have already accepted this upon  
15 themselves, to start modifying for this  
16 location -- at least I, personally, would be  
17 uncomfortable at this juncture.

18 MR. LIFSCHUTZ: It is a thought. I  
19 thought I would throw it out.

20 CHAIRMAN KEILSON: By all means, we  
21 welcome the thought.

22 MR. LIFSCHUTZ: It is a very pleasant  
23 synagogue to have with the -- the gatherings  
24 are very nice.

25 CHAIRMAN KEILSON: Thank you.

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2 Anyone else want to speak?

3 DR. KAPPEL: Dr. Simon Kappel,  
4 K-A-P-P-E-L, 204 Broadway, Lawrence, New York,  
5 living in the neighborhood for thirty-five  
6 years now.

7 Number one, I live at 204 Broadway,  
8 which is two doors away from the Rabbi and  
9 Rebbetzin. I am a member of the congregation.

10 I would like to add my voice to the  
11 petitioners that would request the Board to  
12 allow this petition to proceed successfully.

13 I believe the Rabbi and Rebbetzin in the  
14 shul are a great asset to the community. We  
15 never had any problem as far as parking.  
16 Nobody blocked our driveways, things like that.  
17 So I don't anticipate any problems.

18 And I think one of the things, listening  
19 to this, going back and forth, is that -- what  
20 has not been emphasized was that the petition  
21 is for the women's section.

22 Women do not come to synagogue in the  
23 morning. Women do not come to synagogue in the  
24 afternoon. They do not come to synagogue at  
25 night.

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2 So the issue is not an extra X amount of  
3 seats that are being utilized the same way the  
4 present shul is being used. It is a total  
5 different thing.

6 This is the women's section only, which  
7 means it is only used Friday night maybe, but  
8 probably only Shabbos morning. That's it. End  
9 of discussion.

10 So that does not create a traffic  
11 problem, a walking problem, a crossing problem.  
12 When the women are there, there is to school.

13 So I think this has to be taken into  
14 account. Thank you very much.

15 CHAIRMAN KEILSON: Thank you.

16 Excuse me one second.

17 (Pause in the proceedings.)

18 RABBI HOROWITZ: I would very much  
19 prefer if the Committee would modify this  
20 provision about the bris that we have in the  
21 morning after.

22 There are many members who have made  
23 actually the formal part of the bris, the  
24 religious part of it, in the shul and then went  
25 out and had the meal somewhere else. This

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2 happened again and again.

3 Should one not be able to have the  
4 initial element of the bris in the shul, as  
5 well, it could make it very uncomfortable for  
6 people. They would have to go into a shul  
7 where they don't go on a regular basis.

8 Many people would prefer to have their  
9 bris in the shul in which they go regularly.

10 We found all of the bris went very  
11 smoothly. We had the bris in the shul, and  
12 then the meal in somewhere else. This can be a  
13 very smooth, constant arrangement.

14 CHAIRMAN KEILSON: The problem remains,  
15 we have precedent, and I am not sure the  
16 argument would be held for the other synagogues  
17 that have already accepted this restriction,  
18 and it is working well.

19 I fully appreciate your position, but I  
20 am very concerned because, again, the other  
21 sites that have brisims where they also have  
22 the prayers, obviously, get -- the parking is  
23 terrible and I am not sure that we are going to  
24 be able to --

25 RABBI HOROWITZ: I accept.

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2 CHAIRMAN KEILSON: I am concerned about  
3 congestion.

4 RABBI HOROWITZ: Okay.

5 CHAIRMAN KEILSON: Anyone else.

6 MR. GENACK: If I may, there are a few  
7 holidays that fall on weekdays in the year.

8 CHAIRMAN KEILSON: Right.

9 MR. GENACK: That perhaps the Committee  
10 could consider as nonrestrictions.

11 CHAIRMAN KEILSON: Yeah.

12 MR. GENACK: Particular fast days that  
13 may end with a break fast. It is not really a  
14 catered event, but these are holidays that take  
15 place annually and may require some -- it is  
16 not a real catering in the facility, but it is  
17 part of the prayer, or it goes in conjunction  
18 with the spirit of the way those prayer days  
19 go.

20 So perhaps a relaxation on those  
21 particular weekday holidays for the synagogue,  
22 because a lot of the people that attend anyway  
23 walk. There is -- even on those weekday  
24 holidays, there is not a parking issue. They  
25 also tend to take place at night or where there

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2 is not a heavy traffic flow, if people are  
3 driving.

4 And so I think perhaps the restrictive  
5 lists that go for perhaps other synagogues may  
6 not apply here because it is smaller and people  
7 typically walk to this anyway, and if they can  
8 consider that for the weekday holidays.

9 MEMBER FELDER: For the weekday  
10 holidays, I don't think we are not focusing on  
11 the food as much as the use.

12 MR. GENACK: Right, but do you want a  
13 restriction on the use for that?

14 CHAIRMAN KEILSON: No.

15 MR. GENACK: Maybe I misunderstood.

16 MEMBER FELDER: We should probably  
17 clarify that.

18 CHAIRMAN KEILSON: Why don't we just  
19 itemize what we have in mind.

20 MEMBER FELDER: So we have Purim.  
21 Another one would be Fast of Esther, Fast of  
22 the Ninth of Av. You want to do Hoshana  
23 Rabbah.

24 What else?

25 MEMBER OF THE PUBLIC: Hanukkah.



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2 MEMBER FELDER: We are carving out the  
3 times that they can use it the night before for  
4 prayers that go beyond the scope of a normal --  
5 all of those.

6 (Whereupon, a discussion was held off  
7 the record.)

8 MEMBER FELDER: All of the weekdays that  
9 take longer than the normal regular services,  
10 we are granting permission to use it for longer  
11 than the time --

12 MR. GENACK: There is a restriction on  
13 weekday use.

14 MEMBER FELDER: Right.

15 MR. GENACK: So for a Jewish holiday  
16 that falls on a weekday, that that restriction  
17 should not --

18 MEMBER MOSKOWITZ: The only one that I  
19 can think of that goes beyond 10:30 would be  
20 Shimchas Torah, I think. Otherwise, everything  
21 should be wrapped up by then, I think.

22 CHAIRMAN KEILSON: But Shimchas Torah,  
23 there is no restriction on -- they are not  
24 driving. So it is not --

25 MEMBER MOSKOWITZ: Right. So it is not

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2 a problem.

3 MEMBER FELDER: It is just the weekday.

4 CHAIRMAN KEILSON: The issue is a  
5 driving holiday on a weekday.

6 MEMBER MOSKOWITZ: What I am saying, it  
7 is already captured by the exception, because  
8 you have permission already to do a minyan in  
9 the evenings. So I am not sure you need to --

10 MEMBER FELDER: This is more than a  
11 minyan. This is an hour and a half --

12 MEMBER MOSKOWITZ: Until 10:30.

13 CHAIRMAN KEILSON: I don't think that  
14 has to be carved out.

15 Let's go off the record.

16 (Whereupon, a discussion was held off  
17 the record.)

18 CHAIRMAN KEILSON: Please.

19 MR. KAGAN: Aaron Kagan, A-A-R-O-N,  
20 K-A-G-A-N, 30 Meadow Lane.

21 The only comment that I wanted to make,  
22 along with everything else that was said, is  
23 that, if you look at the way the front of the  
24 synagogue driveway is designed, it has got very  
25 these high trees and you cannot tell what is

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2 behind there.

3 And I have no idea if the synagogue  
4 plans on this or not, but perhaps that could be  
5 taken into consideration in the event that  
6 somebody wanted to park a small truck or  
7 catering. You wouldn't even know it was there  
8 because of the way that the driveway has a  
9 curve.

10 I think it is something to consider  
11 versus the other home synagogues. There is a  
12 tremendous amount of privacy built into the  
13 site that blocks it from the public view, and  
14 that should be something, if need be, to be  
15 possibly taken into consideration.

16 CHAIRMAN KEILSON: Okay. Last one.

17 MR. URBACH: David Urbach, U-R-B-A-C-H,  
18 178 Broadway. The rest is Lawrence, et cetera,  
19 et cetera.

20 Just a couple of points.

21 I know when I used to go to Far Rockaway  
22 over there, there used to be and probably still  
23 is a crossing guard. I don't know who pays for  
24 that, under whose auspices, but I think you are  
25 right. With a lot of children that we have in

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2 the community, there should be some supervision  
3 of the number of people who are -- it could be  
4 older, infirmed, children who are maybe with  
5 their older siblings. We have a lot children  
6 and grandchildren in the community.

7 The second point is, I notice on Friday  
8 night in Shabbos that the crossing light goes  
9 into numbers, as opposed to flashing. I don't  
10 know who arranged that, but it goes  
11 twenty-nine, twenty-eight, twenty-seven. I  
12 believe it does than on the Nassau Expressway  
13 also.

14 I don't know who put that into effect,  
15 but it is a very, very helpful notification  
16 when somebody is crossing the road that they've  
17 got to get across to the other side as the  
18 numbers decrease.

19 CHAIRMAN KEILSON: Okay. I think both  
20 points are well raised.

21 I think, though it is not within our  
22 purview, that Mr. Castro, on behalf of the  
23 Village, will take note of that, and then I  
24 hope the leadership of the synagogue will  
25 follow up with him. All of these things be can

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2 be addressed. We know that for a fact.

3 Historically, when we wanted to modify  
4 the light on certain intersections, my wife  
5 imposed on me right away to get it changed. So  
6 these things happen. Okay.

7 So it is time to consider a vote.

8 Mr. Genack, we are going to be  
9 incorporating these conditions carved out in  
10 terms of the kollel, as discussed.

11 MR. GENACK: Yes.

12 CHAIRMAN KEILSON: The only other thing  
13 I wanted to emphasize is that there is an  
14 understanding there is a public commitment from  
15 the property owner to comply with all of the  
16 restrictions and the conditions.

17 RABBI HOROWITZ: Correct.

18 CHAIRMAN KEILSON: Okay. Having said  
19 that, any further comment from the Board before  
20 we vote?

21 MEMBER MOSKOWITZ: The only other  
22 comment I will make is to note for the record  
23 that there are dozens and dozens of people  
24 here, all of whom appear to be in support of  
25 the application, and that should be noted for

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2 the record.

3 CHAIRMAN KEILSON: Thank you,  
4 Mr. Moskowitz.

5 Okay. The zoning board will weigh of  
6 benefit of the requested variance to the  
7 applicant, as opposed to the detriment it would  
8 cause to the health, safety, and welfare of the  
9 neighborhood.

10 I think we have had a very exhaustive  
11 discussion on it, and I think we have taken  
12 into consideration the RLUPA, as I previously  
13 discussed.

14 I think we have taken into consideration  
15 the sensitivity to the neighbors concerns. I  
16 think they have already been in support on just  
17 about all aspects of it, and certainly, we will  
18 defer to their judgment in terms of parking and  
19 the like.

20 So without further ado, I will ask  
21 Mr. Moskowitz to vote first.

22 MEMBER MOSKOWITZ: For.

23 CHAIRMAN KEILSON: Mr. Hiller?

24 MEMBER HILLER: For.

25 CHAIRMAN KEILSON: Mr. Felder?

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2 MEMBER FELDER: For.

3 CHAIRMAN KEILSON: And the Chair votes  
4 for, as well.

5 The Board of the Building Design --  
6 probably not?

7 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
8 No.

9 John, there are no changes to the  
10 existing building in the --

11 MR. CAPOBIANCO: No. That will remain  
12 existing. The roof will match existing. So I  
13 don't know if we need a Board of Building  
14 Design.

15 DEPUTY VILLAGE ADMINISTRATOR CASTRO:  
16 No. I mean, you have plenty of landscaping.

17 MR. CAPOBIANCO: Yes.

18 CHAIRMAN KEILSON: So we will give you  
19 two years. I am sure --

20 MR. CAPOBIANCO: Two years is fine.

21 CHAIRMAN KEILSON: I'm sure, if you want  
22 to make an appeal, it will be right afterwards.  
23 You will be able to take care of it in short  
24 order.

25 MR. CAPOBIANCO: That will be fine.

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VILLAGE ATTORNEY MARTIR: Is there a  
motion to declare Type II under SEQR?

CHAIRMAN KEILSON: Yes. Motion.

VILLAGE ATTORNEY MARTIR: Second?

MEMBER MOSKOWITZ: Second.

VILLAGE ATTORNEY MARTIR: Any questions?  
All in favor?

All in favor?

MEMBER MOSKOWITZ: Aye.

MEMBER HILLER: Aye.

MEMBER FELDER: Aye.

CHAIRMAN KEILSON: Aye.

Thank you.

(TIME NOTED: 8:43 P.M.)

\* \* \*



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2 CERTIFICATION

3  
4  
5 I, COURTNEY BIONDO, a Notary Public in and  
6 for the State of New York, do hereby certify that  
7 the foregoing is a true and accurate transcription  
8 of my stenographic notes.

9 I further certify that I am not employed by  
10 nor related to any party to this action.

11 IN WITNESS WHEREOF, I have hereunto set my  
12 hand this 31st day of May, 2019.

13  
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16  
17  
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19  
20 *Courtney Biondo*  
21

22 \_\_\_\_\_  
COURTNEY BIONDO