

1 INCORPORATED VILLAGE OF LAWRENCE

2 BOARD OF APPEALS

3 Village Hall
4 196 Central Avenue
5 Lawrence, New York

6 October 25, 2017
7 7:33 p.m.

8 APPLICATION: Oliner
9 91 Briarwood Lane
10 Lawrence, New York

11 P R E S E N T:

12 MR. LLOYD KEILSON
13 Chairman

14 MR. DANIEL HILLER
15 Member

16 MR. ELLIOT MOSKOWITZ
17 Member

18 MR. AARON FELDER
19 Member

20 MR. ANDREW K. PRESTON, ESQ.
21 Village Attorney

22 MR. GERALDO CASTRO
23 Building Department

24 MR. DANNY VACCHIO
25 Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: Good evening, ladies and
2 gentlemen. Welcome to the Lawrence Board of
3 Zoning Appeals. Please turn off your cell phones
4 and, please, no conversations. If you need to
5 converse, please step out in the hall.

6 Proof of posting, Mr. Castro.

7 MR. CASTRO: Chairman, I offer proof of
8 posting and publication.

9 CHAIRMAN KEILSON: Thank you very much.

10 Okay, let's get right into it. The first
11 matter before us this evening is Oliner,
12 91 Briarwood Lane. Would they or their
13 representative please step forward.

14 MR. DRUCKER: Where should I stand, right
15 here?

16 CHAIRMAN KEILSON: Use the board there right
17 below you. Please state your name and address for
18 the record.

19 MR. DRUCKER: My name is Robert Drucker. I'm
20 from All Island Gunite Pools and I'm at
21 200 Central Avenue in Farmingdale, New York.

22 CHAIRMAN KEILSON: Okay, good evening.

23 MR. DRUCKER: Good evening. I'm here
24 representing the Oliners to ask for a variance to
25 construct a swimming pool in their backyard.

1 CHAIRMAN KEILSON: Or front yard.

2 MR. DRUCKER: Or the front yard.

3 Unfortunately, they have two front yards.

4 CHAIRMAN KEILSON: Right.

5 MR. DRUCKER: So therefore, their backyard is
6 considered a front yard. And we're following all
7 codes as far as fencing, self-latching, the proper
8 heights, all New York State code. The pool is an
9 18 by 38, and it's a gunite swimming pool with an
10 automatic safety cover on it. So it's closed with
11 a key and a lock so no one can possibly get into
12 it if they don't allow anyone to swim on the
13 premises, so it becomes a big factor of safety and
14 also energy efficiency.

15 I guess what we're asking for is a variance
16 because there's no other place to put the swimming
17 pool. We can't put it in the true front yard and
18 we can't put it on the side, so the only location
19 would be in the backyard which is still considered
20 a front yard because it's adjoining to Sealy
21 Drive.

22 On the initial construction of the home, the
23 square footage was about 5,600. I have the
24 original stamped plans here located with me, that
25 the Oliners were very helpful.

1 CHAIRMAN KEILSON: That's the impervious
2 coverage?

3 MR. DRUCKER: Yeah, the impervious coverage
4 was about 5,600, and what we did is, I guess the
5 coverage has been reduced since the construction
6 of the home.

7 CHAIRMAN KEILSON: The driveway was removed,
8 right?

9 MR. DRUCKER: We removed the driveway, which
10 was 800 square feet, and we're actually staying
11 within the exact same coverage as the original
12 construction of the home.

13 CHAIRMAN KEILSON: All right. So in
14 actuality your proposed is less than existing; is
15 that what you're saying?

16 MR. DRUCKER: Exactly.

17 CHAIRMAN KEILSON: Okay.

18 MR. DRUCKER: And I guess those are the two
19 variances we're asking for. The fact that we're
20 allowed to --

21 CHAIRMAN KEILSON: There are three. There's
22 one that -- no swimming pool in the front yard
23 which is attributable to this confusion over the
24 front yards.

25 MR. DRUCKER: Exactly, because there's no

1 other location.

2 CHAIRMAN KEILSON: And then there's the
3 maximum lot impervious coverage, which is actually
4 less than the existing.

5 MR. DRUCKER: Correct.

6 CHAIRMAN KEILSON: All right. And then you
7 have the maximum front yard impervious coverage,
8 but actually it's a rear yard; it would not be
9 applicable.

10 MR. DRUCKER: It's not applicable. So those
11 are the three items we're asking for, and we want
12 to try to build them a beautiful pool. Now, they
13 do have -- I have pictures on this other board, if
14 it would be helpful, of the existing property at
15 the moment, and you'll notice that everything is
16 going to be -- it's either fenced already or it's
17 screened and will be fenced according to the plan.
18 So the screening, you know, from the neighbors on
19 all sides existing at the moment.

20 CHAIRMAN KEILSON: Right. It's nice to see a
21 pool that has no encroachments.

22 MR. DRUCKER: And we're not encroaching on
23 anything. Except we have two front yards.

24 CHAIRMAN KEILSON: Okay. Any other questions
25 from the Board? Anyone in the audience wants to

1 speak to the matter?

2 (No response.)

3 CHAIRMAN KEILSON: If not, I think in
4 balancing the benefit to the applicant as opposed
5 to any detriment to the community, and I think in
6 light of the special circumstances of the two
7 front yards, I think we can take a vote on it at
8 this point, and we'll begin with Mr. Moskowitz.

9 MEMBER MOSKOWITZ: For.

10 CHAIRMAN KEILSON: Mr. Hiller.

11 MEMBER HILLER: For.

12 CHAIRMAN KEILSON: Mr. Felder.

13 MEMBER FELDER: For.

14 CHAIRMAN KEILSON: And I vote for as well.

15 So how much time do you need? You're going
16 to have it for next season, I assume?

17 MR. DRUCKER: Yes, we will.

18 CHAIRMAN KEILSON: So let's say a year and a
19 half.

20 MR. CASTRO: Eighteen months.

21 CHAIRMAN KEILSON: Eighteen months.

22 MR. DRUCKER: The next procedure, I guess,
23 would be to go back to the Building Department and
24 get a permit issued. How long does that take?

25 MR. CASTRO: Do you have construction plans

1 for the actual pool?

2 MR. DRUCKER: Yes, we've done that already.

3 MR. CASTRO: Submit those to the Building
4 Department and they'll be reviewed per New York
5 State compliance.

6 MR. DRUCKER: Thank you very much for your
7 help.

8 CHAIRMAN KEILSON: Good luck with it.

9 (Whereupon, the hearing concluded at
10 7:38 p.m.)

11 *****

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

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16 Mary Benci
17 MARY BENCI, RPR
18 Court Reporter
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1 INCORPORATED VILLAGE OF LAWRENCE

2 BOARD OF APPEALS

3 Village Hall
4 196 Central Avenue
5 Lawrence, New York

6 October 25, 2017
7 7:38 p.m.

8 APPLICATION: Kahati
9 92 Bannister Lane
10 Lawrence, New York

11 P R E S E N T:

12 MR. LLOYD KEILSON
13 Chairman

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15 Member

16 MR. ELLIOT MOSKOWITZ
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25 Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: The next matter is the
2 Kahati residence at 92 Bannister Lane.

3 Good evening.

4 MR. SHRIKI: Good evening. Daniel Shriki,
5 45 Radcliffe Road, Island Park, New York 11558.
6 I'm a representative from John Capobianco's
7 office, here for the Kahatis at 92 Bannister Lane.

8 We are seeking relief for impervious surface
9 coverage and the height of a cabana and to
10 construct a raised patio terrace with a cabana and
11 pool.

12 The original denial was for 10,209 square
13 feet of surface coverage. We have been able to
14 cut that back a little bit to lower the
15 percentage. It was originally 13 percent over.
16 We have since been able to knock it down to
17 9,644 square feet of surface coverage, bringing
18 that percentage down to 5.6 percent impervious
19 surface coverage. We've reduced the size of the
20 patio, reduced the size of the terrace.

21 CHAIRMAN KEILSON: Just a couple of
22 questions. You were here not too long ago for a
23 variance?

24 MR. SHRIKI: Correct.

25 CHAIRMAN KEILSON: Why wasn't this brought to

1 our attention at the same time? We prefer not to
2 have repetitive --

3 MR. SHRIKI: We've been building it in
4 stages. It keeps evolving.

5 CHAIRMAN KEILSON: Does that mean we're going
6 to see you again?

7 MR. SHRIKI: Hopefully not. I hope this is
8 the last of it.

9 The other variance was for the height of the
10 cabana. Because of the Kahati's property, it
11 slopes back towards the -- towards Bannister Creek
12 and it drops severely from the front to the rear.
13 And because we're building the cabana with
14 electricity and plumbing, we have to be at
15 freeboard, elevation 12, and our average grade is
16 at seven -- 7 foot 3, plus or minus, at the area
17 of the terrace. And if we go to 12-foot, which is
18 required by code, we're only going to have about a
19 7, 7-foot-3 height cabana, because we're raising
20 it up to freeboard. We are asking for 1.8 inches
21 to give a little bit more head height.

22 CHAIRMAN KEILSON: Is there a way of
23 converting some of the impervious to pervious so
24 we don't have a problem at all?

25 MR. SHRIKI: Yes. We're actually pretty on

1 the cusp for impervious -- for pervious.

2 CHAIRMAN KEILSON: Explain.

3 MR. SHRIKI: We're very close to --

4 CHAIRMAN KEILSON: The maximum.

5 MR. SHRIKI: -- yeah, max pervious.

6 MR. CASTRO: I mean, if there were to be
7 overage on either one, we prefer it to be
8 pervious.

9 MR. SHRIKI: You prefer it to be pervious.

10 MR. CASTRO: Yes.

11 MR. SHRIKI: We can work something out.

12 CHAIRMAN KEILSON: If you want us to approve
13 something we have to know what we're approving.

14 MR. SHRIKI: We can reduce the driveway,
15 which we're fixing the driveway because it was
16 going all the way down towards the back of the
17 house. We shortened it to begin with and we'll be
18 replacing it so we can turn that into pervious
19 drive.

20 MEMBER HILLER: How many feet are you talking
21 about?

22 MR. SHRIKI: We are over by --

23 MEMBER HILLER: About 600, a little over 600.

24 MR. SHRIKI: Yeah, a little over 600. The
25 driveway, I'd have to look at the numbers, but it

1 should -- we should be able to pick up that extra
2 600 and bring it down.

3 MEMBER HILLER: Should be able to or you'll
4 guarantee us that it will be removed?

5 MR. SHRIKI: I guarantee we can work with it.

6 Do you mind? Do you have anything to say
7 about taking the driveway and taking pervious
8 instead of the impervious?

9 CHAIRMAN KEILSON: Mary, we're off.

10 (Whereupon, a discussion was held off the
11 record.)

12 CHAIRMAN KEILSON: Can you define for the
13 Building Department what we're doing. We can't
14 vote unless we know exactly what we're voting on.

15 MR. SHRIKI: 617 square feet is what we're
16 over exactly. So if we remove approximately --
17 the driveway is probably 12 feet wide, about
18 50 feet up, so that's 600 square feet, a little
19 bit more.

20 CHAIRMAN KEILSON: So that will become
21 pervious.

22 MR. SHRIKI: That will become pervious,
23 correct.

24 CHAIRMAN KEILSON: What will the impact on
25 the pervious be at that point?

1 MR. SHRIKI: The impact on the pervious would
2 be -- we originally have 27 -- 2,790, so 3,390,
3 plus or minus. That would put us over the
4 allowable pervious though.

5 CHAIRMAN KEILSON: I have a suggestion.
6 Allow us to go to the next matter. You do your
7 calculations. And then we'll take you right
8 afterwards and we'll know exactly what we're
9 voting on.

10 MR. SHRIKI: Okay.

11 CHAIRMAN KEILSON: But you are correct, our
12 preference is pervious over impervious. I mean,
13 there's a lot of area to cut back on here.
14 There's a very large patio and the cabana is
15 pretty large, et cetera, et cetera. So whatever
16 you can do to bring it into line would be very
17 helpful. And then we have to talk about how
18 assured we are that you're not coming back for
19 additional variances.

20 MR. SHRIKI: Okay, sounds good.

21 CHAIRMAN KEILSON: So we'll put that aside
22 for the moment.

23 (Whereupon, a recess was taken; the
24 application was recalled.)

25 CHAIRMAN KEILSON: Let's go back to Kahati.

1 MR. SHRIKI: Thank you for giving me some
2 time to do some calculations.

3 First of all, this was a -- Mr. Kahati got
4 his neighbors to sign a little notice saying that
5 they are okay with the variances that we're
6 presenting tonight (handing).

7 CHAIRMAN KEILSON: Okay.

8 MR. SHRIKI: All right. So to reduce the
9 impervious surface coverage, I've spoken to
10 Mr. and Mrs. Kahati about it. We're going to
11 reduce the size of the pool to 18 by 38, so that
12 saves us 116 square feet of impervious. We're
13 going to remove 42 feet of driveway which will
14 save us 504 square feet of pervious. We're also
15 going to remove 5 feet of the width of our rear
16 patio that we're constructing. We're going to cut
17 it up 5 feet. It will take away 160 square feet
18 of impervious, and with that we'll rebuild the
19 driveway, the 42 feet of driveway, as impervious
20 pavers.

21 MEMBER FELDER: Pervious.

22 CHAIRMAN KEILSON: Pervious.

23 MR. SHRIKI: Pervious pavers, excuse me.

24 CHAIRMAN KEILSON: Drum roll, what's the
25 bottom line here?

1 MR. SHRIKI: The total surface coverage
2 impervious of 9,060 square feet.

3 CHAIRMAN KEILSON: 9,060. So overage of 33.

4 MR. SHRIKI: No, it's under. Oh, yes, yes,
5 I'm sorry. Over 33.

6 CHAIRMAN KEILSON: 33 feet. How about the
7 pervious?

8 MR. SHRIKI: The pervious is right on, 3,150.
9 Actually, it's 3,148 square feet.

10 CHAIRMAN KEILSON: And what is permitted?

11 MR. SHRIKI: 3,150 square feet is permitted.

12 CHAIRMAN KEILSON: So there's no variance
13 requested.

14 MR. SHRIKI: No.

15 CHAIRMAN KEILSON: Okay. And then you have
16 the accessory structure, the height of the
17 accessory structure, correct?

18 MR. SHRIKI: Correct.

19 CHAIRMAN KEILSON: Okay. Gentlemen, any
20 questions?

21 (No response.)

22 CHAIRMAN KEILSON: Okay. So we're voting on
23 impervious excess of 33 feet and the accessory
24 height structure of the 1.8 feet. And taking into
25 consideration the benefit to the applicant as

1 opposed to any detriment to the community, we will
2 vote at this time.

3 Mr. Felder.

4 MEMBER FELDER: I'm for.

5 CHAIRMAN KEILSON: Mr. Hiller.

6 MEMBER HILLER: Very much appreciate the
7 efforts that were made to come in to very close
8 compliance. For.

9 CHAIRMAN KEILSON: Mr. Moskowitz.

10 MEMBER GOTTLIEB: For.

11 CHAIRMAN KEILSON: And I vote for as well.
12 And I guess it's in the context of all the other
13 work that's being done. What is the -- how much
14 time is left on the other variances?

15 MR. CASTRO: You probably have about a year
16 on the garage in the front left.

17 MR. SHRIKI: I'm sure they plan to have the
18 pool in the ground before spring of next year or
19 summer of next year.

20 CHAIRMAN KEILSON: Again, I would adjure you
21 to reconsider before you come back to us again.
22 We don't enjoy having several bites at the apple.

23 MR. SHRIKI: I understand.

24 CHAIRMAN KEILSON: So if there's any thought
25 to any further work --

1 MEMBER FELDER: Are there any other buildings
2 you want to put on the property?

3 CHAIRMAN KEILSON: You're holding off on the
4 heliport?

5 MR. CASTRO: Dan, can you just reiterate the
6 reduction -- the individual reductions.

7 MR. SHRIKI: For reducing the pool size we're
8 saving 116. Reduction of the driveway is 504.
9 Reduction of the rear pervious patio is 160. And
10 those were the reductions.

11 MR. CASTRO: 160, okay.

12 CHAIRMAN KEILSON: Okay. Thank you.

13 MR. SHRIKI: Thank you so much.

14 (Whereupon, the hearing concluded at
15 8:25 p.m.)

16 *****

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

20
21 Mary Benci
22 MARY BENCI, RPR
23 Court Reporter
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1 INCORPORATED VILLAGE OF LAWRENCE

2 BOARD OF APPEALS

3 Village Hall
4 196 Central Avenue
5 Lawrence, New York6 October 25, 2017
7 7:54 p.m.8 APPLICATION: Klaus
9 231 Juniper Circle East
10 Lawrence, New York

11 P R E S E N T :

12 MR. LLOYD KEILSON
13 Chairman14 MR. DANIEL HILLER
15 Member16 MR. ELLIOT MOSKOWITZ
17 Member18 MR. AARON FELDER
19 Member20 MR. ANDREW K. PRESTON, ESQ.
21 Village Attorney22 MR. GERALDO CASTRO
23 Building Department24 MR. DANNY VACCHIO
25 Building DepartmentMary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: The next matter is the
2 matter of Klaus of Juniper Circle East.

3 MR. WAX: My name is Norman wax.

4 CHAIRMAN KEILSON: Still?

5 MR. WAX: The Klauses are here, by the way,
6 and would be happy to answer any questions that
7 you have of them.

8 CHAIRMAN KEILSON: Okay.

9 MR. WAX: They want to expand their house and
10 provide some more bedrooms. Not anything new in
11 the Village, so I think we could sort of skip over
12 the reasons and everything else.

13 But there are a couple of problems that we
14 ran into that we're looking for relief from this
15 Board. One of which is that they would like to
16 remain in the house while construction is taking
17 place, without the house being torn apart.

18 CHAIRMAN KEILSON: They can get a trailer
19 from the other guy.

20 MR. WAX: Right. I don't think they're
21 trailer people.

22 CHAIRMAN KEILSON: We won't touch that one.

23 MR. WAX: So at any rate, they have an
24 addition that was put on the rear of the house,
25 and it's got some raised ceilings and other

1 things. And so we were trying to design an
2 addition for the second floor that wouldn't
3 disturb what was underneath so they could -- their
4 kitchen is in there, their dining room, just a lot
5 of things, breakfast area, a lot of important
6 things to living in that house that would be
7 severely curtailed if we had to tear it all apart,
8 aside from the cost.

9 The other problem that we faced is that it's
10 a highly irregular property, and we're trying to
11 fit in what we want to do as nicely as possible.
12 So where we ran afoul is -- I'll go through it.
13 The maximum building area is 14,198. Excuse me.
14 The lot is 3,222 and we're asking for 3,271, an
15 excess of 48 square feet.

16 CHAIRMAN KEILSON: So we'll assume that's
17 de minimis.

18 MEMBER HILLER: That's coverage.

19 MR. WAX: Which is 1.4 percent, which I
20 think, you know, is not unreasonable.

21 CHAIRMAN KEILSON: De minimis.

22 MR. WAX: De minimis, thank you.

23 CHAIRMAN KEILSON: Continue.

24 MR. WAX: Well, I'm an architect. That's
25 above my pay grade. I'm not a lawyer.

1 The second -- skipping to the third thing.

2 CHAIRMAN KEILSON: What's wrong with the
3 second one?

4 MR. WAX: I'm going to get to that later.

5 CHAIRMAN KEILSON: You're building up our
6 anticipation.

7 MR. WAX: The minimum rear-yard setback is
8 40 feet, and we're requesting a setback of 32 foot
9 10 inches. If you look at the site plan, it's
10 highly irregular in the back, and if this property
11 were just squared off we wouldn't even be here
12 because almost everything would be approvable.

13 But what it backs up to is Rock Hall Road and
14 the Lawrence Country Club parking lot. I don't
15 think -- and it's all open area. So it's not
16 really encroaching upon anything or anybody. And
17 we felt that it would be something that might be
18 palatable to you and help us overcome the hardship
19 of the irregularity of the property.

20 MEMBER HILLER: Can you show me where the
21 rear-yard setback is 32 feet 10 inches? Where?

22 MR. WAX: If you look --

23 MEMBER FELDER: Right here, this corner
24 (indicating).

25 MR. WAX: -- in the upper right corner, do

1 you see how the backyard twists around and then
2 Rock Hall Road comes running closer and closer?
3 The dimensions are right where the cabana is.

4 MEMBER HILLER: Okay.

5 MR. WAX: So we're asking for relief from
6 that and would obviously be appreciative of it.

7 The next thing is the maximum height/setback
8 ratio for a rear yard. The ratio is 0.68. In
9 reality, again, if -- you know, there's always an
10 if. If this property was squared off, it wouldn't
11 even come into play. The angle of the corner of
12 that house, which is where the problem occurs, is
13 away from the neighbor, and we don't have a side-
14 yard problem. The problem, again, relates to
15 Rock Hall Road and the Lawrence Country Club, or
16 yacht club, I should say, as the only people
17 affected. It's actually just a slight corner.

18 I have a -- I prepared a drawing of what
19 sticks up. And the reason that it sticks up is
20 that the room underneath has a high ceiling. We
21 have steps to get up to that, if you look at the
22 second-floor plan, to try to not have to rip out
23 that whole roof. So we're up a little higher than
24 we would like to be, as a matter of fact.
25 Although, we have no problems with the heights of

1 the building.

2 CHAIRMAN KEILSON: Right.

3 MR. WAX: So we're not really affecting
4 anybody. We're not affecting either of the
5 neighbors. Again, the only -- the only --

6 CHAIRMAN KEILSON: Rock Hall Road.

7 MR. WAX: Rock Hall Road, right.

8 So we would appreciate your consideration on
9 that point.

10 Now, we have a cabana on the property for
11 obvious reasons. They have a pool, it's nice to
12 have a cabana. It happens that the side yard on
13 the right side of the property is used by people
14 in the neighborhood to cut back and forth from --

15 CHAIRMAN KEILSON: Rock Hall Road.

16 MR. WAX: -- Rock Hall Road, and the areas
17 behind that into, you know, the more built-up
18 area.

19 CHAIRMAN KEILSON: Is there a toll? Do they
20 charge tolls for that?

21 MR. WAX: Not yet, but there's always hope.
22 So at any rate, we're severely curtailed in space
23 that we can put it. For instance, the triangular
24 area behind the pool has all thick growth which
25 we'd like to keep. The area that we're talking

1 about, the area in question would be 8 feet, and
2 the building is 11. So we're talking about 88,
3 90 square feet. They're already allowing a
4 hundred times that for people to walk back and
5 forth, and they have to fence that area out
6 because for safety reasons we can't have anybody
7 falling into the pool, especially children. So
8 for safety we've got to fence it off, and it would
9 just be a woeful waste of property to --

10 CHAIRMAN KEILSON: Move it off the property
11 line.

12 MR. WAX: Thank you. Especially since
13 there's a fence along the property line and not
14 much of that cabana is going to show above the
15 fence anyway.

16 CHAIRMAN KEILSON: What's the height, 7 foot?
17 No. What's the height?

18 MR. WAX: The height is 9 feet.

19 CHAIRMAN KEILSON: Okay.

20 MR. WAX: Now, we're going back to the other
21 one. We're asking for impervious surface coverage
22 of 6,700 feet when only 4,000 feet is allowable,
23 which is in excess of 2,200 square feet. We're
24 very aware of the problem with water runoff and we
25 don't want to contribute to it. What we propose

1 to do is provide dry wells and facility to take
2 that water runoff so that there is no water runoff
3 from this property. If you look -- if you look at
4 the site plan again, it really doesn't look as bad
5 -- it doesn't look as bad as it sounds with the
6 numbers. The front is just a driveway, just wide
7 enough to get a couple of spare cars. There's a
8 little, a little walk and a little entry porch.
9 And the culprit -- the culprit is the pool and the
10 patio.

11 MEMBER HILLER: The impervious is excessive.

12 MR. WAX: Beg your pardon?

13 MEMBER HILLER: The impervious is beyond
14 excessive. And people put in dry wells even when
15 they're conforming just to help neighbors, or they
16 go a little over. To go over 70.5 percent on
17 impervious is just unacceptable. It's
18 unacceptable.

19 MR. WAX: What would be acceptable?

20 MEMBER HILLER: Compliance.

21 MR. VACCHIO: Pervious.

22 MEMBER HILLER: You have no pervious, and if
23 you look at just objectively looking at the amount
24 of square footage covered both in the front and
25 the back, and the house I think in my opinion is

1 fine because you're just building above the house.
2 Basically, you're building on the footprint of the
3 house, but this is beyond excessive. Some of it
4 -- if you could do all -- what happens if they did
5 2,000 feet of pervious? Would they be over?

6 MR. CASTRO: Yeah.

7 MEMBER HILLER: It would still be over.

8 MR. WAX: I do want to make one point though.
9 Right now we're at or just over the limit of
10 impervious without the pool or patio. That's
11 where the killer is.

12 MEMBER HILLER: All right, that's where the
13 killer is.

14 MR. WAX: And so if we want a pool and patio,
15 we're in trouble.

16 MEMBER HILLER: You said it, I didn't.

17 MR. WAX: You know, every part of it is in
18 excess. The pool itself, again, it's not a
19 massive pool. It's 18 by 36; you know, it's a
20 reasonable sized pool.

21 MR. CASTRO: The approximate permitted
22 pervious is about 1,400 square feet.

23 CHAIRMAN KEILSON: Is there any currently?

24 MR. CASTRO: None.

25 MR. VACCHIO: None.

1 MEMBER HILLER: So you're only about
2 800 square feet over. And what I was saying, if
3 they went to impervious on those 800 square feet
4 would they be all right?

5 MR. CASTRO: If you use --

6 MEMBER HILLER: To pervious I mean.

7 MR. CASTRO: If you took -- well, of the
8 2,200, your 1,300 can as of right be used as
9 pervious. Then there's a remaining 800 that would
10 either need a pervious variance or impervious
11 variance, depending on what you're going to do.

12 MR. WAX: Well, the pool itself is
13 impervious.

14 MR. CASTRO: Correct.

15 CHAIRMAN KEILSON: The question is what can
16 you do with the patio or the driveway to make it
17 pervious, and then --

18 MR. WAX: Well, we would certainly look into
19 pervious for the patio. I would hate -- I would
20 hate to have to tear up the whole driveway. I
21 mean, we're not touching anything in the front of
22 the house. You know, it would just be crazy.

23 CHAIRMAN KEILSON: So let's take a moment.
24 What's the number on the patio?

25 MR. VACCHIO: The pool patio is 1,490. The

1 pool itself is 648.

2 CHAIRMAN KEILSON: Off the record for a
3 moment.

4 (Whereupon, a discussion was held off the
5 record.)

6 CHAIRMAN KEILSON: We're going to go back on
7 the record to see where we're up to.

8 MR. WAX: If I understand it correctly --

9 CHAIRMAN KEILSON: Well, let's start with the
10 understanding that this document and the letter
11 from the Village is actually inaccurate. The
12 number is actually 2,779, right?

13 MR. MOSKOWITZ: That's correct.

14 CHAIRMAN KEILSON: 2,779 excess, which is
15 probably around 80 percent. So we're starting
16 with a higher number. Now, let's see how we can
17 pare it down.

18 MR. WAX: So in this discussion it's my
19 understanding that we have -- that we have about
20 1,200 feet of patio that's the culprit. If we
21 were to come in with 1,200 feet of pervious, would
22 that fly?

23 CHAIRMAN KEILSON: Where does that take us?

24 MR. CASTRO: I'm sorry, you said 1,200?

25 MEMBER HILLER: You thought it was 1,300 the

1 whole patio.

2 MR. CASTRO: If you remove approximately --

3 MEMBER HILLER: Whatever it is, the whole
4 patio.

5 MR. WAX: Forgetting the pool and the
6 walkways around it.

7 MR. CASTRO: 1,100 over on impervious.

8 MEMBER HILLER: So if they made that
9 pervious.

10 MR. CASTRO: If you made that pervious, you
11 would use up entire permitted pervious, and your
12 impervious would be reduced down to 1,100, 1,106,
13 approximately 1,100, which is --

14 MEMBER HILLER: How much over.

15 MR. CASTRO: Which is 28 percent.

16 MR. WAX: Would that fly?

17 MEMBER MOSKOWITZ: How much is it over
18 existing?

19 MR. CASTRO: 11 and a half percent.

20 MR. WAX: Considering the house as it stands
21 now, the house and driveways are slightly over
22 now.

23 CHAIRMAN KEILSON: We're not asking you to
24 tear down the house.

25 MR. WAX: No, we're trying to build it up.

1 Don't take my work away, please.

2 CHAIRMAN KEILSON: Okay. So let's come up
3 with the new numbers so we know what we're voting
4 on. Let's see if the Building Department can
5 define it for us.

6 MEMBER HILLER: You're now aware that the
7 entire patio will be pervious.

8 MR. WAX: Pervious.

9 MEMBER HILLER: And the four feet around the
10 pool, correct.

11 MR. CASTRO: So if you are to reduce the walk
12 around the pool to four feet, instead of 1,490
13 your new pool coverage would be 1,273. You would
14 make -- then the remaining 1,273 you would make it
15 pervious and take advantage of that. Which then
16 leaves you with a proposed impervious; it's
17 1,289 square feet, or 32 percent.

18 MEMBER MOSKOWITZ: Over permitted.

19 MR. CASTRO: Over permitted.

20 MEMBER MOSKOWITZ: And then over existing is
21 what, Gerry?

22 MR. CASTRO: It's 21, 21 percent over the
23 existing. Existing was approximately 11 percent.

24 CHAIRMAN KEILSON: Should we wait for
25 Mr. Wax?

1 Okay. Let's just summarize where we're up
2 to. All right, first, any further questions from
3 the Board?

4 (No response.)

5 CHAIRMAN KEILSON: Anyone from the audience
6 want to comment?

7 (No response.)

8 CHAIRMAN KEILSON: Let's just summarize what
9 we're voting on. There's a building coverage
10 request of 1.4 percent, or 48 square feet. The
11 rear-yard setback at that one corner rose 7 foot 2
12 inches. In the area permitted of 40 feet, it will
13 be 32 feet 10 inches. The height/setback ratio
14 for the rear yard, as stated, permitted is 0.55,
15 proposed 0.68. The accessory building, which is
16 on the property line, and all the ameliorating
17 conditions is the fact that it's backing on
18 Rock Hall Road, the neighbor being on Rock Hall
19 Road, and anyone distant from that, and taking
20 into consideration that there's a pathway for the
21 neighbors so they don't want to move the cabana
22 over, and it's really sitting on the property line
23 with Rock Hall Road.

24 The impervious surface coverage is now
25 requested to be reduced to 32 percent. The actual

1 square footage being?

2 MR. CASTRO: 1,289.

3 CHAIRMAN KEILSON: Okay. And everything else
4 is being converted to the pervious and that
5 conforms, right?

6 MR. CASTRO: Yes.

7 CHAIRMAN KEILSON: Okay. Any comment from
8 the Board, any questions? Okay. Taking into
9 consideration the benefit to the applicant as
10 opposed to any detriment, I think we're most
11 pleased with the fact that the pool is not
12 encroaching in any way, which is a prevalent
13 problem recently. The fact that it backs onto
14 Rock Hall Road, so there's really no neighbor
15 involved.

16 At this point we'll take a vote. We'll start
17 with Mr. Moskowitz.

18 MEMBER MOSKOWITZ: For.

19 CHAIRMAN KEILSON: And Mr. Hiller.

20 MEMBER HILLER: Because I'm so gratified they
21 won't have to walk around the cabana, I'll vote
22 for.

23 CHAIRMAN KEILSON: Mr. Felder.

24 MEMBER FELDER: I am for and very thankful to
25 use that walkthrough every week.

1 CHAIRMAN KEILSON: Okay. And I will vote for
2 as well. And we'll give you two years.

3 MR. WAX: Thank you very much.

4 CHAIRMAN KEILSON: Okay.

5 (Whereupon, the hearing concluded at
6 8:21 p.m.)

7 *****

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

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13 MARY BENCI, RPR
14 Court Reporter
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1 INCORPORATED VILLAGE OF LAWRENCE

2 BOARD OF APPEALS

3 Village Hall
4 196 Central Avenue
5 Lawrence, New York

6 October 25, 2017
7 7:45 p.m.

8 APPLICATION: Brenke
9 200 Doughty Boulevard
10 Lawrence, New York

11 P R E S E N T:

12 MR. LLOYD KEILSON
13 Chairman

14 MR. DANIEL HILLER
15 Member

16 MR. ELLIOT MOSKOWITZ
17 Member

18 MR. AARON FELDER,
19 Member

20 MR. ANDREW K. PRESTON, ESQ.
21 Village Attorney

22 MR. GERALDO CASTRO
23 Building Department

24 MR. DANNY VACCHIO
25 Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: The next application is
2 Brenke, 200 Doughty Boulevard.

3 Good evening, Mr. Wax.

4 MR. WAX: Good evening. How are you?

5 CHAIRMAN KEILSON: Wonderful.

6 MR. WAX: My name is Norman wax. I'm the
7 architect for this project. And my office is on
8 158 Irving Place, Woodmere.

9 Okay. This is actually a pretty simple
10 project in that this house is existing.

11 CHAIRMAN KEILSON: Did you bill accordingly
12 because it's a simple project?

13 MR. WAX: Well, I'm a simple guy so that's
14 what I do, simple things.

15 CHAIRMAN KEILSON: I think most of the Board
16 is already in awe of the fact there exists a
17 200 Doughty Boulevard address.

18 MR. WAX: You're right.

19 CHAIRMAN KEILSON: Okay. I'm sorry for the
20 interruption.

21 MR. WAX: At any rate, it's primarily an
22 existing dwelling that we're raising the dwelling.
23 We're maintaining the footprint of the dwelling
24 and most of the dwelling. So as you probably
25 know, when you raise it you can't really move it

1 because that entails a whole other thing with
2 trolleys and movement and everything else. So
3 basically, what we're trying to do is raise it to
4 FEMA standards, and we are adding a portion to the
5 side, to the side of the front, which is, you know
6 what, in both front yards, et cetera, et cetera.

7 So the things that we fall into problems
8 with is that we're in a Business K District. In
9 spite of the fact that the residence has been here
10 for some time, we're in a Business District, and
11 it says that no building shall exceed two stories
12 or a minimum of 25 feet in height. The request is
13 for, in essence, a three-story family dwelling
14 with a height of 34.8 inches -- 34 feet 8 inches,
15 which is pretty standard. We're raising it up,
16 putting a garage underneath, and keeping the
17 dwelling as it is.

18 The second thing, the second objection is
19 front-yard setback. This front yard is existing
20 at 7.2. If we raise the house, as I said, we
21 can't move it, and if we're tearing parts of it
22 off, the whole thing goes down the drain. It's
23 just not feasible.

24 So the third -- the third objection is that
25 there should be a rear-yard setback of not less

1 than 15 feet. Again, we're into the same problem.
2 It's a pre-existing dwelling. We're really just
3 keeping what's there.

4 CHAIRMAN KEILSON: And you're encroaching on
5 New York City, so who cares, right?

6 MR. WAX: Well, I didn't say that. I would
7 never say that, especially --

8 CHAIRMAN KEILSON: Not on the record, right?

9 MR. WAX: -- with the Mayor, anyway.

10 The fourth objection is that it should have a
11 side-yard setback of not less than 5 feet, and the
12 dwelling happens to be sitting as it is now on the
13 property line with no setback at all. However,
14 luckily, we're working on plans for a building
15 adjacent to this that does have a 10-foot setback.
16 So it's really not, you know, like plunked right
17 next-door to another building and a danger.

18 So at any rate, this is not a self-inflicted
19 hardship. We're just trying to comply with FEMA
20 regulations in the simplest way possible, and we
21 would appreciate the relief so that we could do
22 that.

23 MEMBER HILLER: Are you in a flood zone?

24 MR. WAX: Yes.

25 MEMBER HILLER: Was the house flooded during

1 Sandy?

2 MR. WAX: Yes, everything there was flooded.

3 MEMBER HILLER: So why are you keeping -- why
4 are you not using FEMA funds to raise the house?

5 MR. WAX: Excuse me?

6 MEMBER HILLER: Are you using FEMA funds to
7 raise the house?

8 MR. BRENKE: Yes.

9 MR. WAX: I honestly don't -- I'm not
10 familiar with what they're doing in terms of -- in
11 terms of funding.

12 MEMBER HILLER: Perhaps the applicant.

13 CHAIRMAN KEILSON: Somebody from heaven just
14 said they are. Please identify yourself for the
15 record.

16 MR. BRENKE: I'm Hans Brenke. Yes, we're
17 using FEMA funds to raise the home.

18 MEMBER HILLER: And yet you have a first
19 floor that's going to be used at ground level you
20 said, or am I mistaken?

21 MR. WAX: For a garage which is permitted.

22 MEMBER HILLER: A garage is permitted?

23 MR. WAX: Yes.

24 MR. CASTRO: Unfinished.

25 CHAIRMAN KEILSON: Who actually lives in the

1 house?

2 MR. BRENKE: I do, my mother and my father.

3 CHAIRMAN KEILSON: Step forward. Just one
4 person. One person is enough.

5 MR. WAX: You don't want all the Brenkes?

6 MR. BRENKE: How are you? Good evening.

7 CHAIRMAN KEILSON: Terrific.

8 MEMBER HILLER: Who is living in the house?

9 MR. BRENKE: Myself, my mother and my father.

10 CHAIRMAN KEILSON: Okay, very good. Any
11 other questions of the Board?

12 (No response.)

13 CHAIRMAN KEILSON: Anyone from the audience
14 want to comment, ask questions?

15 (No response.)

16 CHAIRMAN KEILSON: I guess not. I think we
17 all visited the site; we understand the
18 circumstances. Those of us who have been in the
19 community 50 years or more know the boat --
20 Eddie's Marina --

21 MR. BRENKE: Eddie's Marina.

22 CHAIRMAN KEILSON: -- since we were children,
23 yes, absolutely. So we're empathetic.

24 MEMBER HILLER: I just wanted to ask about
25 the trailer on the property.

1 MR. BRENKE: The actual trailer that's there
2 right now on my property?

3 MEMBER HILLER: Yes.

4 MR. BRENKE: That's when they raise the home,
5 that's where we're going to live while the house
6 is being raised.

7 MEMBER HILLER: Okay. And that's the sewer
8 line going down there?

9 MR. BRENKE: Yes. Because our home -- when
10 the house was built many years ago, when they were
11 rebuilding the Atlantic Beach Bridge, that house
12 was there for construction -- for the construction
13 and an office so they didn't have a sewer system.
14 They used to have a cesspool. So because our home
15 is still on the cesspool, they connected that to
16 the cesspool system.

17 CHAIRMAN KEILSON: Okay.

18 MEMBER HILLER: All right.

19 CHAIRMAN KEILSON: Okay. So we're going to
20 take a vote and based on the benefit to the
21 applicant, which is quite recognizable and
22 understandable, as opposed to any potential
23 detriment to the community.

24 Let's begin with Mr. Felder.

25 MEMBER FELDER: I'm for.

1 CHAIRMAN KEILSON: Mr. Hiller.

2 MEMBER HILLER: For.

3 CHAIRMAN KEILSON: Mr. Moskowitz.

4 MEMBER MOSKOWITZ: For.

5 CHAIRMAN KEILSON: And I will vote for.

6 And how much time? Two years?

7 MR. WAX: They have a slow contractor, so
8 maybe three.

9 CHAIRMAN KEILSON: No, no, no.

10 MR. WAX: Just kidding.

11 MR. CASTRO: This permit is going to be
12 subject to review by the Board of Building Design.

13 CHAIRMAN KEILSON: Okay.

14 MR. BRENKE: Thank you, thank you everybody.

15 CHAIRMAN KEILSON: Good luck.

16 (Whereupon, the hearing concluded at
17 7:53 p.m.)

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

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MARY BENCI, RPR
Court Reporter

1 INCORPORATED VILLAGE OF LAWRENCE

2 BOARD OF APPEALS

3 Village Hall
4 196 Central Avenue
5 Lawrence, New York

6 October 25, 2017
7 8:25 p.m.

8 APPLICATION: Warshawsky
9 211 Harborview North
10 Lawrence, New York

11 P R E S E N T :

12 MR. LLOYD KEILSON
13 Chairman

14 MR. DANIEL HILLER
15 Member

16 MR. ELLIOT MOSKOWITZ
17 Member

18 MR. AARON FELDER
19 Member

20 MR. ANDREW K. PRESTON, ESQ.
21 Village Attorney

22 MR. GERALDO CASTRO
23 Building Department

24 MR. DANNY VACCHIO
25 Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: The last matter on tonight
2 is Warshawsky. Good evening.

3 MR. WARSHAWSKY: Good evening.

4 CHAIRMAN KEILSON: Provide your name for the
5 record.

6 MR. WARSHAWSKY: You probably have it as
7 Mendel Warshawsky, M-E-N-D-E-L, or Marc, M-A-R-C,
8 W-A-R-S-H-A-W-S-K-Y.

9 CHAIRMAN KEILSON: Okay. Discussion of
10 adjournment, is that what's on the table?

11 MR. WARSHAWSKY: I'm not a hundred percent
12 sure how we should proceed. Perhaps you could
13 direct us.

14 CHAIRMAN KEILSON: Well, as I understood it
15 there was a discussion of having an adjournment at
16 this point in time. And then whatever discussions
17 will be with the Building Department and the
18 appropriate people to see what can be done to
19 present it for the next hearing.

20 MR. WARSHAWSKY: Is it not possible to make
21 those modifications tonight and give them to you
22 so that we could go to a vote, or do you
23 recommend --

24 CHAIRMAN KEILSON: I think the project is too
25 complicated for us to do it on the fly,

1 truthfully.

2 MR. ROSENBERG: Is there any value in putting
3 what we have on the record this evening so you
4 have something to compare it to when we make the
5 modifications next?

6 CHAIRMAN KEILSON: We have a lot to compare it
7 to.

8 MR. ROSENBERG: I'm Jordan Rosenberg. I'm the
9 architect.

10 There is one thing you don't have that I'd
11 like to just present this to so you have an
12 opportunity to see the house in its full splendor
13 and grandeur. I did have a presentation prepared
14 tonight and, of course, if the Board feels that
15 there's no purpose or value in hearing it, I'm
16 certainly willing to waive that opportunity until
17 the next hearing upon such time as we reduce the
18 house somewhat based on some preliminary
19 understandings of an opportunity for us to do our
20 best to show a more favorable application.

21 However, we do have some strong arguments
22 pertaining to our case, some things that it's
23 important to mention just briefly if I could. I
24 just want to plant the seed so you can think about
25 it until the next time we see each other.

1 Although we are seeking a number of variances --

2 CHAIRMAN KEILSON: Seven.

3 MR. ROSENBERG: Seven, that's right.

4 CHAIRMAN KEILSON: That's the number.

5 MR. ROSENBERG: And it's because the house is
6 large. Now, we're not trying to hide that fact,
7 but I wanted to mention that there are a
8 tremendous amount of benefits, and we're
9 eliminating a number of detriments to the existing
10 property as it stands today.

11 For example, the existing house and its
12 improvements were 84 percent over on total
13 impervious coverage. And I heard the Chairman
14 speak just a moment ago at the previous hearing
15 that 74 percent is unacceptable. And 84 percent
16 is what we're at now. We're taking this down to
17 18 percent over. So this is very important,
18 especially in the fact that we are in a floodplain
19 where rainwater being able to percolate into the
20 ground is so detrimental for not causing any
21 adverse flooding onto the neighbors' properties.

22 The other reason, the other benefit, in my
23 opinion, is believe it or not, even though some of
24 the contention lies within the side-yard setbacks
25 and its proximity to the property line, we're

1 actually improving it from where the existing
2 house setbacks are today, albeit not a
3 substantial, more of a de minimis improvement from
4 where the existing setbacks of the existing house
5 are today. It's still an improvement nonetheless.

6 Lastly, we are bringing the house into full
7 compliance with FEMA regulations in the flood
8 zone. So we're losing a basement, about a --
9 about a 1400-square-foot basement. And the
10 rationale there is a basement serves a lot of
11 function for a normal residence, a mechanical
12 room, a storage room, even recreational space.
13 But in the floodplain we don't have that option.
14 So there should be some sense of relief or
15 contingency for the fact that we have to then now
16 take that use, that everyone's God given right to
17 have a basement, and say, well, if we don't have
18 one because we are complying with FEMA and doing a
19 crawlspace with flood vents, let's compensate by
20 adding some of that square footage to the first
21 floor, and doing it in a modest, reasonable way
22 that doesn't seem too obtuse.

23 And that's really the benefits that I wanted
24 to bring to your attention.

25 CHAIRMAN KEILSON: I think you have to keep in

1 mind that the role of the Board, and I'll just
2 read to you from what's gospel for the Board. The
3 Board is limited to granting the minimum variance
4 necessary, minimum variance necessary, to address
5 the needs for the variance. So that's what we're
6 going to be looking at.

7 MR. WARSHAWSKY: Perhaps I can speak to that.

8 CHAIRMAN KEILSON: Okay.

9 MR. WARSHAWSKY: It's just because I'm better
10 at speaking when I have a prepared statement, so
11 that's what I've done.

12 So let me just say, gentlemen of the Zoning
13 Board, I thank you for considering our
14 application. My wife and I understand that there
15 needs to be restrictions on the size of homes that
16 can built in our Village. Our application for a
17 variance is partly based on need. We both have
18 elderly, unwell parents who frequently spend
19 weekends in our home, sometimes at the same time.
20 But need is a subjective variable. We currently
21 live in a small but cozy home and have everything
22 we need. We are warm, protected from the
23 elements, and enjoy a degree of privacy in our
24 cluttered home.

25 Even as our family has grown and our need for

1 added room has increased, there is obviously an
2 element of desire that one would like to satisfy.
3 Like most people, we would like to live in as
4 large and as beautiful a home as we can afford.
5 Like most people that live in homes in Lawrence,
6 we would like to build a home larger than the
7 Village can allow, without putting undue strain on
8 the Village. Some choose to move to other
9 locations where land is more plentiful and larger
10 houses are more easily constructed, but we don't
11 want to leave the Village. We love our community
12 synagogue and neighbors and would like our
13 children to grow up exactly where we are now.

14 And so after we finish outlining our needs and
15 you decide how much house is required to satisfy
16 those needs, we are left with only one question:
17 How flexible are you when it comes to satisfying
18 our desires? To that end, I would like to briefly
19 describe some intangibles that will hopefully
20 impact your decision.

21 My wife and I moved to Lawrence ten years ago.
22 At the time there was only a small house behind
23 ours that served as the premises for the Bais
24 Medrash of Harborview Synagogue.

25 About five years ago, we were approached by

1 two Board members who asked for our support at an
2 upcoming Zoning Board. It seems as though the
3 synagogue had mistakenly built the back wall
4 5 feet closer to our property than was allowed on
5 their variance. They requested that we support
6 their application to allow construction to
7 continue so that they would not need to tear down
8 the wall and start again. Of course, we agreed.

9 Today, in place of the small house that was
10 there five years ago there is a massive building
11 that overlooks our backyard and pool. Maybe we
12 can show you those pictures.

13 Furthermore, because the law favors religious
14 buildings, the synagogue occupies a footprint
15 larger than any house in the area. We have
16 remained sanguine about the presence of the
17 synagogue right behind our home. We are active,
18 supportive members of the synagogue. We want to
19 build our home behind the synagogue because we
20 would like to remain active members and would like
21 our children to grow up in the shul.

22 To be clear, while we are disappointed that
23 there is a massive building in our backyard, we
24 are not bitter. We love the shul and the people
25 in it. We are not even angry that since the shul

1 was built our backyard has turned into a southern
2 swamp most of the time. We figured that when we
3 build our home, our own home, we will take care of
4 the drainage issues, and that is what we will do
5 to ensure that neither we nor our neighbors suffer
6 from any additional water issues.

7 As a side issue, we have always believed that
8 flooding issues in Lawrence cannot be completely
9 solved by the Village, but will require great
10 Village involvement.

11 Finally, we feel that we have sacrificed much
12 so that the community can benefit from a large and
13 beautiful house of worship. Would it be so bad if
14 the community gave us something in return that
15 transcends what we need but addresses something
16 that we want? This has nothing to do with getting
17 back at the shul. We don't want to build 5 feet
18 closer to them because they did that to us. We
19 are simply asking for a larger house than would
20 normally be approved in return for being gracious.
21 In other words, if a religious building enjoys a
22 certain level of generosity from Zoning Boards,
23 perhaps those affected by the ensuing impositions
24 can be given something in return.

25 Thank you.

1 CHAIRMAN KEILSON: Okay. So was there a
2 request for an adjournment? Is that the bottom
3 line? Mr. Rosenberg?

4 MR. ROSENBERG: One moment.

5 There is a request for an adjournment. I just
6 want to ask the Board if they have any questions
7 pertaining to our application that we can clarify
8 while we are here before we request an
9 adjournment?

10 CHAIRMAN KEILSON: The Chair does not have any
11 questions. I guess not. Okay, so we'll accept
12 the motion to adjourn. The next calendar date is
13 November 27th.

14 MR. ROSENBERG: Thank you.

15 CHAIRMAN KEILSON: Good evening.

16 (Whereupon, the hearing concluded at
17 8:35 p.m.)

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

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Mary Benci

MARY BENCI, RPR
Court Reporter