

ORIGINAL

INCORPORATED VILLAGE OF LAWRENCE  
BOARD OF ZONING APPEALS

196 Central Avenue  
Lawrence, New York

January 29, 2020  
7:36 P.M.

PUBLIC HEARING MINUTES

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2 APPEARANCES:  
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4 LLOYD KEILSON, CHAIRMAN  
5 ELLIOT MOSKOWITZ, BOARD MEMBER  
6 EDWARD GOTTLIEB, BOARD MEMBER  
7 DANNY HILLER, BOARD MEMBER  
8 AARON FELDER, BOARD MEMBER  
9 DANNY VACCHIO, SUPERINTENDENT OF  
BUILDINGS

10  
11 GERRY CASTRO, DEPUTY VILLAGE  
ADMINISTRATOR  
12 ANDREW K. PRESTON, ESQ., VILLAGE  
COUNSEL  
13  
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\* \* \*



1 MEETING MINUTES

2 CHAIRMAN KEILSON: Okay. Good  
3 evening, ladies and gentlemen.  
4 Welcome to the Lawrence Board of  
5 Zoning Appeals. Please turn off your  
6 cell phones. Please, no  
7 conversations. If you have to  
8 converse, please step into the  
9 hallway. Thank you very much.

10 Mr. Castro, proof of postings?

11 MR. VACCHIO: Mr. Chairman, I  
12 offer proof of --

13 CHAIRMAN KEILSON: Oh,  
14 Mr. Vacchio.

15 MR. VACCHIO: -- posting and  
16 publication.

17 CHAIRMAN KEILSON: Thank you  
18 very much.

19 Okay. The first matter that  
20 we'll address this evening is a  
21 request for an adjournment on the  
22 application of Bais Medrash of  
23 Harborview. We received a letter  
24 from...actually from the neighbor  
25 requesting a postponement. Let's see.

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2 The letter reads that they are  
3 seriously impacted by the variance  
4 request, and they want to submit it to  
5 their counsel for review and for a  
6 response. So any objections from  
7 anyone on the Board?

8 [No response.]

9 CHAIRMAN KEILSON: Okay. So  
10 we'll approve it, approve the  
11 adjournment for the next available  
12 date, which is yet to the finalized.  
13 End of February at some point.

14 Okay. The next one is Huttler  
15 of 89 Causeway. They are the  
16 representative. Please step forward.

17 MR. SAVALDI: Amiel Savaldi.  
18 Good evening to the Board. I'm here  
19 to represent this case for the  
20 Huttlers.

21 They've lived there for a number  
22 of years in the house, and they want  
23 to build a deck. Because of the  
24 irregular shape of that house -- you  
25 are all familiar with it -- it's --

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it's a big arc at the front. So any deck that we do cannot meet the 40 feet required -- requirement for a setback for the deck and the pergola. And so we are here to request a variance. The required is 40 feet, and we have 13 feet, 10 inches at the minimal dimensions.

CHAIRMAN KEILSON: So they are in the house for 20 years, according to the petition?

MR. SAVALDI: Yeah.

CHAIRMAN KEILSON: They moved in 2000 January so it's 20 years. It says 20 years. All these years, they did not have a deck?

MR. SAVALDI: No.

CHAIRMAN KEILSON: Okay.

MR. SAVALDI: Well, they do have a deck; you can see the concrete of the brick deck patio next to it with the stair and the walk next to it, but it's situated at the addition that they have there. The house was -- had

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different additions. And the decks that we do now have access to the dining room and kitchen, so it's where it makes sense for them to go out. The other one, they don't --

CHAIRMAN KEILSON: Can you identify in the drawing where the kitchen and where the dining room need access.

MR. SAVALDI: If you look at drawing A-3, we show the dinette with the doors that would go straight into the deck. A-3. So the sukkah would be on the left; you see that that would be the pergola. So we'll have the post, and they'll put this up once a year.

TRUSTEE GOTTLIEB: Where are the doors to the deck? I see there's one on the right side. I don't know what room that is.

MR. SAVALDI: Yeah. The main one, the main access would be through that dinette, the sliding door.

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2 TRUSTEE GOTTLIEB: Those sliding  
3 doors is in that octagonal-shaped  
4 room?

5 MR. SAVALDI: Yes, that's  
6 correct.

7 TRUSTEE GOTTLIEB: Okay. You  
8 couldn't put this at grade, which  
9 would therefore not require a variance  
10 whatsoever?

11 MR. SAVALDI: They do have a  
12 parent and we tried to minimize the  
13 steps so they could go in and out and  
14 they can enjoy the deck also.

15 TRUSTEE HILLER: Where is the  
16 bedroom where the parent will sleep?

17 MR. SAVALDI: That's on the --  
18 on the other side on the -- if you  
19 look at the -- closer to Rock Hill  
20 [sic]. Rock Hall, sorry.

21 TRUSTEE HILLER: I don't  
22 understand what you're saying. Is the  
23 bedroom on the second floor as well?

24 MR. SAVALDI: But the parent  
25 would be on -- like near -- will be --

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2                   will be located right near the -- the  
3                   new deck, so they will be able to go  
4                   out to the deck, sit at the deck.

5                   TRUSTEE HILLER: Is there  
6                   presently a bedroom on that second  
7                   floor?

8                   MR. SAVALDI: On the first -- on  
9                   the first floor.

10                  TRUSTEE HILLER: Isn't the deck  
11                  on the second floor?

12                  MR. SAVALDI: No, no, no, no.  
13                  It's a -- it's a garage.

14                  TRUSTEE GOTTLIEB: 18 inches.

15                  MR. SAVALDI: It's 20 -- it's  
16                  18 inches high; that's all. So.

17                  TRUSTEE HILLER: I  
18                  misunderstood.

19                  TRUSTEE GOTTLIEB: So the parent  
20                  in question has a bedroom on the -- on  
21                  the main level. I think that was your  
22                  question.

23                  TRUSTEE HILLER: Yeah, that was  
24                  my question.

25                  CHAIRMAN KEILSON: I think it

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would be helpful -- I know the applicant is in the audience. Might he step forward?

MR. HUTTLER: I can elaborate. There is no bedroom on the first floor, but there is --

CHAIRMAN KEILSON: Can you identify yourself for the record, Mr. Huttler.

MR. HUTTLER: Shlomo Huttler.

So there is no bedroom on the first floor, but the sunroom has been converted. Some beds have been put in there because of the ill -- my father-in-law, who is very, very ill, so that he could be able to sleep on the first floor without going up and down stairs and, ideally, to be able to get in and out of the -- in and out of the deck for the sukkah. And that's why we wanted it to be off the ground a little bit in the back so he wouldn't have to go up and down stairs.

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2 TRUSTEE GOTTLIEB: So there are  
3 no steps from the house to the -- to  
4 the -- to the proposed deck?

5 MR. HUTTLER: So the way the --  
6 the gradient -- I'm not sure of the  
7 precise terminology -- in the front of  
8 the house, in order to get into the  
9 house, you have to go up three steps  
10 just to get into the first floor. And  
11 when he comes, what we have to do is  
12 we have to have a portable ramp so  
13 that he can get in and out of the  
14 house. And the issues in the back are  
15 similar, but they're not precisely the  
16 same height differential; but there is  
17 still a differential where he would  
18 not be able to -- to get in and out.  
19 So it's a good question of where the  
20 bedroom is located; it's located all  
21 the way on the other side, but the  
22 idea is still to keep him from having  
23 to go up and down any steps at all.

24 MR. SAVALDI: And it is flush;  
25 the deck is flush with the first



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2 floor.

3 MR. HUTTLER: That was -- that  
4 was the strategy to put in the -- to  
5 put in the sliding doors and to put in  
6 the deck behind it.

7 CHAIRMAN KEILSON: Now, the 13  
8 foot, 10 inches is already at the  
9 closest point, correct?

10 MR. SAVALDI: That's right.

11 CHAIRMAN KEILSON: And then  
12 it...

13 MR. SAVALDI: And then it  
14 becomes larger as you go -- it becomes  
15 around close to 30 feet at the -- at  
16 the other side.

17 TRUSTEE GOTTLIEB: So if you  
18 were to average it out, it would be in  
19 the mid-20 feet: 30-something on one  
20 side and just 13 --

21 MR. SAVALDI: Yes, 20-something.

22 TRUSTEE GOTTLIEB: -- and it  
23 would be the point of the 90 degree  
24 angle --

25 MR. SAVALDI: Right, 21.

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2 TRUSTEE GOTTLIEB: -- the  
3 closest to the property.

4 CHAIRMAN KEILSON: The neighbors  
5 to the rear, do we have letters of  
6 approval?

7 MR. HUTTLER: We have letters of  
8 approval from Dr. Lesser (phonetic) on  
9 one side. Right here.

10 CHAIRMAN KEILSON: We were most  
11 concerned about the neighbors who are  
12 most directly affected.

13 MR. HUTTLER: Right. So the  
14 ones that are most affected are  
15 Dr. Lesser and Mr. Goldstein  
16 (phonetic).

17 CHAIRMAN KEILSON: How about  
18 Leibowitz (phonetic)?

19 MR. HUTTLER: Mr. Leibowitz is  
20 pretty far away from it, from the  
21 deck. I have Mr. Goldstein and  
22 Dr. Lesser's signatures here. I don't  
23 have a formal approval from  
24 Mr. Leibowitz; it doesn't affect him  
25 anywhere near as much, but he -- I'm

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sure he would be -- I saw him, but he didn't object to it when I saw him. But I don't have a formal signature from him.

MR. PRESTON: Would you like those letters to be included in the record?

MR. HUTTLER: Sure (handing).

CHAIRMAN KEILSON: Any further questions from the Board? Anyone from the audience want to speak to the matter?

[No response.]

CHAIRMAN KEILSON: No. Okay. Taking into consideration the special circumstances regarding the father-in-law's health and the need to access the deck for the purposes as described, weighing the benefit to the applicant as opposed to any detriment to the community, we will ask the Board to vote starting with Mr. Felder.

TRUSTEE FELDER: For.

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2 CHAIRMAN KEILSON: Mr. Hiller?

3 TRUSTEE HILLER: For.

4 CHAIRMAN KEILSON: Mr. Gottlieb?

5 TRUSTEE GOTTLIEB: I'm going to  
6 vote for, but I'd like to also  
7 mention, please, that this a very  
8 irregular-shaped lot. There was  
9 almost no other way to build this deck  
10 without being less than 40 feet from  
11 the property yard. And it also  
12 doesn't seem to impose whatsoever upon  
13 the neighbors. So, again, I vote for.

14 CHAIRMAN KEILSON: Mr.  
15 Moskowitz?

16 TRUSTEE MOSKOWITZ: For.

17 CHAIRMAN KEILSON: I vote for.  
18 And...

19 MR. CASTRO: No -- no other  
20 Board approvals. Just submit contract  
21 information, the regular.

22 CHAIRMAN KEILSON: A year and a  
23 half?

24 MR. VACCHIO: How long?

25 CHAIRMAN KEILSON: How long?

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MR. SAVALDI: Hopefully --  
hopefully within -- by the summer.

MR. VACCHIO: Six months?

CHAIRMAN KEILSON: So one year?

MR. SAVALDI: One year.

CHAIRMAN KEILSON: Okay.

MR. SAVALDI: Thank you, all.

CHAIRMAN KEILSON: Okay. The  
next matter is Josephy of 2 Meadow  
Lane. They are the representative.

MR. HYMAN: My name is  
Daniel Hyman, architect of  
John Capobianco Architect.

Here representing the Josephy  
residence, seeking to maintain  
impervious surface coverage, Section  
212-12.1. The maximum impervious  
surface coverage is 3,058.88 square  
feet. With an overage of  
42.91 percent, 1,312.3 square feet.  
As well as Section 212-12.1, front  
yard impervious coverage with  
permitted coverage of 802.95 square  
feet permitted. Requesting

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1,832 square feet with an overage of 128 percent.

The resident of the property who is to the left of me here, Mr. Josephy, and his family are five people, and they also have five vehicles along with one emergency vehicle, as he is a Hatzolah emergency --

CHAIRMAN KEILSON: Volunteer.

MR. HYMAN: -- volunteer responder. So the additional curb cut that was proposed and built on the Broadway side is for the emergency vehicle so that it can pull in and turn around and then be ready to pull out and not have to back out onto Broadway in the case of an emergency. In addition, a small paved area was added to the front driveway of 260 square feet so that along with their garage and driveway, they have enough space to park all of the vehicles.

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Before coming in front of the Board, the -- we referred the Josephys to consult an engineer, who did the 239-f filing with the County, where -- where they did additional design and drainage plans, which was approved -- approved by the County along with a required curb ramp at the corner, which -- which was already constructed, and we have photos of to submit for the record (handing).

In addition, the requirements for drainage in a 239-f application is 5-inch rainfall rather than 3-inch as it is in the Village, so there is additional dry wells that will be provided along with trench drains in order to take all that additional storm drainage for the house -- for the entire property as is calculated in the 239-f application.

In addition, Mr. Josephy has letters from eight neighbors surrounding the property in the

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2 vicinity, and we'd like to submit  
3 those as well for the record  
4 (handing).

5 CHAIRMAN KEILSON: So the magic  
6 question, the elephant in the room:  
7 How did this happen?

8 MR. HYMAN: Our office was  
9 brought in, you know, after the -- the  
10 paving was added, and I -- from my  
11 understanding, it happened because of  
12 the homeowner's lack of knowledge as  
13 far as the specific zoning regulations  
14 related to surface coverage. You  
15 know, if our office had designed it in  
16 advance, we would have proposed some  
17 alternatives that would have  
18 alleviated some of the need for the  
19 variance, but the resulting  
20 construction requires this -- this  
21 extensive relief. In this case, it  
22 happens to be for the predominant --  
23 the majority of it, which is located  
24 in this -- this added parking area off  
25 of Broadway (indicating), happens to



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be for a community function of  
emergency response, and we're seeking  
relief in that case as well.

TRUSTEE HILLER: What emergency  
response vehicles are parked there?

MR. HYMAN: If -- if the owner  
might speak.

MR. JOSEPHY: I have --

MR. PRESTON: State your name.

MR. JOSEPHY: My name is  
Noson Josephy. I'm a member of  
Hatzolah 29 years. I belong to the  
emergency response team, ESU type. I  
have an extra -- I have an extra car,  
an extra truck, and it has all  
different medical equipment. It's  
only being used and it's only at  
certain times it's deployed.

And I parked one night --  
because I didn't have room -- I parked  
by the store and they broke the window  
and they took out some of my  
equipment. I parked behind the store.  
So I said, "What else I'm going to

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2 do?" I said, "Okay. I'll put some --  
3 a little bit of cement," and then this  
4 whole thing happened. And --

5 TRUSTEE HILLER: It's not a  
6 Hatzolah vehicle.

7 MR. JOSEPHY: It doesn't belong  
8 to Hatzolah; it belongs to me; my own  
9 personal money went into this.

10 TRUSTEE HILLER: All right. You  
11 very effectively wore a Hatzolah  
12 outfit. You know, I'm very intrigued.

13 MR. JOSEPHY: I'm doing it  
14 29 years now, and this is my whole  
15 outfit every day. I'm doing it 29  
16 years, and this is what I love. No  
17 baseball, no football. This is my  
18 life. Hatzolah is -- anybody -- if  
19 you ask anybody --

20 TRUSTEE HILLER: But the vehicle  
21 that is parked in your driveway is not  
22 a Hatzolah vehicle.

23 MR. JOSEPHY: It's not a  
24 Hatzolah; it's my vehicle.

25 TRUSTEE HILLER: It's your

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2 vehicle.

3 MR. JOSEPHY: Every car doesn't  
4 belong outside.

5 TRUSTEE HILLER: That emergency  
6 vehicle, is it part of your  
7 occupation?

8 MR. JOSEPHY: Yeah, part of it.

9 TRUSTEE HILLER: Okay. So what  
10 is your occupation?

11 MR. JOSEPHY: I have an auto  
12 body shop.

13 TRUSTEE HILLER: So you use that  
14 for picking up vehicles --

15 MR. JOSEPHY: No.

16 TRUSTEE HILLER: -- or to  
17 service other vehicles?

18 MR. JOSEPHY: Yeah, service  
19 other vehicles, go help people.

20 TRUSTEE HILLER: What kind of  
21 license plate does it have?

22 MR. JOSEPHY: It has EMT plates.  
23 It has 20 EMT.

24 TRUSTEE HILLER: How did you get  
25 that?

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2 MR. JOSEPHY: How did I get 20  
3 EMT? I'm a Hatzolah member 30 -- at  
4 this pace, it will be 30 years, and I  
5 got 29 EMT; my number is 64. All my  
6 cars have 64. The VAS 64, EMT 64, all  
7 my plates.

8 TRUSTEE HILLER: Okay, okay. So  
9 even a vehicle that you use for your  
10 private business can say "EMT" on it?

11 MR. JOSEPHY: That's right.

12 TRUSTEE HILLER: It's a regular  
13 -- it's not a commercial license?

14 MR. JOSEPHY: Nope, nope, nope.

15 TRUSTEE HILLER: Where have you  
16 been parking it since --

17 MR. JOSEPHY: I've been parking  
18 by the shul, by Rabbi Gruber's shul.  
19 I've been parking -- a neighbor, one  
20 of the neighbors who gave me a letter,  
21 I've been using his driveway two  
22 houses over, Mr. Grauman (phonetic).  
23 I've been using his driveway. I've  
24 been using the shul a little bit, but  
25 lately, they're having a lot of

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simchas. I parked behind the stores. They broke the window and stole some equipment. And I asked Mr. Grauman; I asked Mr. -- my next door neighbor, the doctor. I've been -- for the last two years when I have company on Shabbos, I have to ask Mr. Mittman (phonetic), other neighbors.

TRUSTEE HILLER: Do you have an office anywhere?

MR. JOSEPHY: In Brooklyn.

TRUSTEE HILLER: Does that office have a parking lot?

MR. JOSEPHY: Yes. Plus, we have five -- we have five people in the family. How...

TRUSTEE HILLER: If you have ten people in the family that have ten cars, we can't have parking for every car.

MR. JOSEPHY: I understand.

TRUSTEE HILLER: You know, it's lovely. But you do have an office with parking spaces in Brooklyn.

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2 MR. JOSEPHY: But most of my  
3 response is here.

4 TRUSTEE HILLER: I understand.  
5 But you have a parking space in  
6 Brooklyn, and you could respond in a  
7 regular vehicle with all the equipment  
8 you have in it.

9 MR. JOSEPHY: I do that too. I  
10 do that.

11 TRUSTEE HILLER: Ergo, ergo, no  
12 necessity for that vehicle here in the  
13 Five Towns.

14 TRUSTEE MOSKOWITZ: Mr. Josephy,  
15 so first of all, I want to start with  
16 a comment, and the comment is I do  
17 think you did a very nice job with the  
18 house. It was a blight on the -- in  
19 that area of the community and I think  
20 that it's a very nice thing that you  
21 really improved on it and I think it  
22 improves the quality of the block and  
23 that -- and that area, which is a busy  
24 -- a busy area. So I just want to  
25 commend you for that.

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A couple of questions, which I think would be helpful for the Board to understand a few things. How many -- how many -- if the situation is left as it is right now -- because this has already been done -- how many cars would the driveways, the two driveways, accommodate in total?

MR. JOSEPHY: Exactly six cars.

TRUSTEE MOSKOWITZ: Six cars. And it's how many on the -- on the driveway that's on Meadow Lane? How many cars could fit there?

MR. JOSEPHY: Five.

TRUSTEE MOSKOWITZ: Five cars? And how many cars --

MR. JOSEPHY: Only one in the back because you need to turn.

MR. HYMAN: So that you don't have to back out of Meadow.

MR. JOSEPHY: And Broadway.

TRUSTEE MOSKOWITZ: So five cars there. How then many cars, then, would fit on the driveway that's been

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2 put on the Broadway side?

3 MR. JOSEPHY: One.

4 TRUSTEE MOSKOWITZ: Is it not  
5 larger than one?

6 MR. JOSEPHY: Yes, because when  
7 you back in, you want to turn around  
8 inside, not --

9 TRUSTEE FELDER: What about just  
10 backing in off the road onto one pad?

11 MR. JOSEPHY: No problem. We'll  
12 take away one.

13 CHAIRMAN KEILSON: Okay. Let's  
14 start with the -- first of all, your  
15 petition is incorrect. There's a  
16 paragraph that reads, "that  
17 John Capobianco design plans,  
18 indicating a one-story addition." Is  
19 there a one-story addition part of  
20 this variance request?

21 MR. HYMAN: That must have been  
22 an error. I'm not sure how that --

23 CHAIRMAN KEILSON: Number five  
24 in the petition.

25 MR. HYMAN: We will submit a



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revision to correct the record if necessary.

CHAIRMAN KEILSON: Okay. So that has no relevance.

MR. HYMAN: No relevance here.

CHAIRMAN KEILSON: Okay. Number two. There is a restriction on the number of cars that can be parked on the front area of a house.

Mr. Castro, what's the limitation?

MR. CASTRO: Three, three vehicles on -- for that lot size.

CHAIRMAN KEILSON: Okay. That's number two.

Number three. We've never, ever, ever, ever approved these type of overages on surface coverage. So had you come before us and had we discussed it in advance, Mr. Josephy, there would have been issues with such an application ab initio. So now you've presented us with a fait accompli. You have a -- you have a

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2                   curb cut into a very heavily traveled  
3                   Broadway, which is highly dangerous,  
4                   just, again, empirically so.

5                   You have a summons. What's the  
6                   status of the summons with the Village  
7                   for your violations? Did you appear  
8                   in Village Court in response to the  
9                   summons?

10                  MR. JOSEPHY: Every month I was  
11                  here.

12                  CHAIRMAN KEILSON: Excuse me?

13                  MR. JOSEPHY: Every month I came  
14                  to the Village Court.

15                  CHAIRMAN KEILSON: Okay.

16                  MR. JOSEPHY: I didn't have to  
17                  come, they said; I walked in; I spoke  
18                  to Danny. He says, "Remember -- "

19                  CHAIRMAN KEILSON: Just respond  
20                  to the question. What is the status  
21                  of the summons?

22                  MR. VACCHIO: I'll check it.

23                  MR. HYMAN: I would imagine that  
24                  it would be pending the review of this  
25                  -- of this case by the Board.

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CHAIRMAN KEILSON: Who did the actual work? Who laid the concrete?

MR. JOSEPHY: Who laid the concrete? I had a licensed guy doing it. We had a guy doing it, putting it down.

CHAIRMAN KEILSON: Do you know the name of the guy?

MR. JOSEPHY: I don't remember; I have to look; it's -- it's 15 -- 14 months ago. I have to look in the house.

CHAIRMAN KEILSON: I was told that Aaron Blumenkrantz (phonetic) did the work through its subcontractor. Is that the case?

MR. JOSEPHY: Probably, yeah.

CHAIRMAN KEILSON: It's beginning to refresh your memory?

MR. JOSEPHY: No. I remember he got me the guy, yeah. He was the one who did my house, and then he was the guy who --

MR. VACCHIO: Just recently?

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MR. JOSEPHY: Yeah.

CHAIRMAN KEILSON: Did you pay  
the subcontractor or you paid  
Aaron Blumenkrantz?

MR. JOSEPHY: I paid direct. I  
paid direct.

CHAIRMAN KEILSON: Mr. Gottlieb.

TRUSTEE GOTTLIEB: A couple of  
questions, maybe more so for the  
architect. You mentioned a 260-foot  
driveway area on Meadow, and on the  
plans it shows 759 feet on Broadway.  
This is what you're looking to  
improve, right?

MR. HYMAN: Correct.

TRUSTEE GOTTLIEB: So it's kind  
of a simple question. It adds up to  
1,019 feet, but yet, the overage is  
1,312. Is there something that I'm  
missing? And also, the front yard  
impervious is over by 1,029. I'm just  
wondering why if you're asking for  
1,019 the code relief is asking for  
more.

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2 MR. HYMAN: (Perusing.)

3 TRUSTEE GOTTLIEB: Mr. Josephy,  
4 while he's looking there, I have  
5 another question that maybe you can  
6 answer. Are any cars parked in the  
7 garage?

8 MR. JOSEPHY: In the garage?  
9 No. I have one -- only one -- I can  
10 only park one car. And the thing is  
11 very narrow; the doors are very  
12 narrow. Mr. Blumenkrantz told me to  
13 make the thing wider; to make it  
14 bigger, you're gonna have to take the  
15 whole beam in the front of the house.  
16 And that's...

17 TRUSTEE GOTTLIEB: Okay. I was  
18 just looking for a way to --

19 MR. JOSEPHY: So it was made for  
20 real small cars.

21 MR. HYMAN: Can you tell me  
22 again what the -- where you saw my --  
23 where the math was wrong.

24 TRUSTEE GOTTLIEB: Sure. So on  
25 the -- you have impervious coverage

1 MEETING MINUTES

2 request of 1,312.

3 MR. HYMAN: Mm-hmm.

4 TRUSTEE GOTTLIEB: And when I  
5 add up the two driveways, it's 1,019.  
6 So there's just a 200-foot variance as  
7 to...

8 MR. HYMAN: I know -- I know  
9 that it's including all of the paved  
10 areas and the shed and --

11 TRUSTEE GOTTLIEB: Okay. So  
12 that's including preexisting?

13 MR. HYMAN: It is -- you know,  
14 there is an area where there's a  
15 walkway and some stairs, and I'm not  
16 sure that the walkway was always  
17 there, but because it's over 4 feet,  
18 we included -- we included that area  
19 as well. So I think that's where --

20 TRUSTEE GOTTLIEB: Okay. So the  
21 difference might be preexisting  
22 work --

23 MR. HYMAN: Correct.

24 TRUSTEE GOTTLIEB: -- not just  
25 the --

1 MEETING MINUTES

2 MR. HYMAN: Correct.

3 TRUSTEE GOTTLIEB: -- two items  
4 over there.

5 CHAIRMAN KEILSON: Mr. Josephy,  
6 how long are you in the house?

7 MR. JOSEPHY: Three years now.

8 CHAIRMAN KEILSON: And where did  
9 you move from?

10 MR. JOSEPHY: Brooklyn.

11 My mother lives there ten years.

12 TRUSTEE MOSKOWITZ: Have you  
13 given any thought to possible  
14 compromised positions where you could  
15 do something less than what's proposed  
16 here? I think I'm hearing some  
17 anxiety --

18 MR. HYMAN: Yes.

19 TRUSTEE MOSKOWITZ: -- on the  
20 part of the Board with the scope of  
21 the application.

22 MR. HYMAN: I am. So if there  
23 was a reduction in surface coverage by  
24 changing some of this parking area to  
25 a pervious -- to a pervious area where

## MEETING MINUTES

1  
2 there was gravel or, you know, cut --  
3 if this was cut into some strips of  
4 concrete so it could serve the same  
5 function of parking the emergency  
6 vehicle and allowing it to turn around  
7 so it's ready to respond, would that  
8 be something the Board might -- might  
9 consider?

10 TRUSTEE MOSKOWITZ: Do you have  
11 any calculations to offer to explain  
12 to the Board what effect those changes  
13 would have on the application?

14 MR. HYMAN: There is currently  
15 no pervious front yard coverage or any  
16 pervious coverage in general that we  
17 have calculated, so it would likely be  
18 a similar amount to the permitted  
19 impervious coverage of 800 square  
20 feet; so it would allow for a  
21 substantial reduction if we were to,  
22 you know, max out as much front yard  
23 coverage as possible. It would bring  
24 both numbers down substantially. So I  
25 don't have an exact number. I could



1                   MEETING MINUTES

2                   run a calculation or --

3                   CHAIRMAN KEILSON: We are going  
4                   to hear from the neighbors, and then  
5                   we are going to talk about what we  
6                   might want to do.

7                   Any neighbors?

8                   MR. KLEIN: Yeah.

9                   CHAIRMAN KEILSON: Mr. Klein?

10                  MR. KLEIN: Mendy Klein,  
11                  1 Heather Lane.

12                  Okay. There are a few  
13                  discrepancies in Mr. -- what  
14                  Mr. Josephy said. I'd like to pass  
15                  this to all the Board Members, a  
16                  picture (handing). I mean, you could  
17                  probably fit five cars on the Broadway  
18                  entrance, not one. He did this, and  
19                  when he did it, I came to -- I met  
20                  some people from City Hall. They  
21                  said, "It's not legal. It will come  
22                  down," okay, and it's a year and a  
23                  half later. I'm first hearing that he  
24                  was summonsed many times. And the  
25                  chutzpah that he put a curb cut in two

## 1 MEETING MINUTES

2 weeks ago knowing that this hearing is  
3 gonna be, so he thought he had you all  
4 in his back pocket. Okay.

5 I have to -- that picture is  
6 from my bedroom, okay? I don't --  
7 he's -- it's great to have a Hatzolah  
8 right next door to you, God forbid you  
9 need it. But to have to look at that  
10 eyesore 365 days a year, I think, is  
11 wrong. He wants to be a member of  
12 Hatzolah, 39 years [sic]? My  
13 brother-in-law runs Hatzolah in  
14 Flatbush. That size -- the size of  
15 that car I don't think is necessary,  
16 which here is another picture  
17 (handing).

18 And, again, he misinformed the  
19 Board as to where he parks the car.  
20 He parks it in front of his house,  
21 half on the street, half on the  
22 sidewalk, in front of a pump. And  
23 it's been there quite a few nights.  
24 So I strenuously object, even with a  
25 partial agreement, because it is a

## MEETING MINUTES

total eyesore.

And from what -- I did some research today. Somebody told me by adding more -- more cement instead of grass -- God forbid we have another Sandy -- all the people down the block on Meadow -- I was not affected by Sandy because I'm on a higher level. All the people on I think it's Burberry [sic] or further down where there's flooding always on Meadow, it's like all the people that are against the sixth town, most of the objection is because of they're going to make 200 or 300 houses and there won't be enough grass to absorb the rain. And this is what exactly he's doing again.

And it's funny that he didn't ask anybody on our block for his support because to us, it's a major eyesore. And, again, with the how many cars are allowed, that, I don't know, but that's up to the Board. And

1 MEETING MINUTES

2 I strenuously object to this getting  
3 approved.

4 Thank you.

5 CHAIRMAN KEILSON: Thank you.

6 MR. ZRIHEN: Charles Zrihen.

7 CHAIRMAN KEILSON: And what's  
8 your address?

9 MR. ZRIHEN: 2 Heather Lane.

10 So the one thing is I want to  
11 know how he did for 29 years or so in  
12 Brooklyn having five cars knowing that  
13 in Brooklyn, parking cars is pretty  
14 challenging. The second thing is I  
15 understand maybe Hatzolah may be an  
16 emergency car, but very often in the  
17 winter you see a car with a big plow  
18 in front of the thing for snow  
19 removal, and I don't think this has  
20 anything to do with Hatzolah. So  
21 there is --

22 CHAIRMAN KEILSON: Can you  
23 repeat that.

24 MR. ZRIHEN: In front of his  
25 driveway you have very often the big

## 1 MEETING MINUTES

2 truck with a big plow in the front to  
3 remove snow. So that's, you know,  
4 obviously not at all a residential car  
5 or something that has to do with  
6 Hatzolah.

7 And more important, you know,  
8 like Mr. Klein said, a lot of things  
9 have been done. We see the things are  
10 done without any respect of any rules  
11 or anything, and if you have the four  
12 car in the front plus the garage,  
13 there's already five cars. So that  
14 means if he wanted to, technically, it  
15 has enough parking spot in front of  
16 his driveway and in his -- in his  
17 garage to park five cars. So to add  
18 now the thing on the side, before we  
19 know, we'll have eight, nine, ten  
20 cars, maybe more.

21 CHAIRMAN KEILSON: Thank you.

22 MR. ZRIHEN: So we also object.

23 CHAIRMAN KEILSON: Anyone else  
24 in the audience?

25 [No response.]

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2 CHAIRMAN KEILSON: Okay.

3 Mr. Josephy?

4 TRUSTEE MOSKOWITZ: Just for the  
5 record, Mr. Chairman, did we receive  
6 the letters yet of support?

7 MR. JOSEPHY: Yes. I have eight  
8 letters. Eight letters.

9 TRUSTEE GOTTLIEB: Can you pass  
10 them, please.

11 MR. CASTRO: (Handing.)

12 MR. JOSEPHY: Can I just say  
13 about the plow, it goes in front of  
14 the ambulance. I don't only drive it.  
15 Another guy, we take shifts.

16 CHAIRMAN KEILSON: I'm not  
17 clear.

18 MR. JOSEPHY: There's a plow up  
19 front in the winter. It doesn't even  
20 park there in the snow; it goes to the  
21 Hatzolah garage in front of the  
22 ambulance. It cleans the snow to go  
23 to the houses. The plow actually  
24 belongs to Hatzolah; the truck belongs  
25 to me.

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2 TRUSTEE FELDER: You use the  
3 plow to plow people's property to get  
4 to the --

5 MR. JOSEPHY: That's right. And  
6 actually, in Nassau County, here, we  
7 have four of them. Four guys own it  
8 themselves. They go in front of the  
9 -- they go in front of the Hatzolah  
10 bus to go clean the person's --

11 TRUSTEE FELDER: I'm just  
12 curious.

13 MR. JOSEPHY: This is my own  
14 time, my own money.

15 TRUSTEE FELDER: No, just  
16 forgive me for the question, but, I  
17 mean, I know a lot of Hatzolah  
18 members; many of them live around  
19 here. None of them have a dedicated  
20 extra vehicle for this sort of  
21 extracurricular volunteer work. Why  
22 is it that you require this dedicated  
23 Hatzolah vehicle? They all use their  
24 own cars.

25 MR. JOSEPHY: I have an extra --

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2 I have two cars. I have my own  
3 personal, the one I use every day, and  
4 this is my spare; this is my, like --  
5 when I know it's gonna be a rainy day,  
6 a bad day, or whatever, this is what I  
7 use for all the, you know. Like, we  
8 had the thing in the -- in the -- the  
9 [inaudible] --

10 TRUSTEE FELDER: No, I'm saying  
11 the presence --

12 MR. JOSEPHY: -- I was two -- I  
13 was a mile away outside. We were the  
14 response team; God forbid something  
15 happens, we were to come in. But...

16 TRUSTEE FELDER: How many extra  
17 cars do you have?

18 MR. JOSEPHY: One extra car.

19 TRUSTEE FELDER: But that seems  
20 to be the problem here is that one  
21 extra car is causing this issue.

22 CHAIRMAN KEILSON: No, no.

23 TRUSTEE FELDER: Well, aside  
24 from the obvious --

25 TRUSTEE HILLER: It seems like



1 MEETING MINUTES

2 you're using the driveway for your  
3 personal commercial vehicles.

4 MR. JOSEPHY: Because they have  
5 commercial plates; that's right.

6 TRUSTEE HILLER: Whenever you  
7 use them for Hatzolah at times, there  
8 are places to park Hatzolah trucks.  
9 There are -- there are garages and  
10 driveways.

11 MR. JOSEPHY: So if I need it,  
12 how do I -- like, you know, you need  
13 it right away. You gotta --

14 TRUSTEE HILLER: Use a car like  
15 the rest of Hatzolah.

16 MR. JOSEPHY: You need your car  
17 right now.

18 TRUSTEE HILLER: Then you take  
19 your car like the rest of Hatzolah.

20 MR. JOSEPHY: I did that; I  
21 parked behind the store and they broke  
22 in and they stole -- they stole  
23 \$10,000 of equipment.

24 TRUSTEE HILLER: Did you have a  
25 police report from that?

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MR. JOSEPHY: I don't want a police report on my name for -- for -- for the court; I just paid it out and I bought new equipment. Thank HaShem I can afford it; I bought it.

CHAIRMAN KEILSON: Okay. We are prepared to vote. Did the Zoning Board weigh the benefit of the variance to the applicant?

MR. KLEIN: Can I make just one more comment.

[Whereupon, an off-the-record discussion was held at this time.]

TRUSTEE MOSKOWITZ: Do you wish to withdraw the application right now without prejudice to modify it in the way that you've been describing so you can come back and serve a different presentation?

MR. HYMAN: If we can take an adjournment in order to -- is that what you're referring to? -- in order to modify the application?

TRUSTEE MOSKOWITZ: That's what

1 MEETING MINUTES

2 I'm asking.

3 MR. HYMAN: Yeah.

4 TRUSTEE HILLER: I just want to  
5 point out that even with pervious --  
6 with pervious substitution for this,  
7 your neighbors object. They don't  
8 want to see those -- all those  
9 vehicles. Even if the whole thing was  
10 pervious, your neighbors object.

11 MR. JOSEPHY: I have eight -- I  
12 have eight letters from the neighbors.

13 TRUSTEE HILLER: I know, but not  
14 your direct-across-the-street  
15 neighbors. Those are the  
16 direct-across-the-street neighbors.

17 MR. JOSEPHY: His bushes are  
18 there. It's not a...

19 TRUSTEE MOSKOWITZ: It's a  
20 difficult issue because you do have --  
21 although you do have letters in  
22 support of the application, you also  
23 do have two neighbors who live very  
24 close to you who are very strenuously  
25 opposed to it. So it's difficult.

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2 MR. PRESTON: Mr. Chairman, I  
3 just want to make a point that in the  
4 course of this hearing, it -- it came  
5 up that there's actually another  
6 section of Village Code regarding the  
7 number of parking spaces that came  
8 into play, and that's not requested  
9 relief. So an -- even if an  
10 adjournment happens, the requested  
11 relief is insufficient as noticed.

12 CHAIRMAN KEILSON: Okay.

13 TRUSTEE MOSKOWITZ: Well, that  
14 is a preexisting condition even if  
15 that new driveway didn't exist at all  
16 because the -- in other words, the way  
17 that he bought the house originally  
18 had a driveway that I think  
19 accommodates -- I think your  
20 testimony, I think, was four or five  
21 cars. So it's a preexisting  
22 nonconforming condition, maybe  
23 exacerbated by the new addition.

24 MR. PRESTON: It would still --  
25 that may be true, but it would still

1 MEETING MINUTES

2 have to be noticed and heard here.

3 TRUSTEE MOSKOWITZ: Understood.

4 TRUSTEE FELDER: Can I just  
5 ask --

6 [Whereupon, an off-the-record  
7 discussion was held at this time.]

8 CHAIRMAN KEILSON: You've made a  
9 request for an adjournment. We'll  
10 first vote as to whether there'll be  
11 an adjournment, okay?

12 Mr. Felder?

13 TRUSTEE FELDER: My opinion is  
14 it shouldn't be adjourned because I  
15 don't think it will make a difference  
16 with the neighbors.

17 CHAIRMAN KEILSON: Mr. Hiller?

18 TRUSTEE HILLER: I agree.

19 CHAIRMAN KEILSON: Mr. Gottlieb?

20 TRUSTEE GOTTLIEB: No  
21 adjournment.

22 CHAIRMAN KEILSON: Mr.  
23 Moskowitz?

24 TRUSTEE MOSKOWITZ: I would vote  
25 for an adjournment, but I'm going to

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be outvoted.

CHAIRMAN KEILSON: I will vote against an adjournment.

So we're going to take it to a vote at this point, taking into consideration the benefits of the applicant. After taking -- it must be mentioned on the record that this is going on for 18 months or more. This is not something new. You may have brought it to Mr. Capobianco's attention recently, but the summons was issued way back on May 29th of '18. It means this situation has been out there for that period of time.

MR. HYMAN: Mr. Chairman, if I may just speak to that point specifically. When it was initially filed promptly after, you know, it was constructed, we were -- there was -- there was summonses; we were brought in. And the Village, before going to the Board, directed the owner to receive a 239-f approval from the

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County. And so we worked with the consulting engineer, who took over that process.

The 239-f is a very time-consuming, expensive process that resulted in the approval of the curb cut. And along with the requirement to reconstruct the curb ramp at the corner to make it accessible, they also told Mr. Josephy at the County that he must construct this -- and it's under their jurisdiction; it's not a Village issue of the curb cut -- they said he must construct it -- and I've never heard of this before -- within 30 days or the whole approval that he spent, you know, a good sum of money on the engineering and the 239-f approval would be -- would disappear. And so he did both reconstruct the curb ramp to make it accessible for the benefit of the community and the curb cut as quickly as possible under the pressure of the County saying that

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he must do this immediately.

So it wasn't that he was attempting in any way to drag out the process; it's just how it is currently at the County when you file a 239-f application that even if you hire the best engineer, it still takes eight months to a year to get an approval, sometimes longer. And -- and then similarly, this is why the curb cut was installed under the direction of the County in this case.

MR. PRESTON: And that was done while this application was pending before this Board.

MR. HYMAN: Correct. We were -- the engineer wasn't involved in that and we weren't, but the County -- Mr. Josephy could speak to that, to what they said to him in order to tell him to do it immediately.

MR. JOSEPHY: I got the violation. I came in; spoke to Danny; I spoke to the office; I went



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upstairs. They told me I have to go to Hempstead and do the curb cut. "And then come back to us." And every month I've been coming and they told me, "Don't worry and do that" and that's what I did.

CHAIRMAN KEILSON: In our earlier discussions with Mr. Vacchio, it was my understanding that the Village told your subcontractor or contractor not to lay the concrete. And that he was ignored.

Mr. Vacchio, is that correct?

MR. VACCHIO: Yeah. Aaron, I spoke to him --

MR. JOSEPHY: When?

MR. VACCHIO: -- the day before and I let him know that if --

MR. JOSEPHY: With the curb cut?

MR. VACCHIO: Yeah. He's not to pour --

MR. JOSEPHY: And the --

CHAIRMAN KEILSON: Mr. Josephy, just listen to the presentation.

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MR. VACCHIO: He's not to pour until he comes before the Board. And I was clear on that and he was clear -- well, I was talking to Aaron, the contractor. Then the next day it was a little too late; it was -- it was done, so.

CHAIRMAN KEILSON: So the directive from the Village was ignored. He proceeded to do it nonetheless, whether it be you, your contractor, your general contractor, the subcontractor. So there's a total disrespect to the Village in every aspect in terms of your performance in this matter, okay?

TRUSTEE MOSKOWITZ: Just so we have a clear record, are you talking about the original pouring of the concrete on the curb cut? Correct?

MR. VACCHIO: We're talking about the curb cut.

TRUSTEE MOSKOWITZ: Or are you talking about the curb cut?

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2 MR. VACCHIO: Curb cut only.

3 CHAIRMAN KEILSON: Okay. Fine.

4 TRUSTEE GOTTLIEB: Was it under  
5 the direction of the County that  
6 you -- I'm just going to show you the  
7 picture (indicating) because the  
8 corner concrete, this was --

9 MR. HYMAN: That was all work  
10 that the County required with a 239-f  
11 application. If you want --

12 TRUSTEE GOTTLIEB: At the  
13 expense of?

14 MR. HYMAN: Of the owner.

15 MR. JOSEPHY: If I wanted the  
16 curb cut for the driveway, "You got to  
17 do us."

18 TRUSTEE GOTTLIEB: That was a  
19 quid pro quo?

20 MR. HYMAN: Correct.

21 MR. JOSEPHY: Yeah. And they  
22 made me do it down because the whole  
23 thing was sinking; the whole thing was  
24 in the ground. So he says, "You have  
25 to do the whole -- the whole thing

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down" (indicating). And that was a pretty --

CHAIRMAN KEILSON: Alright. So going back --

MR. JOSEPHY: -- 40,000.

CHAIRMAN KEILSON: We will be voting, weighing the benefit of the variance to the applicant as opposed to the detriment to the health, safety, and welfare of the neighborhood. The criteria that we will be using: Will an undesirable change be produced in the character of the neighborhood and nearby properties? That's been spoken to by the neighbors. Can the benefit sought by the applicant be achieved by some method other than a variance? Obviously, it could have been done if we did the discussion prior to whatever work was done. Is the requested area variant substantial? I think there's no question it's egregious, the amount of overage. And

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2 is the alleged difficulty for the  
3 applicant self-created? He gives no  
4 question about it.

5 So taking into account the  
6 criteria, Mr. Felder?

7 TRUSTEE FELDER: Unfortunately,  
8 I'd have to be against.

9 CHAIRMAN KEILSON: Mr. Hiller?

10 TRUSTEE HILLER: Against.

11 CHAIRMAN KEILSON: Mr. Gottlieb?

12 TRUSTEE GOTTLIEB: Not for.

13 CHAIRMAN KEILSON: Mr.

14 Moskowitz?

15 TRUSTEE MOSKOWITZ: As I said  
16 before, I would have requested -- I  
17 would have been in favor of an  
18 adjournment to allow for an  
19 amendment to --

20 CHAIRMAN KEILSON: We already  
21 voted on that, Mr. Moskowitz.

22 TRUSTEE MOSKOWITZ: But  
23 Mr. Gottlieb is not the only one that  
24 can read extemporaneous comments into  
25 the record. I'm going to do that as

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2 well. I rarely do it. And that is  
3 what I would have thought would have  
4 made sense here. Having been outvoted  
5 in that respect, the application  
6 remains in its current form and on  
7 that basis, I have to vote no. In its  
8 current form.

9 CHAIRMAN KEILSON: Okay. I vote  
10 no as well.

11 MR. HYMAN: Thank you.

12 CHAIRMAN KEILSON: Okay. Next  
13 matter. The next matter is Klein,  
14 56 Muriel Avenue.

15 MR. FLAUM: Good evening,  
16 Members of the Board. My name is  
17 Shmuel Flaum, S-h-m-u-e-l F-l-a-u-m.  
18 I'm the applicant architect for  
19 Mr. and Mrs. Klein, who have recently  
20 purchased this house at 56 Muriel  
21 Avenue.

22 This is not their first house in  
23 the Village of Lawrence; they're  
24 22-year veteran residents of the  
25 Village of Lawrence and have recently

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1 downsized from a larger home to a  
2 smaller home. In conjunction with  
3 purchasing the home, they'd like to  
4 install a pool out of what is really I  
5 guess you call the side yard, but it  
6 is technically the rear yard, given  
7 the location of the front entrance of  
8 the house on Muriel Avenue. We are  
9 seeking several variances to allow  
10 this proposed pool at the rear/side  
11 yard. And I'm going to list those  
12 variances that we are seeking.

14 The first variance we're seeking  
15 is from Section 212-48.B, minimum  
16 required setback where permitted  
17 setback at a rear yard at a corner lot  
18 is 20 feet. The existing is over that  
19 amount. The proposed is 5 feet with  
20 the encroaching pool. So we're  
21 15 feet closer than where you would be  
22 required to at this yard.

23 Section 212-48.D, swimming pool  
24 and front yard not permitted. The  
25 proposed pool that we're proposing at

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the side yard does encroach beyond the face of the front of the house that's facing Donmoor Road. Therefore, it's encroaching into the front yard for a specific distance as per the drawings that you have in front of you and as per that colored site plan that you have as well.

Code relief item number three is Section 212-12.1, max pervious surface coverage. The permitted amount of surface coverage is 1,207.5 square feet. The proposed amount would be 1,959.6, an overage of 62 percent.

Now, before we go into the overages, there's a little bit more information that's detailed on the actual zoning analysis that you have.

CHAIRMAN KEILSON: What's the existing?

TRUSTEE GOTTLIEB: I just wanted to add: On the code relief you have three requests, but on the zoning analysis you have four. You may have



1                   MEETING MINUTES

2           missed the impervious surface  
3           coverage. It was left off the code  
4           relief.

5                   MR. FLAUM: So the impervious  
6           surface coverage is actually reduced  
7           from what was there before.

8                   TRUSTEE GOTTLIEB: But it's  
9           still greater than what's permitted.

10                  MR. FLAUM: Right.

11                  TRUSTEE GOTTLIEB: Okay. I just  
12           wanted to be clear that there are four  
13           variances.

14                  CHAIRMAN KEILSON: Let's go over  
15           it again. Gentlemen?

16                  MR. VACCHIO: He reduced it.

17                  MR. PRESTON: Yeah, but it's  
18           still over.

19                  TRUSTEE GOTTLIEB: When  
20           something is nonconforming, doesn't it  
21           come up before us?

22                  MR. VACCHIO: He's only asking  
23           for pervious; that's why I didn't deny  
24           him on that.

25                  TRUSTEE GOTTLIEB: Okay.

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2 MR. VACCHIO: If he was asking  
3 for impervious, then I would deny it.

4 MR. CASTRO: It's -- if you were  
5 to remove all of the nonconforming and  
6 then put back brand-new --

7 MR. VACCHIO: Or add.

8 MR. CASTRO: -- it would -- it  
9 would -- it would require it.

10 MR. VACCHIO: I didn't sign it.

11 MR. CASTRO: I don't believe  
12 that's happening.

13 TRUSTEE GOTTLIEB: Okay. Fine.

14 MR. VACCHIO: And he also  
15 improved it.

16 TRUSTEE GOTTLIEB: I'll stand  
17 corrected.

18 MR. FLAUM: I'll take it.

19 CHAIRMAN KEILSON: What was the  
20 existing on the impervious?

21 MR. FLAUM: So we're gonna go  
22 through that right now because it's --  
23 it's -- it's a little involved in  
24 terms of all the coverages. So if you  
25 go to the more details on the

## MEETING MINUTES

analysis, which you should have on your drawings, which is over here (indicating), it's on the bottom right corner. So the existing building coverage is 3,025 plus 9 percent of excess lot area. So the next one is 3,064, actually at 2,513. There's no change in that. But when you go to the impervious, which is 3,500 square feet plus 20 percent of excess lot area, your maximum permitted would be 3,588.2 square feet. The existing is over at 3,862.1 square feet, and we reduced it to 3,743.3. Therefore, the existing surface coverage exceeds the allowable by 7.6 percent, but the proposed surface coverage will be reduced to 4.3 over the allowable. So there's a net loss in impervious surface coverage with the proposed work we're looking to do.

With regard to the pervious surface, we're allowed 1,170 square feet plus 8 and a half percent in

## 1 MEETING MINUTES

2 excess of the lot area, which would  
3 give you 1,207.5 square feet. There's  
4 no existing pervious surface, and  
5 we're proposing 1,959.6 square feet.

6 CHAIRMAN KEILSON: Hold it.  
7 Proceed.

8 MR. FLAUM: So the variance that  
9 we're seeking would be for the  
10 pervious area. A percentage of 62  
11 percent where we previously had no  
12 overage or any pervious surface  
13 whatsoever.

14 The last item that we are  
15 seeking a variance for would be the  
16 front yard. A pool is typically not  
17 permitted in the front yard. We're  
18 having a proposed pool at 16-by-50  
19 that's going to encroach partially  
20 into the front yard on Donmoor Road,  
21 and that will require a variance. It  
22 would be 20 feet from the property  
23 line to the pool and then 10 foot, 6  
24 to the proposed pool equipment area  
25 that would be surrounded by plantings

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MEETING MINUTES

to shade it or make it invisible from  
the street.

And those are the three  
variances we are seeking. If there  
are any questions from the Board, I'll  
be happy to entertain them.

TRUSTEE GOTTLIEB: Where did the  
clients live prior to this house?

MR. FLAUM: Broadway.

TRUSTEE GOTTLIEB: And how long  
are they living here?

MR. FLAUM: Twenty-two years.

TRUSTEE GOTTLIEB: In this  
house?

MR. FLAUM: Oh, in this house?  
I think they just bought it --

MS. KLEIN: We didn't move in  
yet.

MR. FLAUM: They didn't move in  
yet.

MS. KLEIN: We are moving in on  
Tuesday.

TRUSTEE HILLER: Did they have a  
pool in the previous house?

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MEETING MINUTES

MR. FLAUM: Unfortunately, they did not.

TRUSTEE HILLER: And it was a far larger property.

MS. KLEIN: It was.

TRUSTEE GOTTLIEB: It's number four.

CHAIRMAN KEILSON: I'm confused. Who prepared the petition? The petition, who prepared the petition?

MR. FLAUM: My office prepared the petition.

CHAIRMAN KEILSON: Do you have the petition in front of you?

MR. FLAUM: I do not have a copy in front of me.

CHAIRMAN KEILSON: Counsel, can you give him a copy of the petition.

MR. PRESTON: Yes, Mr. Chairman.

CHAIRMAN KEILSON: Okay. Read paragraph four.

MR. FLAUM: Yes. I made that mistake; I know. I was talking to a client today and I unintentionally

MEETING MINUTES

wrote that they had a pool.

CHAIRMAN KEILSON: Don't you think you should have brought it to our attention?

MR. FLAUM: I literally only found out ten minutes before the hearing, so I apologize.

CHAIRMAN KEILSON: How many years did they live in that house without a pool?

MR. FLAUM: Twenty-two.

TRUSTEE GOTTLIEB: Although I don't know that it really bears that if they had a pool before, it makes them entitled to a pool now.

CHAIRMAN KEILSON: No. It's just a question of need.

TRUSTEE GOTTLIEB: Or a question of presentation.

MR. FLAUM: So the reason why they're requesting a pool or a pool that requires a variance is since they're residents of the Village of Lawrence for 22 years and they've

## 1 MEETING MINUTES

2 downsized the home, they still want to  
3 be able to accommodate their family to  
4 come and visit them, and one of the  
5 major draws for children more than  
6 anything or grandchildren is having a  
7 place to recreate or have a pool that  
8 they can enjoy. Until now, they  
9 didn't have a pool. They had a far  
10 larger home, and most likely, the  
11 children will not come and visit them.

12 But on top, I don't know if I  
13 have the permission to explain it, but  
14 if the client and the homeowner wishes  
15 to come up. She has a need for the  
16 use -- the therapeutic use of the  
17 pool.

18 Do you want to come up and speak  
19 to the benefit?

20 CHAIRMAN KEILSON: 99.9 percent  
21 of the residents of Lawrence have a  
22 medical condition that requires a  
23 pool.

24 MR. FLAUM: Say your name out  
25 loud.



## 1 MEETING MINUTES

2 MS. KLEIN: Hi. I'm  
3 Suzie (phonetic) Klein. I'm living in  
4 the neighborhood 22 years.

5 When I lived in the big house  
6 with the big property, I had little  
7 children and I was afraid to put a  
8 pool in. My children are married  
9 today and I'd like a pool. I am -- I  
10 have grandchildren. There are rules  
11 that are gonna be made that every  
12 mother has to watch their child at the  
13 pool. It can't be with anybody but a  
14 mother or a father. And, under those  
15 circumstances, my children are begging  
16 me, "Mommy, put in a pool, please."

17 And I'm a very big swimmer and I  
18 love to swim; I swum for many years.  
19 We had an apartment in Miami. I'm  
20 swimming winters for 40 years. My  
21 children are swimmers. And I'm asking  
22 just to put a pool in now.

23 CHAIRMAN KEILSON: You're asking  
24 for a pool with an encroachment that  
25 we've never ever approved.

1 MEETING MINUTES

2 MS. KLEIN: I understand. I  
3 understand, but I'm asking for a  
4 variance if I could just enjoy my  
5 family swimming in the summer.

6 CHAIRMAN KEILSON: I respect  
7 that, but...

8 MR. FLAUM: Which variance,  
9 specifically, are you -- are you  
10 addressing? The one at the front  
11 yard?

12 CHAIRMAN KEILSON: You tell me.

13 MR. FLAUM: I'm assuming it's  
14 the one at the front yard.

15 CHAIRMAN KEILSON: The front  
16 yard or is it the encroachment?  
17 Mr. Flaum, have you appeared before us  
18 before?

19 MR. FLAUM: Yes. It's both;  
20 it's the --

21 MR. VACCHIO: It's both.

22 CHAIRMAN KEILSON: It never  
23 occurred to you that 5 feet is the  
24 front encroachment for a pool?

25 MR. FLAUM: It depends which

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MEETING MINUTES

jurisdiction you're going in front of?

CHAIRMAN KEILSON: Did we ever  
approve a 5-foot encroachment? Have  
we ever?

TRUSTEE GOTTLIEB: Absolutely  
not.

TRUSTEE MOSKOWITZ: Mr. Flaum,  
have there been any consultations with  
the -- with the property owners who  
are most affected by this? So the --  
I think it would be the Borensteins  
(phonetic) would be the property that  
would be encroached upon. Any  
consultations with them about this  
application?

MS. KLEIN: With the neighbor?

TRUSTEE MOSKOWITZ: With the  
neighbor.

MS. KLEIN: I don't even know  
them. I have no idea who they are;  
but if you see the rendering of the  
pool, there's a beautiful wall and I  
would make it very beautiful and it  
would only enhance the area. So even

## 1 MEETING MINUTES

2 though it's closer to the neighbor, it  
3 would really make their property look  
4 nicer.

5 TRUSTEE MOSKOWITZ: What you  
6 might hear some people say is that a  
7 pool that's only a few feet away from  
8 the neighbor's property, there could  
9 be a lot of noise associated with that  
10 pool -- children playing -- that  
11 wouldn't otherwise be there if the  
12 pool wasn't there, so that's why I'm  
13 asking.

14 MS. KLEIN: But they have a pool  
15 too. And across the street they have  
16 a pool. And the neighbor has a pool;  
17 everybody has a pool there. So they  
18 have the same noise as I do, but I  
19 won't be noisy and rowdy.

20 TRUSTEE HILLER: Mrs. Klein,  
21 there --

22 MS. KLEIN: I watch my children.

23 TRUSTEE HILLER: Mrs. Klein,  
24 there are a lot of issues. There's  
25 the coverage. The size of your lot, I

## 1 MEETING MINUTES

2 know you, yourself, said you  
3 downsized, but you downsized to a  
4 property that is not suitable for a  
5 pool. We have never given a pool on a  
6 property that size.

7 MS. KLEIN: How was I supposed  
8 to know?

9 TRUSTEE HILLER: But I'm -- I'm  
10 sorry. It's -- I know you mean well,  
11 but the property that you selected to  
12 downsize, you really downsized. And  
13 there's no -- there's no feasible way  
14 that we can overlook the coverage  
15 problems and the  
16 proximity-to-the-neighbor problems.  
17 As much as -- as charming as you are,  
18 it's not -- that will not help.

19 MS. KLEIN: I am who I am.

20 TRUSTEE MOSKOWITZ: Mr. Flaum,  
21 did you come with a backup plan on  
22 this? Because you must know that this  
23 was probably gonna be the reaction  
24 because of the 5-foot -- even with my  
25 relatively short time on the Board, I

1 MEETING MINUTES

2 have not seen that.

3 TRUSTEE HILLER: It's about the  
4 coverage.

5 CHAIRMAN KEILSON: You heard  
6 Mr. Flaum explain that the only thing  
7 they thought was a huge hole in the  
8 front yard. He wasn't concerned about  
9 the encroachment.

10 MR. FLAUM: Quite honestly, I've  
11 done many --

12 TRUSTEE FELDER: Is -- can you  
13 just tell me: The neighbor that's  
14 right behind that wall, is that their  
15 backyard? their side yard? their --

16 MS. KLEIN: It's their backyard.  
17 No, no, no, no, no. It's a side yard.

18 TRUSTEE FELDER: It's a side  
19 yard. So from that back wall to their  
20 actual house is how many feet?  
21 Because I don't see the --

22 MR. FLAUM: It's on the survey.  
23 (Perusing.) Here.

24 TRUSTEE FELDER: The survey, I  
25 don't see the...

1 MEETING MINUTES

2 MR. FLAUM: It says right here  
3 it's 15.1 feet to...

4 TRUSTEE FELDER: Is this what  
5 we're talking about?

6 MR. FLAUM: Hold on.  
7 (Perusing.) It's not on there because  
8 this survey is only of their actual  
9 property. But we can obtain that.

10 TRUSTEE MOSKOWITZ: I think it  
11 may be depicted in this photo right  
12 here on the last page of the  
13 photograph, I believe. You have a  
14 photograph of Donmoor, I think.

15 TRUSTEE FELDER: So that's the  
16 neighbor. I got it.

17 TRUSTEE MOSKOWITZ: And then you  
18 see the neighbor, the Borensteins.

19 TRUSTEE GOTTLIEB: Actually, the  
20 second to last page might be Donmoor.  
21 I don't -- I don't know.

22 TRUSTEE MOSKOWITZ: That is also  
23 Donmoor.

24 TRUSTEE GOTTLIEB: It's  
25 56 Muriel.

1 MEETING MINUTES

2 TRUSTEE FELDER: You're talking  
3 about this picture (indicating)?

4 TRUSTEE GOTTLIEB: This one  
5 (indicating)? Page 2, the top  
6 picture?

7 MR. FLAUM: It's page 2; the top  
8 picture is the neighbor.

9 TRUSTEE GOTTLIEB: For future  
10 reference, it should be labeled when  
11 you're showing pictures.

12 TRUSTEE FELDER: Right. So you  
13 would be 5 feet off of their driveway,  
14 right? That's basically what it comes  
15 down to?

16 MR. FLAUM: Looks like it's 5  
17 feet from the driveway.

18 TRUSTEE FELDER: I mean, 5 feet,  
19 that's what you'd be bordering, the  
20 driveway.

21 MR. FLAUM: The driveway is up  
22 against the -- the hedges that are  
23 right there on the property.

24 TRUSTEE FELDER: Yeah.  
25 That's...



1 MEETING MINUTES

2 TRUSTEE HILLER: I'm still --  
3 I'm still very much bothered by the  
4 coverage problem.

5 MR. FLAUM: Specifically which  
6 item, if we could?

7 TRUSTEE HILLER: The coverage on  
8 the property is 62 percent. That is  
9 an outrageous figure. But regardless,  
10 it's a lovely property. It's a house  
11 that was redone. It's very nice.  
12 However, that size lot cannot warrant  
13 a pool.

14 MS. KLEIN: At all?

15 TRUSTEE HILLER: At all.

16 MR. FLAUM: But the coverage is  
17 the pervious coverage, not impervious.  
18 It would be a pervious paver, and  
19 primarily in the driveway that's  
20 existing, impervious.

21 TRUSTEE HILLER: The proximity  
22 to the neighbor, the size of the lot,  
23 we've never had a pool on that size  
24 lot that I can recall.

25 MR. FLAUM: This is not,

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MEETING MINUTES

actually, a very small lot at all in terms of residential lots.

TRUSTEE FELDER: Did you think about putting it in a different location?

MR. FLAUM: What other location could you possibly --

TRUSTEE FELDER: Wherever you have grass. I don't know if it's gonna help you, but 5 feet --

MR. FLAUM: In terms of logistics of putting a pool anywhere, if you take a look at the survey, a 40-foot rear yard would definitely be large enough to put a pool in.

TRUSTEE HILLER: A pool fits.

MR. FLAUM: What?

TRUSTEE HILLER: Yes, a pool fits.

MR. FLAUM: Right. But much more so than putting it proposed in the front yard, which would be completely and totally inappropriate. And a 17- or 18-foot side yard would

1 MEETING MINUTES

2 also totally be inappropriate, so.

3 TRUSTEE FELDER: You really  
4 don't affect very many people here.

5 MR. FLAUM: Where?

6 TRUSTEE FELDER: You know, on  
7 this (indicating).

8 MR. FLAUM: On the proposed  
9 location, which is --

10 TRUSTEE FELDER: You don't  
11 affect anybody here (indicating).

12 MR. FLAUM: Where? On the front  
13 yard?

14 TRUSTEE FELDER: Well, I don't  
15 know, you know. I mean, it wouldn't  
16 the greatest spot.

17 MR. FLAUM: So let's just talk  
18 in terms of what's actually going on  
19 in the site. The front of the house  
20 faces Muriel Avenue, right? So  
21 essentially, that side yard is really  
22 the rear yard, and the only one that  
23 it's adjacent to is the neighbor  
24 Borenstein --

25 TRUSTEE HILLER: I am looking at

1 MEETING MINUTES

2 that property as if that is a rear  
3 yard, even though I know --

4 TRUSTEE MOSKOWITZ: Right. But  
5 we're all looking at it as --

6 MR. FLAUM: Okay. Fine.

7 TRUSTEE HILLER: -- that's not  
8 -- that's not the problem.

9 MR. FLAUM: So the proximity of  
10 5 feet is the primary issue?

11 TRUSTEE HILLER: And the  
12 coverage.

13 MR. FLAUM: Well, the coverage  
14 is still going to be an issue no  
15 matter what you do because --

16 TRUSTEE HILLER: Correct,  
17 because of the size of the property.

18 MR. FLAUM: Okay.

19 TRUSTEE MOSKOWITZ: No, because  
20 if you leave things as they are,  
21 you're going to have an impervious  
22 driveway, which is there right now;  
23 so, actually, your -- your -- isn't  
24 that --

25 MR. FLAUM: That's what I'm

1 MEETING MINUTES

2 saying. You have an impervious  
3 driveway that we're making less  
4 impervious by proposing pervious.

5 TRUSTEE MOSKOWITZ: You're using  
6 the impervious allowance that was --  
7 that was -- that currently is used on  
8 the driveway and --

9 MR. FLAUM: No, there's no  
10 impervious allowance in use currently.  
11 There's no impervious surface  
12 coverage.

13 TRUSTEE FELDER: Everything --  
14 everything on this property is  
15 pervious?

16 MR. FLAUM: Correct. So we're  
17 taking away and eliminating --

18 TRUSTEE FELDER: Wait. Pervious  
19 or impervious?

20 MR. CASTRO: Everything right  
21 now is impervious.

22 MR. FLAUM: Sorry. Everything  
23 is impervious; there is no pervious  
24 paving whatsoever.

25 TRUSTEE MOSKOWITZ: Why are you

1 MEETING MINUTES

2 changing the driveway to a pervious  
3 substance?

4 MR. FLAUM: Impervious,  
5 impervious.

6 TRUSTEE MOSKOWITZ: You're  
7 changing it to --

8 TRUSTEE FELDER: No, impervious.

9 TRUSTEE MOSKOWITZ: You're  
10 changing it to pervious. It's all  
11 impervious.

12 MR. FLAUM: "Existing asphalt  
13 driveway to be converted to a pervious  
14 curbstone paver."

15 TRUSTEE MOSKOWITZ: Exactly. So  
16 why are you changing it to pervious?

17 MR. FLAUM: In order to free up  
18 impervious surface coverage --

19 TRUSTEE MOSKOWITZ: Exactly.

20 MR. FLAUM: -- so we can do the  
21 pool.

22 TRUSTEE MOSKOWITZ: Exactly.  
23 That's all.

24 MR. FLAUM: That's it.

25 TRUSTEE MOSKOWITZ: Exactly.

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MEETING MINUTES

Now, is there a scenario where the pool could be moved off of the property -- off of the -- where the encroachment could be reduced? I mean, could there be --

MS. KLEIN: I don't mind as long as I could get some --

CHAIRMAN KEILSON: I have a suggestion. Rather than us voting and having an unfavorable result, why don't you ask for an adjournment and then take it back to the Building Department to see if there's some way to mitigate, rather than -- it's a long night for us. We have two other matters that are very complex. Those are my recommendations.

MR. FLAUM: That's fine. Can I ask a question.

CHAIRMAN KEILSON: Certainly.

MR. FLAUM: With regard to a pool, as in setbacks from property lines, what would be a minimum that the Village would want to see on a

1 MEETING MINUTES

2 proposed pool? Because that...

3 TRUSTEE GOTTLIEB: I can say  
4 comfortably 20 feet.

5 CHAIRMAN KEILSON: See that?  
6 How does that --

7 MR. FLAUM: 20 foot on a pool?  
8 It seems arduous, honestly.

9 TRUSTEE MOSKOWITZ: I think the  
10 answer is that the Board -- it all  
11 depends on the facts and  
12 circumstances. But sometimes there  
13 have been facts and circumstances that  
14 have shown 10 feet, I believe, that  
15 have been -- that have been approved.

16 MR. FLAUM: Okay.

17 TRUSTEE HILLER: There's far  
18 larger properties where the house  
19 adjacent was up to a hundred feet away  
20 from the property line. Here you are,  
21 a much denser population and the  
22 house, the lot is much smaller.  
23 Frankly, I don't see a -- I,  
24 personally, don't see a way out. I,  
25 personally.



1 MEETING MINUTES

2 TRUSTEE FELDER: It's also a  
3 good idea --

4 CHAIRMAN KEILSON: Well, maybe  
5 he won't be here the night that we  
6 vote, so don't worry about it.

7 TRUSTEE FELDER: But you should  
8 also just for your own sake consult  
9 with that neighbor.

10 MR. FLAUM: Well, I'm actually  
11 going to take a look and survey all  
12 the pools on the surrounding  
13 properties just to see what is  
14 actually going on. Because I don't  
15 feel that --

16 TRUSTEE FELDER: This guy is  
17 gonna be the most effective.

18 MR. FLAUM: Right.

19 TRUSTEE FELDER: Even at 10 feet  
20 or at 12, whatever you want to come  
21 back with, you're still gonna want to  
22 get his approval.

23 MR. FLAUM: A hundred percent.

24 TRUSTEE FELDER: So -- and that  
25 would go a long way.

1 MEETING MINUTES

2 MR. FLAUM: Again, they didn't  
3 move in yet, so I don't think they --

4 TRUSTEE FELDER: Right. But I'm  
5 saying --

6 MR. FLAUM: -- introduced  
7 themselves.

8 TRUSTEE FELDER: -- now that you  
9 understand --

10 MS. KLEIN: I don't know them.

11 TRUSTEE FELDER: Right. Now  
12 that you -- I mean, but you can  
13 imagine that if I was your neighbor  
14 and I was building a pool 5 feet away  
15 from you, you probably wouldn't like  
16 it; and we're trying to protect  
17 everyone and let you enjoy your  
18 property --

19 MS. KLEIN: I agree.

20 TRUSTEE FELDER: -- at the same  
21 time.

22 MS. KLEIN: I agree. That's why  
23 the rendering has a beautiful wall.

24 TRUSTEE FELDER: Right, but  
25 having grown up --

## 1 MEETING MINUTES

2 MS. KLEIN: And that wall --

3 TRUSTEE FELDER: -- I grew up  
4 with a pool, and I have neighbors who  
5 surrounded my parents' house. And we  
6 were built legally with 20 feet away  
7 from the property line, and I can tell  
8 you we still got phone calls every  
9 Saturday night because it was too  
10 loud. And that's really why these --  
11 why the 20-foot setback is there.  
12 It's just to protect those -- now, if  
13 you don't have a problem with the  
14 neighbors -- and by the way, the  
15 20 feet sometimes doesn't help either,  
16 like I told you. So it's -- it's --  
17 but it certainly goes a long way.  
18 5 feet is -- is -- if I was on top of  
19 you, 5 feet with a lot of  
20 grandchildren, it may get a little bit  
21 noisy.

22 MS. KLEIN: Okay. I hear you.  
23 Okay, so we'll rework it.

24 TRUSTEE FELDER: So we just want  
25 to protect the homeowner.

1 MEETING MINUTES

2 CHAIRMAN KEILSON: Would you  
3 like to ask for an adjournment?

4 MR. FLAUM: Yes. We request an  
5 adjournment.

6 CHAIRMAN KEILSON: Everybody  
7 here agree?

8 [A chorus of yeses.]

9 CHAIRMAN KEILSON: Fine.

10 MR. FLAUM: Thank you.

11 CHAIRMAN KEILSON: Have a good  
12 evening.

13 209 Juniper Circle North. Okay.

14 MR. MACLEOD: Good evening.

15 John Macleod representing the Foxes.

16 Our second appearance here. We  
17 were here two months ago requesting  
18 several variances for the building of  
19 a new house at 209 Juniper Circle  
20 North. And at that meeting, we were  
21 -- it was suggested to us that we  
22 reduce the number of variances and try  
23 to restrict the -- the amount of  
24 things we are asking for. So we went  
25 away and we did our homework and we

## MEETING MINUTES

1  
2 were able to reduce the number of  
3 variances down to four and also reduce  
4 the amount of -- the request for one  
5 other variance, the building coverage,  
6 substantially to be reduced. So we  
7 are here this evening to request  
8 variances for building coverage, rear  
9 yard setback, front yard height  
10 setback ratio, and rear yard height  
11 setback ratio. Previously, we were  
12 also asking for side yard -- right  
13 side yard setback and right side yard  
14 height setback ratio and aggregate  
15 side yard.

16 TRUSTEE GOTTLIEB: Mr. Macleod?

17 MR. MACLEOD: Yes.

18 TRUSTEE GOTTLIEB: Not to cut  
19 you short, but the way that I look at  
20 it, I disregard the prior application.  
21 We're looking at a brand-new  
22 construction with four variances  
23 because --

24 MR. MACLEOD: And that's what  
25 we'll discuss this evening.

1 MEETING MINUTES

2 TRUSTEE GOTTLIEB: And I just  
3 appreciate that we just go through the  
4 four because...

5 CHAIRMAN KEILSON: As fast as  
6 possible.

7 MR. MACLEOD: Okay. So the  
8 first item on the list on the code  
9 relief -- and you're familiar with the  
10 project, so I'm not going to describe  
11 it to you again. It is a new house,  
12 it is a FEMA-compliant house, it's in  
13 a flood zone, and we are  
14 building three floors. The necessity  
15 of the third floor is to make up for  
16 the basement that we cannot have. So  
17 we are aiming to use as much space as  
18 we can.

19 We are requesting a 6.7 percent  
20 overage for the building coverage in  
21 the amount of 182 square feet over;  
22 the permitted, 2,717. The rear yard  
23 setback is required to be 30, and we  
24 are requesting it to be 25. The rear  
25 yard does taper away, and the

## MEETING MINUTES

1 left-hand-rear corner, we are  
2 asking -- it's 28 feet or 27 feet, 11  
3 and a half inches. And by taking some  
4 spot points along that rear line of  
5 the house, we actually end up with a  
6 average setback of 26 feet, 2 inches  
7 in the rear yard.  
8

9 TRUSTEE GOTTLIEB: So just to  
10 repeat what you said, it's only at one  
11 point. It's 24 feet.

12 MR. MACLEOD: 25 feet.

13 CHAIRMAN KEILSON: 25.

14 MR. MACLEOD: 25 feet.

15 TRUSTEE GOTTLIEB: Okay. Oh,  
16 I'm looking at something else that's  
17 24, 2. So it's 25, 2.

18 MR. MACLEOD: I do want to point  
19 out one thing that may or may not have  
20 been corrected in the denial letter.

21 CHAIRMAN KEILSON: There's a  
22 question that arose.

23 MR. MACLEOD: So in item one, it  
24 may have been corrected and so I might  
25 be not having to say this, but where

## 1 MEETING MINUTES

2 it says "the requested building  
3 coverage is," it should say "2,899" in  
4 the denial letter.

5 MR. PRESTON: That's what I  
6 have.

7 MR. VACCHIO: Yeah, the denial  
8 letter I have as well.

9 MR. MACLEOD: Okay, good. So it  
10 was -- it was updated. Okay. Thank  
11 you. Thank you. I just want to make  
12 sure that I had mentioned that in case  
13 it wasn't.

14 So yeah. So the rear yard  
15 setback, as we said, it tapers away,  
16 and the rear-right-hand corner, it's  
17 25 feet that we are requesting with an  
18 average of 26 foot, 2 inches across  
19 the whole back of the house.

20 One of the height setback ratios  
21 is related to this. We're required to  
22 have a 0.74, and we are requesting a  
23 0.96, a discrepancy of 0.22. The  
24 other height setback ratio is in the  
25 front of the house, which is a minimal



## 1 MEETING MINUTES

2 amount. The 0.74 requirement is  
3 exceeded by 0.12 to give us 0.86, a  
4 minimal difference that is not a  
5 noticeable-to-the-eye difference in  
6 that height setback ratio.

7 TRUSTEE GOTTLIEB: Quick  
8 question.

9 MR. MACLEOD: So that's -- those  
10 are the things we are here to ask for,  
11 and I'd be happy to discuss each and  
12 every one of them if you have  
13 questions.

14 TRUSTEE GOTTLIEB: Could you  
15 tell me the various heights of each of  
16 those three floors. I don't remember  
17 what page it was on.

18 MR. MACLEOD: So we have 10 feet  
19 on the first floor; 9 feet on the  
20 second floor; and 8 foot, 6 on the  
21 third floor.

22 TRUSTEE GOTTLIEB: So these are  
23 pretty tall rooms.

24 MR. MACLEOD: By today's new  
25 house standards, they are average.

1 MEETING MINUTES

2 TRUSTEE GOTTLIEB: So 8 foot is  
3 no longer the standard.

4 MR. MACLEOD: 8 foot is not  
5 acceptable.

6 CHAIRMAN KEILSON: No, not in  
7 Lawrence.

8 MR. MACLEOD: Nationwide, you  
9 will find that it also has grown. 10  
10 feet on the first floor is  
11 commonplace.

12 TRUSTEE GOTTLIEB: The last  
13 question I have is: Because this is  
14 new construction, if you can briefly  
15 summarize why it's necessary. In  
16 other words, what are these variances  
17 providing you with that you would miss  
18 if you were to meet code completely?

19 MR. MACLEOD: So the first floor  
20 of the house, we have living room,  
21 dining room, family room, eat-in  
22 kitchen, one-car garage, powder room,  
23 and we have a small guest suite in the  
24 rear-left-hand corner. And the guest  
25 suite on the ground floor is an

## 1 MEETING MINUTES

2 important part of this footprint for  
3 visiting, elderly parents who cannot  
4 handle stairs. And so that has that  
5 extra 200 square feet in that corner  
6 is virtually what we are asking for as  
7 an overage of 182 square feet.

8 TRUSTEE GOTTLIEB: So that's  
9 your surface coverage, which is --

10 MR. MACLEOD: That's our  
11 building coverage.

12 TRUSTEE GOTTLIEB: -- building  
13 -- which is not a great amount --  
14 building coverage.

15 MR. MACLEOD: We do comply with  
16 our surface coverage; we're under and  
17 there's no requirement for that to ask  
18 for a variance.

19 The functions that we might  
20 otherwise have in a basement are on  
21 the third floor. We have a playroom,  
22 an arts and craft room, a study -- we  
23 don't have a study on the first floor;  
24 we moved it up to the third floor -- a  
25 gym area, and some storage. The

## 1 MEETING MINUTES

2 second floor has a master suite, four  
3 bedrooms, and that's it.

4 TRUSTEE HILLER: Unlike  
5 Mr. Gottlieb, I do look at previous  
6 applications and compare them. And I  
7 appreciate the fact that an effort was  
8 made to downsize the -- the project.  
9 And while there are some overages, a  
10 lot of them are -- if you look at the  
11 existing, they're not that egregious.  
12 And I appreciate the efforts that were  
13 made to comply.

14 MR. MACLEOD: Thank you. We did  
15 manage to reduce, as you mentioned it,  
16 we did manage to reduce our building  
17 coverage by 3 percent from 9.7 to 6.7.

18 CHAIRMAN KEILSON: I think we  
19 should also take note of the very warm  
20 letters of support from neighbors,  
21 extraordinarily nice and creative.

22 TRUSTEE GOTTLIEB: I  
23 particularly appreciate seeing them  
24 prior to the hearing as opposed to  
25 [inaudible].

MEETING MINUTES

TRUSTEE MOSKOWITZ: And I'll just add to that that they are particularly unique in that they're not form letters, but, actually, many of the neighbors took the time to write individually themselves and not to copy a form. So these are particularly strong letters of support.

TRUSTEE HILLER: I actually spoke to three of your neighbors who sent in letters, and they were sincere.

MR. MACLEOD: Thank you for that acknowledgement.

CHAIRMAN KEILSON: Anyone in the audience who remains want to discuss the matter?

[No response.]

CHAIRMAN KEILSON: Okay. Taking into consideration the benefit to the applicant as opposed to any detriment, health, safety, and welfare of the community, we're gonna vote; we'll

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MEETING MINUTES

start with Mr. Moskowitz.

TRUSTEE MOSKOWITZ: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

TRUSTEE GOTTLIEB: I'm going to go for this one. I say for.

CHAIRMAN KEILSON: Mr. Hiller?

TRUSTEE HILLER: For.

CHAIRMAN KEILSON: Mr. Felder?

TRUSTEE FELDER: For.

CHAIRMAN KEILSON: I vote for as well. And two years for the building design?

MR. VACCHIO: Three years?

MR. MACLEOD: Sure. Thank you very much. I appreciate it.

TRUSTEE GOTTLIEB: Mr. Macleod?

MR. MACLEOD: Yes.

TRUSTEE GOTTLIEB: Can you tell me how big that playroom is on the third floor. I just can't -- thanks. It's on page A-5.

MR. MACLEOD: 17, 6 front to back, and left to right, it'll be -- 19 -- 17 feet, 1.

1 MEETING MINUTES

2 TRUSTEE GOTTLIEB: Okay. So  
3 roughly 17-by-17.

4 MR. MACLEOD: Yes.

5 TRUSTEE GOTTLIEB: Thank you.

6 MR. MACLEOD: Okay. Thank you  
7 very much.

8 CHAIRMAN KEILSON: Okay. The  
9 matter of Schulhof, the last man  
10 standing, 11 Merrall Drive. They or  
11 their representative, please step  
12 forward.

13 MR. SCHULHOF: All right. So  
14 stating my name for the record. My  
15 name is Kenneth Schulhof; I'm the  
16 homeowner. Unfortunately, the  
17 architect --

18 [Whereupon, an off-the-record  
19 discussion was held at this time.]

20 CHAIRMAN KEILSON: Back on the  
21 record.

22 MR. SCHULHOF: So my name is  
23 Kenneth Schulhof. I can spell it for  
24 the record: S-c-h-u-l-h-o-f. I'm the  
25 homeowner of the property. The

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architect was unavailable tonight, so I brought with me my contractor in case there's any technical questions.

CHAIRMAN KEILSON: Please put your name on the record.

MR. PROFESORSKE: It's gonna be hard.

CHAIRMAN KEILSON: The simple version.

MR. PROFESORSKE: David Profesorske.

MR. SCHULHOF: I'm here in front of the Board requesting several variances. I've lived at 11 Merrall Drive for 14 years. We recently purchased the adjacent property to us at 1 Merrall Drive, and by purchasing both lots, the two lots are, in effect, combined and as a result has caused a couple of variances just by the fact that you have two lots that are narrow being combined, creating a length. So now my front yard is by default Broadway, and my --



## 1 MEETING MINUTES

2 Merrall Drive, which is where I  
3 currently live, is my side yard. So  
4 we are here requesting some of the  
5 variances, two of which, I think, are  
6 results -- many of which are results  
7 of this anomaly.

8 The first variance I wanted to  
9 mention was Section 212-12.1, the  
10 minimum rear yard setback. That is an  
11 existing condition that we are --  
12 because we are leaving the wall on  
13 that side next to the neighbor, and  
14 that is -- we are not changing that  
15 setback.

16 CHAIRMAN KEILSON: I think on  
17 each of the variances, it would be  
18 helpful to indicate if it is as a  
19 result of the -- what the property is  
20 being described as as opposed to what  
21 the reality may be. This one does  
22 not -- this was the nonconforming?

23 MR. SCHULHOF: Well, sort of.

24 CHAIRMAN KEILSON: Preexisting?

25 MR. SCHULHOF: Right. It was

MEETING MINUTES

preexisting, nonconforming. Nothing is changing for the -- I'm going -- doing the second one -- if you have the same list -- first. In the third -- in the third one, the maximum rear yard height setback ratio also --

CHAIRMAN KEILSON: I'm sorry. Just, again, the rear yard, that's interpreting what used to be a side yard?

MR. SCHULHOF: Correct, is now a --

CHAIRMAN KEILSON: Mr. Castro?

MR. CASTRO: Yes, correct.

CHAIRMAN KEILSON: The side yard is now being called a rear yard?

MR. VACCHIO: Correct.

MR. SCHULHOF: Correct.

CHAIRMAN KEILSON: Okay. And had it been the side yard, what would have been the requirement?

MR. PROFESORSKE: I believe 15 feet.

MR. VACCHIO: 15. Was it B,

1 MEETING MINUTES

2 right?

3 MR. PROFESORSKE: Well, it  
4 actually depends; now that the two  
5 lots became combined, it has different  
6 zoning ramifications and the side yard  
7 has a different measurement. But in  
8 the old lot of 11 Merrall, I believe  
9 it was a 15.

10 CHAIRMAN KEILSON: So it would  
11 not have been 50; it would have been  
12 15, and it's a preexisting  
13 nonconforming. Okay.

14 MR. SCHULHOF: Correct.

15 The next -- the next variance is  
16 on the same rear yard's situation.  
17 That is the height setback ratio  
18 because, again, we are actually making  
19 better that existing ratio; there's  
20 currently a gable on that side, but by  
21 doing the amount of work, we're going  
22 to have to remove the roof, so we are  
23 making that -- that preexisting  
24 situation better. But it does require  
25 a variance.

1 MEETING MINUTES

2 CHAIRMAN KEILSON: Do you have  
3 any questions, Mr. Castro, on the  
4 existing?

5 MR. CASTRO: Yes.

6 CHAIRMAN KEILSON: Could you  
7 reclarify. The template refers to it  
8 as 2.0. Is that accurate or not  
9 accurate?

10 MR. CASTRO: It shows the  
11 existing height setback ratio at 2.0  
12 and the proposed at 2.33, which  
13 contradicts the...

14 MR. PROFESORSKE: Right. So, I  
15 mean, I'll speak to that. Basically,  
16 as you know, height setback ratio hits  
17 at different parts of the building;  
18 that's what affects the ratio. So now  
19 being that the building -- the  
20 roofline is changing, so it's now  
21 hitting at a closer point than it was  
22 hitting before, and that's showing the  
23 difference; it's reflected on the  
24 drawings.

25 MR. CASTRO: All right. So

1 MEETING MINUTES

2 you're saying the actual number is a  
3 little deceiving --

4 MR. PROFESORSKE: Right.

5 MR. CASTRO: -- because the bulk  
6 of the gable is being removed, even  
7 though there's a point.

8 MR. PROFESORSKE: Right.  
9 Exactly. It's bettering the  
10 condition; it's just worsening the  
11 number. Meaning for the neighbor  
12 looking at it, it's bettering the  
13 condition.

14 CHAIRMAN KEILSON: So, again, as  
15 far as the neighbor is concerned, it's  
16 an improved situation vis-à-vis the  
17 height setback ratio.

18 MR. PROFESORSKE: Correct.

19 CHAIRMAN KEILSON: So 2.0 may be  
20 an accurate number, but it's not  
21 really reflective of what it is.

22 MR. PROFESORSKE: Correct.

23 CHAIRMAN KEILSON: Okay. That's  
24 two of them.

25 MR. SCHULHOF: That's two of

## 1 MEETING MINUTES

2 them.

3 Okay. The other one is Section  
4 212-27.C, the required off-site  
5 parking. I think by combining the  
6 lots now, I would be required to have  
7 a two-car garage, and I'm asking to  
8 keep -- I'm maintaining my one-car  
9 garage. I have ample driveway space,  
10 which we're planning on leaving --  
11 leaving where it is and we don't  
12 really use the garage as much and we  
13 only have two cars, so I don't feel --  
14 I'm asking for relief to not require a  
15 two-car garage for the property.

16 CHAIRMAN KEILSON: One of the  
17 questions that arose: You now have a  
18 much larger house with, I think, 12  
19 bedrooms?

20 MR. SCHULHOF: Yes. Well, we  
21 have 11 bedrooms currently.

22 CHAIRMAN KEILSON: So  
23 eventually, some of the occupants will  
24 probably be driving. How many cars  
25 can you accommodate on the driveway?

1 MEETING MINUTES

2 MR. SCHULHOF: Probably about  
3 12.

4 CHAIRMAN KEILSON: 12?

5 MR. SCHULHOF: We can  
6 accommodate a lot of cars, about 12.  
7 So we have --

8 CHAIRMAN KEILSON: Kiddie cars  
9 or real cars?

10 MR. SCHULHOF: Real cars. It's  
11 pretty big.

12 TRUSTEE GOTTLIEB: In the  
13 driveway?

14 MR. SCHULHOF: Yeah.

15 MR. PROFESORSKE: I don't think  
16 you can accommodate -- I think that's  
17 an exaggeration, but I think  
18 comfortably, you can accommodate at  
19 least 5 or 6 cars in the driveway.

20 CHAIRMAN KEILSON: What does the  
21 Code provide? How many cars are they  
22 allowed to accommodate?

23 MR. PROFESORSKE: Right. Well,  
24 yeah, we don't want to get into a  
25 similar situation here.

1 MEETING MINUTES

2 MR. SCHULHOF: We're actually  
3 making the driveway a little smaller  
4 than the proposed plan.

5 CHAIRMAN KEILSON: That's  
6 important to know as well.

7 TRUSTEE GOTTLIEB: So that's the  
8 circular driveway that leads to the --

9 MR. SCHULHOF: The circular  
10 we're leaving. So right now there's a  
11 straight part that leads into the  
12 garage, as well as the circular,  
13 right? So the straight part that  
14 leads into the garage we are going to  
15 make smaller.

16 MR. PROFESORSKE: Well, they're  
17 moving the straight part to the other  
18 side.

19 CHAIRMAN KEILSON: So the -- the  
20 answer from the bullpen here is that  
21 it's five cars.

22 MR. PROFESORSKE: So then that's  
23 how many he could fit.

24 CHAIRMAN KEILSON: Next.

25 MR. SCHULHOF: The next -- the



1                   MEETING MINUTES

2           next variance, yeah, I guess we can do  
3           the pool.

4                   CHAIRMAN KEILSON:   Let's do the  
5           pool.

6                   MR. SCHULHOF:   Because now the  
7           pool is not -- doesn't have any  
8           encroachments or anything like that,  
9           but because it is a front yard  
10          officially, by putting the pool on the  
11          1 Merrall property, by definition,  
12          that requires a -- a variance.   So  
13          we're requesting for that.

14                   And then the last variance is a  
15          lot coverage variance.   We have been  
16          working with the Board --

17                   CHAIRMAN KEILSON:   I'm sorry.  
18          What's the size of the pool?  
19          20-by-40?

20                   MR. SCHULHOF:   Yes.

21                   MR. VACCHIO:   Yes, 800 square  
22          feet.

23                   CHAIRMAN KEILSON:   Okay.

24                   MR. SCHULHOF:   And then the last  
25          coverage -- the last request is for

## MEETING MINUTES

relief from the maximum building area coverage. We are currently asking for 20.3 percent or 4,149 square feet. Permitted is 18.5 percent or 3,779 square feet. I recognize in front of the Board this is a large house with large rooms, but we are asking if they can request this -- permit this, considering that we are taking two houses currently that cover 4,995 square feet and bettering the situation on all coverage ratios, including the maximum building area coverage ratio. We're taking it down from 4,995 square feet to 4,149, as well the impervious and pervious coverage ratios, which we're improving as well, which didn't need any variances.

I also would like to thank the building committee -- Danny and Gerry -- who have helped. We've discussed several iterations of these plans. We originally came in front of the

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MEETING MINUTES

variance committee not knowing that we -- our original plans had about ten variances. We worked with them to bring it down to eight and now down to five. So we spent a lot of time and effort trying to come up with the best solution.

TRUSTEE GOTTLIEB: I guess I'll start with a question.

MR. SCHULHOF: Sure.

TRUSTEE GOTTLIEB: Did you appear before the Board, or maybe it was your wife?

MR. SCHULHOF: Yeah. It was myself.

TRUSTEE GOTTLIEB: Oh. Was there a prior application for this house?

MR. SCHULHOF: For 11, correct. Yes. So there was a prior application for 11 Merrall. So currently, 11 Merrall does not have a first-floor bedroom. I had come in front of the Board to request a first-floor

## MEETING MINUTES

1  
2 bedroom; I have elderly parents and  
3 in-laws who wanted to have a first  
4 floor; they wouldn't have to go up and  
5 down the stairs. We were granted that  
6 application, and we were about to  
7 start the work. And then my neighbor  
8 called me that their house -- they  
9 were putting their house on the market  
10 literally the night before we were --  
11 we were starting the work.

12 TRUSTEE GOTTLIEB: So the work  
13 that you were granted was never --

14 MR. SCHULHOF: It was never  
15 started.

16 TRUSTEE GOTTLIEB: -- was never  
17 started. Okay. How long ago was that  
18 appearance?

19 MR. SCHULHOF: It was about a  
20 year and a half ago.

21 TRUSTEE GOTTLIEB: So my  
22 question, really: Because you never  
23 did any of the work, it's -- it's  
24 irrelevant to this. Okay.

25 MR. PROFESORSKE: It is worth

1 MEETING MINUTES

2 noting, though, that those variances  
3 were -- they were previously approved;  
4 rear yard setback variances -- rear  
5 yard setback and height setback  
6 ratios, they were approved in the last  
7 variance.

8 TRUSTEE GOTTLIEB: Okay. You  
9 didn't do it. Okay. So unless  
10 someone else has questions.

11 Who is the architect who  
12 prepared this?

13 MR. SCHULHOF: Norman Wax and --  
14 Norman Wax prepared this with  
15 Douglas Nelson (phonetic).

16 TRUSTEE GOTTLIEB: Okay.  
17 Because it looks nice for Norman Wax's  
18 work.

19 MR. PROFESORSKE: I'll tell  
20 Douglas.

21 TRUSTEE GOTTLIEB: Because it  
22 starts at the basement level, I just  
23 would like to start with the -- I'm  
24 going to call it the "basement level."  
25 What's the height of the ceiling in

1                   MEETING MINUTES

2           the basement? And is it level with  
3           where you are now, or is it being  
4           excavated further?

5                   MR. SCHULHOF: No. I think it's  
6           just slightly higher than where it is  
7           now. I think 6 inches or so higher  
8           than where it's currently at.

9                   TRUSTEE GOTTLIEB: Okay. So you  
10          have a 1,700-foot playroom.

11                   MR. SCHULHOF: Yes.

12                   TRUSTEE GOTTLIEB: So what are  
13          you guys playing?

14                   MR. SCHULHOF: So we have -- we  
15          host a lot of parties for family  
16          members. My wife -- my wife --

17                   TRUSTEE GOTTLIEB: You're very  
18          soft-spoken and I don't hear so well.

19                   MR. SCHULHOF: That's okay; I'll  
20          speak up.

21                   We like -- we do host a lot  
22          of simchas for the family, extended  
23          families very often. We do have a  
24          guest for the weekends very often. We  
25          have 20, 30, 40 people in our dining

## 1 MEETING MINUTES

2 room. And we host, you know, students  
3 who need a place for the weekend. And  
4 often, we'll end up developing  
5 relationships with them. We've had --  
6 hosted parties for them when they get  
7 engaged and whatnot, so we were  
8 considering that playroom area  
9 partially a playroom and partially to  
10 host --

11 TRUSTEE GOTTLIEB: As a  
12 gathering for -- for simchas.

13 TRUSTEE HILLER: When we see  
14 something of this size, which we have  
15 never yet seen, naturally, suspicions  
16 come up, and we -- I have to ask you  
17 directly.

18 MR. SCHULHOF: Sure.

19 TRUSTEE HILLER: Do you plan to  
20 put a shul there or a catering  
21 facility there?

22 TRUSTEE GOTTLIEB: Or both?

23 MR. SCHULHOF: No. We're not  
24 putting any catering facility there.

25 TRUSTEE HILLER: You didn't

1 MEETING MINUTES

2 answer the shul question.

3 MR. SCHULHOF: Okay. I'll be  
4 honest. So currently, in my house  
5 now, we do have a minyan on Friday  
6 nights and Saturday nights, and we  
7 probably will use it as well for that.

8 TRUSTEE GOTTLIEB: Typically,  
9 how many people attend?

10 MR. SCHULHOF: Just the block;  
11 it's 12, 15 people.

12 TRUSTEE MOSKOWITZ: And Saturday  
13 night services is probably ten minutes  
14 long or something?

15 MR. SCHULHOF: Yeah. And nobody  
16 is driving; we don't have any cars or  
17 anything; it's just for Shabbos.

18 TRUSTEE HILLER: And on yontifs?

19 MR. SCHULHOF: No, no, nothing.

20 TRUSTEE GOTTLIEB: My concern  
21 is, of course -- and I'm sure you're  
22 going to understand this -- is when I  
23 see a playroom of 1,700 feet with a  
24 second means of egress, a large  
25 walkway around the building, a



## MEETING MINUTES

1  
2 350-foot kitchen, a bathroom with --  
3 it looks like a public bathroom, it's  
4 -- it's -- they're kind of red -- red  
5 flags, and the concern is look, you  
6 should have all the parties that --  
7 that you can. My concern is maybe  
8 more so for parking is that, you know,  
9 you can have a hundred people here,  
10 which means 40, 50 cars. And once you  
11 have it, it doesn't go away. So I  
12 think that's -- that's my personal  
13 concern when I see these large areas.

14 MR. SCHULHOF: Understood. I  
15 think most of the time we're hosting  
16 these larger functions are on -- on  
17 the weekends, so it's -- it's going to  
18 be limited to that. We're not -- I  
19 mean, I don't think -- we're not  
20 planning on hosting any more parties  
21 than we are now in the current space.  
22 We do have, you know, parties I would  
23 say once a year, once every couple of  
24 years, so it's meant for that, you  
25 know.

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2 My children are getting older.  
3 So my son is 20 now. And, you know,  
4 when he has an engagement party, we  
5 will be hosting it as we --

6 TRUSTEE GOTTLIEB: You're really  
7 planning.

8 MR. SCHULHOF: -- as we would,  
9 you know, upstairs. So I don't think  
10 there'll be any more cars because we  
11 have them downstairs versus upstairs.  
12 I think, you know, we -- this is on  
13 Broadway, so it will be alleviated a  
14 little bit because, you know, they may  
15 park some of the cars on Broadway if  
16 that helps.

17 TRUSTEE GOTTLIEB: Do you have  
18 enough coat closet room?

19 MR. SCHULHOF: My wife says no.

20 TRUSTEE GOTTLIEB: Am I the only  
21 one speaking tonight?

22 TRUSTEE MOSKOWITZ: I don't have  
23 any questions.

24 CHAIRMAN KEILSON: I think it's  
25 worth noting for the record Mr. Castro

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2           brought to my attention, actually, the  
3           number that if you had two separate  
4           houses on the lots, you would have  
5           combined 5,530 feet.

6                   MR. CASTRO:   Square feet.

7                   CHAIRMAN KEILSON:   Okay.   And  
8           under the proposed, you're talking  
9           about 3,779 square feet.   So in  
10          effect, there's a lot less building as  
11          a byproduct of combining the lots.   So  
12          that's the favorable news, aside from  
13          the fact that, again, a lot of the  
14          modifications make it easier for the  
15          neighbors.   So, in general, the  
16          encroachments are not as substantial  
17          as before, which is also good news,  
18          favorable news.

19                   Any other questions from the  
20          Board?

21                   TRUSTEE HILLER:   How do you  
22          intend to close the pool so that it  
23          doesn't -- so you have privacy from  
24          Broadway and from back?

25                   MR. SCHULHOF:   Well, it

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currently is on Broadway.

TRUSTEE HILLER: I saw you have trees.

MR. SCHULHOF: The trees and a wood fence.

TRUSTEE HILLER: Are you going to add to that?

MR. SCHULHOF: I'm open to whatever the Board recommends. I would like it to be as enclosed as possible, so either -- that wood fence probably needs a redo.

TRUSTEE HILLER: Definitely.

MR. SCHULHOF: So I would probably propose replacing that, as well as put up trees as well.

TRUSTEE GOTTLIEB: Is the house going to be sprinklered?

MR. SCHULHOF: Yes. Full sprinkler on the whole house.

TRUSTEE GOTTLIEB: And I guess I need to ask Mr. Preston this question also: Is this a use variance, given that it's -- I don't want to call it

1                   MEETING MINUTES  
2           public assembly, but?

3                   MR. PRESTON:   Well, if it's not  
4           for commercial use and it's friends  
5           and family and parties, no, it's not.

6                   TRUSTEE GOTTLIEB:   Okay.   And so  
7           there are no, like, special safety  
8           push bars, you know, emergency exits  
9           that have to be accommodated?   And I'm  
10          doing this not to give you a hard  
11          time, just because God forbid things  
12          do happen.

13                   MR. PRESTON:   The push bars  
14          question is, I think, should be to the  
15          Building Department; I can't answer  
16          that.

17                   MR. CASTRO:   So no.   The --  
18          those, the requirements that you're  
19          talking about would not be required at  
20          this location, residential, given its  
21          -- in its current form.

22                   CHAIRMAN KEILSON:   I think it  
23          would be an idea on behalf of the  
24          Building Department to encourage them.  
25          There's a tendency on the part of some

## 1 MEETING MINUTES

2 house synagogues, even informal house  
3 synagogues, to grow, and the safety  
4 precautions don't keep pace with the  
5 size of the growth of the -- of the  
6 crowd and the like. So I think it  
7 would be a suggestion to the homeowner  
8 to try to install these things at the  
9 inception rather than doing it in the  
10 latter stages.

11 TRUSTEE FELDER: It's really  
12 just a house minyan; it's not --

13 MR. SCHULHOF: Yeah. There is a  
14 synagogue, for the record, that's...a  
15 hundred feet away?

16 TRUSTEE GOTTLIEB: But no one  
17 goes to that one.

18 MR. SCHULHOF: So it's really  
19 just for block minyans.

20 TRUSTEE GOTTLIEB: I'm not a  
21 good gauge of character, but I believe  
22 I can take you on your honesty of  
23 saying that, you know, you are using  
24 it for what you're saying that you're  
25 gonna do and similar use to what you

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2 have now, but you have more space for  
3 it.

4 CHAIRMAN KEILSON: Anyone in the  
5 audience want to speak to the matter?

6 [No response.]

7 MS. SCHULHOF: We're not putting  
8 a shul in my house.

9 CHAIRMAN KEILSON: Okay. You  
10 have to identify yourself for the  
11 record.

12 MS. SCHULHOF: Braha Schulhof.  
13 It's not for the public. It's for  
14 people who like our food.

15 CHAIRMAN KEILSON: Okay. The  
16 good news is that you did a very able  
17 job, I think as good as your architect  
18 could have done.

19 MR. SCHULHOF: Thank you.

20 TRUSTEE GOTTLIEB: Probably  
21 better because you treat the residents  
22 a little nicer than the architect.

23 MR. SCHULHOF: Thank you.

24 CHAIRMAN KEILSON: Okay. Taking  
25 into consideration the benefit to the

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2 applicant as opposed to any detriment,  
3 health, safety, and welfare of the  
4 community, we're gonna start with  
5 Mr. Felder.

6 TRUSTEE FELDER: I'm very much  
7 for.

8 CHAIRMAN KEILSON: Okay.  
9 Mr. Hiller?

10 TRUSTEE HILLER: I'm 4 percent  
11 more for than not.

12 CHAIRMAN KEILSON: Mr. Gottlieb?

13 TRUSTEE GOTTLIEB: I'm just not  
14 against. For.

15 MR. SCHULHOF: I'll take it.

16 CHAIRMAN KEILSON: Mr.  
17 Moskowitz?

18 TRUSTEE MOSKOWITZ: I'm infinity  
19 for.

20 CHAIRMAN KEILSON: And I am for  
21 as well. And how much time?

22 MR. SCHULHOF: Three years.

23 CHAIRMAN KEILSON: In all  
24 seriousness, the laws are changing  
25 regarding renewals.



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2 Mr. Castro, are you good with  
3 that?

4 MR. CASTRO: That would  
5 coincide --

6 CHAIRMAN KEILSON: With the  
7 project?

8 MR. CASTRO: Yes.

9 CHAIRMAN KEILSON: Okay. Three  
10 years.

11 MR. CASTRO: Go to Board of  
12 Building Design. And prior to any  
13 landscaping or fences that are going  
14 to be changed, if you could just  
15 consult with the Building Department  
16 because that is a corner lot. And you  
17 have traffic that comes out, and we  
18 want to make sure that --

19 MR. SCHULHOF: They can see.

20 MR. CASTRO: -- that the line of  
21 sight -- yeah.

22 MR. SCHULHOF: There's nothing  
23 there, but.

24 MR. CASTRO: Okay. Maybe we'll  
25 make it better.

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MR. SCHULHOF: Definitely.

CHAIRMAN KEILSON: Have a good  
night.

[TIME NOTED: 9:14 P.M.]

CERTIFICATION

I, OLEXA CAPILI, a Notary Public for  
and within the State of New York, do  
hereby certify:

That the within transcript is a true  
and accurate record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage, and that I am  
in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 28th day of February  
2020.

*Olexa Capili*

OLEXA CAPILI

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