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Tessler - 12/12/2018

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

December 12, 2018
7:35 p.m.

APPLICATION: Tessler
201 Harborview South
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Tessler - 12/12/2018

2 CHAIRMAN KEILSON: Okay. Good evening,
3 ladies and gentlemen. Welcome to the Lawrence
4 Board of Zoning Appeals. Please turn off
5 cellphones, no conversation. Thank you very
6 much.

7 Mr. Castro, proof of posting?

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

10 CHAIRMAN KEILSON: Thank you very much.
11 Very good. We have four requests for
12 extensions on existing variances. In this
13 village nobody ever finishes their work, it
14 seems. Okay. The first one is I guess
15 Tessler at 201 Harborview South and
16 explanation is change of design and the house
17 was just demoed so we are probably looking at
18 for at least another two years. Gentlemen?

19 MEMBER HILLER: Allow it.

20 CHAIRMAN KEILSON: Allow it, yes.

21 MEMBER MOSKOWITZ: Yes.

22 CHAIRMAN KEILSON: Okay. That's
23 approved.

24 (Whereupon the hearing concluded at 7:36
25 p.m.)

Tessler - 12/12/2018

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



YAFFA KAPLAN

Court Reporter

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Haas - 12/12/2018

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

December 12, 2018
7:36 p.m.

APPLICATION:

Haas
27 Merrall Drive
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Haas - 12/12/2018

2 CHAIRMAN KEILSON: Next one is Haas. 27
3 Merrall Drive. Ten percent away from
4 completion. Give them another year?

5 MEMBER HILLER: Yes.

6 CHAIRMAN KEILSON: Okay. Everybody
7 approve?

8 MEMBER GOTTLIEB: Yes.

9 MEMBER MOSKOWITZ: Yes.

10 CHAIRMAN KEILSON: Thank you.

11 (Whereupon the hearing concluded at 7:36 p.m.)

12 *****

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

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17 YAFFA KAPLAN

18 Court Reporter

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1 Weider Essential Sutton LLC - 12/12/2018

2 INCORPORATED VILLAGE OF LAWRENCE

3 BOARD OF APPEALS

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5 Village Hall
6 196 Central Avenue
7 Lawrence, New York

8 December 12, 2018
9 7:36 p.m.

10 APPLICATION: Weider Essential Sutton LLC
11 160 Central Avenue
12 Lawrence, New York

13 P R E S E N T:

14 MR. LLOYD KEILSON
15 Chairman

16 MR. EDWARD GOTTLIEB
17 Member

18 MR. DANIEL HILLER
19 Member

20 MR. AARON FELDER
21 Member

22 MR. ELLIOT MOSKOWITZ
23 Member

24 MR. ANDREW K. PRESTON, ESQ.
25 Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

23

24

25

Yaffa Kaplan
Court Reporter

1 Weider Essential Sutton LLC - 12/12/2018

2 CHAIRMAN KEILSON: Then we have Weider
3 Essential Sutton LLC, 160 Central Avenue, and
4 Mr. Castro, what are they up to.

5 MR. CASTRO: They are probably about 90
6 percent also, 85 percent. Will probably
7 require 12 months.

8 CHAIRMAN KEILSON: Okay. The letter
9 reads, "Construction has gone longer than
10 originally anticipated. And we will be
11 finishing up as soon as possible".

12 That's sufficiently vague. So give them
13 another year.

14 MR. CASTRO: Yes.

15 CHAIRMAN KEILSON: Okay and I guess we
16 will see them a year from now. And let's see.
17 Platschek at 109 Lawrence Avenue. "Not
18 completed. Project did not begin until many
19 months after the permit was issued."

20 What are they looking for?

21 MR. CASTRO: One year.

22 CHAIRMAN KEILSON: One year. You think
23 one year will do it?

24 MR. CASTRO: Yes.

25 CHAIRMAN KEILSON: They are doing brick

1 Weider Essential Sutton LLC - 12/12/2018
2 by brick it looks like.

3 MEMBER GOTTLIEB: Are these extensions
4 given as of today or as of the date their
5 permit expired for clarification?

6 MR. PRESTON: Date of expiration.

7 CHAIRMAN KEILSON: Then in truth, we
8 probably should go back to see because they
9 might have expired already. So truthfully, in
10 the case of Harborview South where the
11 expiration was in May --

12 MR. CASTRO: Tessler.

13 CHAIRMAN KEILSON: -- I think we should
14 give them two and a half years.

15 MEMBER GOTTLIEB: Their 24 months is
16 only 18 months the way it is, so will we go 30
17 months?

18 CHAIRMAN KEILSON: Yes and we have Haas
19 expiration was July 23rd of '18. I think the
20 year should be enough anyway.

21 MR. CASTRO: Yes.

22 MEMBER GOTTLIEB: They are 90 percent
23 complete.

24 CHAIRMAN KEILSON: Weider expiration is
25 December '18. Somebody came in timely so we

1 Weider Essential Sutton LLC - 12/12/2018
2 will stay with what we agreed upon, and then
3 we have Platschek and their expiration is
4 November '18 and we are giving them --

5 MR. CASTRO: -- twelve months from the
6 date of expiration.

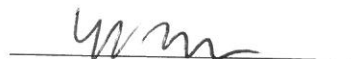
7 CHAIRMAN KEILSON: Okay.

8 MEMBER GOTTLIEB: Thank you very much.
9 Thank you very much, Mr. Chairman. Pass it to
10 Mr. Castro.

11 (Whereupon the hearing concluded at 7:38
12 p.m.)

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

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YAFFA KAPLAN

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Court Reporter

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1 Weissman - 12/12/2018

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INCORPORATED VILLAGE OF LAWRENCE

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BOARD OF APPEALS

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Village Hall
196 Central Avenue
Lawrence, New York

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December 12, 2018
7:38 p.m.

9

10 APPLICATION: Weissman
57 Muriel Avenue
Lawrence, New York

11

P R E S E N T:

12

MR. LLOYD KEILSON
Chairman

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MR. EDWARD GOTTLIEB
Member

15

16

MR. DANIEL HILLER
Member

17

MR. AARON FELDER
Member

18

19

MR. ELLIOT MOSKOWITZ
Member

20

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

21

22

MR. GERALDO CASTRO
Building Department

23

MR. DANNY VACCHIO
Building Department

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Yaffa Kaplan
Court Reporter

1 Weissman - 12/12/2018

2 CHAIRMAN KEILSON: Okay.

3 First matter this evening is Weissman,
4 57 Muriel Avenue. They or their
5 representative. Mr. Wax?

6 MR. WAX: Good evening. First let me
7 say --

8 CHAIRMAN KEILSON: Can you just identify
9 yourself for the record?

10 MR. WAX: For the record, I am Norman
11 Wax, 158 Irving Place, Woodmere, New York.
12 The architect.

13 This is, in essence, a two-story
14 addition at the rear of an existing house. We
15 are aligning the addition with the existing
16 house. Unfortunately, we went back a little
17 further along the line because there is a
18 regulation that you are allowed to extend up
19 to I believe it's 25 feet.

20 MR. VACCHIO: One.

21 MR. WAX: One feet and our addition is a
22 little longer but what happens is that the
23 existing house encroaches into the aggregate
24 side yard. And we wish to continue that
25 encroachment so that the house aligns.

1 Weissman - 12/12/2018

2 CHAIRMAN KEILSON: Okay. So the one
3 variance has been requested is the minimum
4 aggregate side-yard setback permitted to be
5 35, and the existing is 32.9 and a half; is
6 that correct?

7 MR. WAX: Yes.

8 CHAIRMAN KEILSON: Okay. Do we have
9 questions from the board?

10 MEMBER GOTTLIEB: Any letters in
11 support?

12 MR. WAX: No nor any letters against.

13 CHAIRMAN KEILSON: If you brought a
14 letter in opposition, you would be the first
15 one to have done that.

16 MR. WAX: We have been watching the mail
17 to see if any came in.

18 MEMBER GOTTLIEB: I see the list of
19 neighbors. Is there an affidavit that it was
20 mailed?

21 MR. WAX: Yes, we have it. It's been
22 submitted to the Building Department.

23 MR. CASTRO: Yes. It's right here.

24 MEMBER GOTTLIEB: We do have it. Okay.
25 I thought maybe I just didn't see it.

1 Weissman - 12/12/2018

2 CHAIRMAN KEILSON: What are you building
3 in that area? What are they adding?

4 MR. WAX: They are adding bedrooms
5 actually. Basically to accommodate our
6 growing community.

7 CHAIRMAN KEILSON: Well, they are
8 currently living on Weston; is that correct?

9 MR. WAX: Yes.

10 CHAIRMAN KEILSON: So bedrooms they are
11 adding?

12 MR. WAX: Yes. Well, they are adding --
13 downstairs they are adding -- they are moving
14 the kitchen to the rear and a family room, and
15 then they are adding bedrooms up above.
16 Master bedroom suite and two additional
17 bedrooms to what's existing, so there will be
18 a grand total of 1, 2, 3, seven bedrooms.

19 MEMBER GOTTLIEB: So the existing house
20 is staying up or most of it is staying up?

21 MR. WAX: Yes.

22 MEMBER MOSKOWITZ: What's the plan for
23 the backyard of the house?

24 MR. WAX: Well, there is a pretty big
25 backyard. Right now there are no plans for it

1 Weissman - 12/12/2018

2 except for digging it up. We have to put some
3 drainage in there.

4 MEMBER MOSKOWITZ: There is no patio;
5 it's just going to be grass?

6 MR. WAX: Not at this time. It's
7 actually -- the patio is -- if you are
8 familiar with Muriel, the patio is down almost
9 a full floor below the house. That's -- the
10 ground slopes down from Muriel down towards
11 Margaret.

12 CHAIRMAN KEILSON: Okay. Any other
13 questions from the board? Anyone from the
14 audience want to comment? Okay.

15 So taking into account the benefit the
16 variance would be for the applicant as opposed
17 to any detriment to the health, safety, and
18 welfare of the neighborhood, we will employ
19 the normal five criteria, and we will vote and
20 we will begin with Mr. Felder.

21 MEMBER FELDER: For.

22 CHAIRMAN KEILSON: Mr. Hiller?

23 MEMBER HILLER: For.

24 CHAIRMAN KEILSON: Mr. Gottlieb?

25 MEMBER GOTTLIEB: For.

1 Weissman - 12/12/2018

2 CHAIRMAN KEILSON: And Mr. Moskowitz?

3 MEMBER MOSKOWITZ: For.

4 CHAIRMAN KEILSON: And I vote for. Two
5 years. Is that enough?

6 MR. WAX: Probably not but -- but it
7 should be. Thank you.

8 CHAIRMAN KEILSON: We can give you two
9 and a half.

10 MR. WAX: No. We have a good
11 contractor.

12 CHAIRMAN KEILSON: Really?

13 MR. VACCHIO: You are doing the front as
14 well, doing any work on the front, the front
15 of the house?

16 MR. WAX: Yes.

17 MR. CASTRO: So then you will need
18 Building sign and approval.

19 CHAIRMAN KEILSON: Okay.

20 MR. WAX: Thanks very much.

21 CHAIRMAN KEILSON: All right. Good
22 luck. All right.

23 (Whereupon the hearing concluded at 7:44
24 p.m.)

25 *****

1 Weissman - 12/12/2018

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

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YAFFA KAPLAN

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Court Reporter

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Portnoy - 12/12/2018
INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

December 12, 2018
7:44 p.m.

APPLICATION: Portnoy
148 Sutton Place
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Portnoy - 12/12/2018

2 CHAIRMAN KEILSON: Next matter is
3 Portnoy, 148 Sutton Place, they or their
4 representative.

5 MR. HYMAN: My name is Daniel Hyman from
6 John Capobianco Architect, here on behalf of
7 Portnoy.

8 CHAIRMAN KEILSON: How is John doing?
9 We haven't seen him in such a long time.

10 MR. HYMAN: He is good.

11 CHAIRMAN KEILSON: Is he retired?

12 MR. HYMAN: No. He is still around. He
13 is keeping busy.

14 So the proposal is a balcony in the rear
15 of the house. There was always a desire by
16 the owners to have some sort of door off of
17 the second floor, and there actually are doors
18 with a Juliet, but they want to be able to get
19 fresh air off of their living space and also
20 have a coverage space below, so the proposal
21 is a second-floor balcony that's over the
22 existing wood deck that is there now. And the
23 proposed balcony includes a tree that's
24 growing through it, which they are going to
25 leave in place and construct the balcony

1 Portnoy - 12/12/2018

2 around that based on their wishes to keep the
3 yard feeling the same.

4 The variances are for a building
5 coverage which the balcony contributes to
6 approximately 7 percent of the overage and
7 undersurface coverage about 6 percent or 6.5
8 percent, and a very small encroachment into
9 the rear-yard setback and as well encroaching
10 into the rear yard, aligning with the deck
11 below but encroaching.

12 CHAIRMAN KEILSON: Okay. So the
13 property to the rear is owned; it's not a
14 rental, right now?

15 MR. PORTNOY: Yes.

16 MR. HYMAN: That's correct.

17 CHAIRMAN KEILSON: You want to identify
18 yourself for the record?

19 MR. PORTNOY: Tanchum Portnoy.

20 MEMBER GOTTLIEB: Okay. So a couple of
21 questions. It looks like the building
22 impervious surface coverage is increasing by
23 250 feet, so is that the size of their balcony
24 as you are calling it?

25 MR. HYMAN: Yes.

1 Portnoy - 12/12/2018

2 MEMBER GOTTLIEB: It's currently going
3 over an existing deck?

4 MR. HYMAN: Correct.

5 MEMBER GOTTLIEB: So isn't that already
6 impervious coverage?

7 MR. HYMAN: No. That's under pervious,
8 correct.

9 MEMBER GOTTLIEB: In the code relief,
10 you left off all the existing. The column for
11 existing was completely left off, so if any of
12 us chose to, we filled it in on our own. So
13 my question is on the rear-yard height setback
14 ratio, you are going from existing of .98 to
15 proposed .58?

16 MR. HYMAN: So I believe that's when the
17 house was constructed I believe there is a
18 rear-yard height setback ratio for the house.
19 I think that's what that was from, but the
20 balcony is only on the second floor so it's
21 much lower. So I think that's -- it still
22 requires .01 percent.

23 MEMBER GOTTLIEB: .03. I understand the
24 .98 is still there. The .58 pertains strictly
25 to the balcony.

1 Portnoy - 12/12/2018

2 MR. HYMAN: Correct.

3 MEMBER HILLER: I would like to ask Mr.
4 Portnoy. Mr. Portnoy, already you have
5 appeared before the Zoning Board previously,
6 so your house already has received variances,
7 correct?

8 MR. PORTNOY: I believe so.

9 MEMBER HILLER: What is the necessity --
10 what is the burning necessity for this deck?

11 MR. PORTNOY: One of the -- one of them
12 is that there are no windows on the second
13 floor. And having an excess -- a balcony to
14 be able to open the doors and have fresh air
15 come in.

16 MEMBER HILLER: Why not just insert
17 windows?

18 MR. PORTNOY: It's very expensive.

19 MEMBER HILLER: And the balcony is very
20 cheap?

21 MR. PORTNOY: No. The balcony already
22 has doors that are locked. So we would just
23 put a balcony, be able to open the doors. We
24 can't open the doors now. They are barred up.

25 MEMBER HILLER: I know you own the house

1 Portnoy - 12/12/2018

2 behind you --

3 MR. PORTNOY: Right.

4 MEMBER HILLER: -- but you have to
5 entertain the fact that there may come a day
6 where you don't own the house behind you,
7 correct?

8 MR. PORTNOY: Yes, I know but I made a
9 commitment to the -- to the panel over here
10 stating that if I ever sell the back house, I
11 would make sure that everything is taken away.
12 First of all, the deck --

13 MEMBER HILLER: You would remove the
14 balcony and the deck?

15 MR. PORTNOY: I would remove the deck.
16 I didn't say anything about the balcony.

17 MEMBER HILLER: Here is your
18 opportunity.

19 MR. PORTNOY: I figured so. I would
20 remove the deck. I don't know if it would be
21 very plausible to remove the balcony, but if I
22 had to, then maybe we would find some kind of
23 way but that was the commitment I made last
24 time.

25 MEMBER MOSKOWITZ: Isn't the balcony

1 Portnoy - 12/12/2018

2 going to be supported by pillars that would
3 rest on the deck?

4 MR. HYMAN: There is going to be some
5 new structure because it's going to be -- it's
6 going to have a covering, so it will also
7 cover like a small eating area and the ground
8 floor because it's going to maybe hold the
9 weight of snow and people.

10 MEMBER HILLER: Are you going to have to
11 put a concrete foundation under?

12 MR. HYMAN: So no. We will probably
13 reenforce the two column points.

14 MEMBER HILLER: So you wouldn't have to
15 put any concrete underneath the deck?

16 MR. HYMAN: Just where the two columns
17 are.

18 MEMBER HILLER: So that adds a lot to,
19 you know, impervious coverage in a way. I
20 understand the deck is considered pervious you
21 said because it's wood, but this would add a
22 lot to impervious.

23 MR. HYMAN: Yes. It also falls within
24 the footprint of it.

25 MEMBER HILLER: Yes, it's in the

1 Portnoy - 12/12/2018

2 footprint, but this concrete does not allow
3 water to pass through.

4 MR. HYMAN: As well as the deck -- the
5 balcony itself won't allow water to pass
6 through, so we are providing drainage for that
7 area. The balcony is going to have -- you
8 know, it's going to have a deck, but then
9 there is going to be a roof so that the
10 kitchen space will have an outdoor covered
11 area to sit outside and eat.

12 MEMBER HILLER: I don't know, Gerry. Is
13 this area a high water table?

14 MR. CASTRO: Water table, yes.

15 MR. HYMAN: For that reason we are using
16 the lowest profile geosystems, which works the
17 best in this kind of situation. It's only 18
18 inches.

19 MR. CASTRO: You denote Storm Tech
20 SC-310s to be installed.

21 MEMBER GOTTLIEB: If I am understanding
22 this correctly, the floor below is pervious,
23 so whatever rain water comes sideways will
24 still seep under the deck?

25 MR. HYMAN: Correct.

1 Portnoy - 12/12/2018

2 MEMBER HILLER: Where it will hit the
3 concrete columns?

4 MEMBER GOTTLIEB: Which are like 18
5 inches round.

6 MR. HYMAN: They shouldn't be --

7 MR. CASTRO: No more than 24 probably by
8 24s.

9 MEMBER GOTTLIEB: It's just unusual that
10 we get a request for or rather it comes in as
11 impervious but it really still pervious.

12 MR. HYMAN: It's certainly not the same
13 kind of impervious as a regular building
14 structure because the rain or snow --

15 MEMBER GOTTLIEB: I guess just the
16 concern is that you will have a wonderful view
17 of your neighbor's backyard which you may or
18 may not want to look at.

19 MR. PORTNOY: But it's my own backyard.

20 MEMBER HILLER: Now. Now it is.

21 MEMBER MOSKOWITZ: Come back to the
22 question I had before. So I think the
23 commitment was previously made if you sell
24 your house behind to take away the deck that
25 exists there right now. Is that still

1 Portnoy - 12/12/2018

2 technically feasible if these pillars are now
3 embedded and connected to the deck? Are you
4 still able to fulfill that commitment?

5 MEMBER FELDER: It's going through the
6 deck going to the ground.

7 MR. HYMAN: I would say yes. I mean,
8 anything is feasible and it's not -- it's
9 doable. I mean, a balcony could be removed
10 and a deck could be removed underneath the
11 balcony. It's all -- it's all feasible and
12 it's not -- yes, it's not too complicated to
13 do, but yes, I would say so.

14 MR. PRESTON: Mr. Chairman, the board
15 should know that commitment which may be made
16 in good faith is unenforceable.

17 MEMBER GOTTLIEB: I thought so.

18 MR. PORTNOY: But it would be my letter
19 of commitment. I will --

20 MR. CASTRO: I will address the chair.
21 If you have any questions for me, I will
22 answer them.

23 CHAIRMAN KEILSON: I think counsel at
24 the time approved it. Different age.

25 MEMBER HILLER: Mr. Portnoy, I would

1 Portnoy - 12/12/2018

2 like to be able to support your request, but I
3 would need that same assurance from you and
4 you seem to have an honest face at least to
5 me. I believe you would do it.

6 MR. PORTNOY: I would.

7 MEMBER HILLER: Would you give me the
8 same assurance as far as the deck as far as
9 the balcony?

10 MR. PORTNOY: Okay. If that what's --
11 that's how I could build it, yes, I would give
12 the same assurance.

13 MEMBER HILLER: Okay. Thank you.

14 CHAIRMAN KEILSON: I don't understand.
15 The porch covers how much of the area below?
16 What's the size of the porch?

17 MR. HYMAN: It is 250 square feet. It
18 comes out 15 -- 15 feet it looks like. And
19 it's a bit of an irregular shape, like the
20 back of the house, and looking at it, it looks
21 like about a third of the deck below.

22 CHAIRMAN KEILSON: I see. Okay. Any
23 further questions?

24 MEMBER GOTTLIEB: The pergola doesn't
25 require any discussion, right?

1 Portnoy - 12/12/2018

2 MR. HYMAN: I don't think it requires
3 any I think because it's open.

4 MEMBER GOTTLIEB: That's good because my
5 wife wants a pergola, and I don't want to come
6 back before this board.

7 MEMBER HILLER: I am against.

8 MEMBER GOTTLIEB: Thank you. I
9 appreciate it.

10 CHAIRMAN KEILSON: Where do you erect
11 the Succah?

12 MR. PORTNOY: On the deck.

13 MRS. PORTNOY: On the pergola.

14 MEMBER HILLER: Is there a balcony on
15 the pergola?

16 MR. PORTNOY: No, there is but there is
17 still room.

18 MR. HYMAN: The pergola is to the side.
19 And they are attached but they are still
20 separate.

21 CHAIRMAN KEILSON: Anybody in the
22 audience want to address it?

23 So taking into consideration the benefit
24 to the applicant as opposed to any detriment
25 to health, safety, and welfare of the

1 Portnoy - 12/12/2018

2 neighborhood, we will vote.

3 Mr. Moskowitz?

4 MEMBER MOSKOWITZ: For.

5 CHAIRMAN KEILSON: Mr. Gottlieb?

6 MEMBER GOTTLIEB: I will vote for
7 provided this is the last application this
8 year from you.

9 MRS. PORTNOY: To that we commit.

10 CHAIRMAN KEILSON: Mr. Hiller?

11 MEMBER HILLER: For.

12 CHAIRMAN KEILSON: Mr. Felder?

13 MEMBER FELDER: I am for.

14 CHAIRMAN KEILSON: And I vote for as
15 well, and again putting on the record your
16 commitment in the event that the house is
17 sold, that both the deck and the porch will be
18 removed. And how much time? A year? Two
19 years?

20 MR. HYMAN: I think they would be
21 disappointed if they didn't have it for the
22 summer probably so I imagine a year.

23 MRS. PORTNOY: Two years just in case.

24 CHAIRMAN KEILSON: Two years to be sure.


25 Okay. You are good.

Portnoy - 12/12/2018

(Whereupon the hearing concluded at 7:57

p.m.)

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



YAFFA KAPLAN

Court Reporter

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Herzka - 12/12/2018

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

December 12, 2018
7:57 p.m.

APPLICATION: Herzka
129 New McNeil
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. AARON FELDER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

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2 CHAIRMAN KEILSON: Next matter is
3 Herzka, 129 New McNeil, they or their
4 representative.

5 MR. FLAUM: Good evening, members of the
6 board. My name is Shmuel Flaum, residing at
7 194 Wanser Avenue, W-A-N-S-N-E-R, Inwood, New
8 York 11096. Good evening.

9 So we are here this evening to apply for
10 a variance for Mr. and Mrs. Herzka at the --

11 CHAIRMAN KEILSON: Six variances.

12 MR. FLAUM: Yes, collectively six under
13 one large application. The rear of the house
14 specifically we are looking to seek a few
15 different code relief items. I will start by
16 going through those code relief items one by
17 one.

18 First one is Section 212-12.1. Maximum
19 front yard surface coverage. It's permitted
20 to be 480 square feet. The existing is 524
21 square feet, which is currently over. We are
22 proposing 576 with a total overage of 19.2.
23 Bear in mind this is the proposed enlargement
24 of the front entry portico that's currently at
25 the front of the house. Moving it forward,

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2 enlarging it, and then rebuilding the stairs
3 in front of that.

4 CHAIRMAN KEILSON: So actually the
5 additional overage, I compared it, would be
6 9.9 as opposed to 19.2.

7 MR. FLAUM: Correct.

8 MEMBER GOTTLIEB: I see 52 square feet
9 over existing. Sorry to interrupt you. I am
10 looking at this lovely streetscape. Which is
11 the before and which is the after?

12 MR. FLAUM: So the before I believe is
13 the top and the after is the bottom, and the
14 reason you don't see much of a difference is
15 because from the front streetscape we are
16 trying to rebuild or mimic the look of the
17 front entry portico. It would be more visible
18 from the side yard or side elevations that
19 it's protruding forward. You can see it on
20 the larger drawing set that you have in front
21 of you, but from the streetscape you are not
22 going to detect a difference. It's a slight
23 difference, but we are just trying to rework
24 the same design that was there so it's not
25 really enlarging by much.

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2 MEMBER GOTTLIEB: Is yours the house in
3 the middle?

4 MR. FLAUM: I think there is four houses
5 in. I don't have it in front of me. Yes, it
6 is the middle house.

7 MEMBER GOTTLIEB: That's what I was
8 assuming. I can't tell.

9 CHAIRMAN KEILSON: In the future
10 annotate the house.

11 MR. FLAUM: Is it not? Are there any
12 addresses on it?

13 MEMBER GOTTLIEB: No addresses, no
14 names. Okay. Onward.

15 MR. FLAUM: The second category is
16 Section 2.12-12.1, minimum front-yard setback.
17 Permitted is 25 feet. Existing is 30 feet,
18 proposed 23.5 feet, which the encroachment of
19 1.5 feet into the required front yard.

20 MEMBER GOTTLIEB: So you are actually
21 moving it up 6 and a half feet from existing.

22 MR. FLAUM: Correct. Correct. It's
23 moving 6 and a half feet forward but it's only
24 1 and a half feet by the minimum or maximum
25 allowable.

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2 Third item section --

3 CHAIRMAN KEILSON: So which area is
4 that? That's again --

5 MR. FLAUM: Just the front entry portico
6 that's being enlarged.

7 CHAIRMAN KEILSON: So it's not the full
8 front of the house.

9 MR. FLAUM: So just the central entry
10 portico that's a structure.

11 The third item, Section 212-17.D(2),
12 minimum rear-yard setback. Permitted is 30
13 feet. Existing is 19.2, proposed is 16.25
14 with an overage of encroachment of 13.75 feet
15 into the rear yard. So it's an enlargement of
16 about approximately three feet into the rear
17 yard but a total overage of 13.75. Fourth
18 item is impervious surface coverage.
19 Permitted is 2,362 square feet. The existing
20 is 2,355 square feet. Proposed is 2,444 with
21 an overage of 3.4 percent.

22 The next item is Section 212-17.D(2).
23 Maximum rear-yard height setback where the
24 permitted is 0.74. The existing is 0.73 and
25 the proposed height setback ratio will be

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2 1.84.

3 MEMBER HILLER: Does the rear neighbor
4 know that?

5 MR. FLAUM: The rear neighbors know
6 that. We have letters in support from both
7 rear-yard neighbors plus from the side-yard
8 neighbors and across-the-street neighbors. I
9 can offer those now. Those actually have the
10 addresses on them.

11 MR. CASTRO: Collectively marked as
12 Exhibit A, Mr. Chairman.

13 (Exhibit A, Letters from neighbors,
14 marked for identification, as of this
15 date.)

16 CHAIRMAN KEILSON: Can I see them?

17 MR. FLAUM: The last item for code
18 relief is Section 212.27.C(3), one-car garage.
19 Permitted is 10 by 20 or really required.
20 Existing is 9.11 or almost 10 feet by 18.37.
21 No proposed change from what's existing.

22 MEMBER HILLER: I have a problem with
23 that because anybody who views your house sees
24 that there is a two-car garage there and you
25 say existing is one-car garage.

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2 MR. FLAUM: Correct.

3 MEMBER HILLER: All right. Explain it.

4 MR. FLAUM: That's a good question. I
5 think the owners can better explain it than I
6 can, but I am assuming it was purchased that
7 way. I don't know.

8 MEMBER HILLER: What does that mean?
9 What's behind the garage doors?

10 MR. FLAUM: Oh, there is a mechanical
11 room I believe that encroaches there.

12 MEMBER HILLER: Look. All the neighbors
13 came up with the same verbiage.

14 MR. FLAUM: There is a laundry room and
15 a storage room.

16 MEMBER GOTTLIEB: So what you are saying
17 is you are keeping the existing garage as is,
18 right?

19 MR. FLAUM: Correct.

20 MEMBER GOTTLIEB: Even though the
21 photograph depicts a two-car garage?

22 MR. FLAUM: Correct.

23 MEMBER HILLER: Who made that into the
24 one-car garage?

25 MR. FLAUM: I believe it's the prior

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2 owner. I don't believe it's the current
3 owner.

4 MEMBER HILLER: How long?

5 MR. FLAUM: The people who own it now?
6 I don't know the answer.

7 CHAIRMAN KEILSON: Introduce yourself.

8 MR. HERZKA: Edward Herzka. I currently
9 reside at 1029 New McNeil Avenue. We bought
10 the house I believe it's eight years ago and
11 have not done anything structurally to the
12 house, so anything that's not in compliance
13 with what it should be was not under our
14 watch.

15 MEMBER HILLER: So explain to me what's
16 in the other half of the garage.

17 MR. HERZKA: The garage is kind of
18 L-shaped. It's a garage and then there is a
19 mechanical room that's built out and a part of
20 it and I guess a laundry room protrudes into
21 part of it.

22 MEMBER HILLER: Okay.

23 MR. FLAUM: That's it. It's an existing
24 laundry room. We are just enlarging the
25 laundry room and adding a storage room.

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2 That concludes the items seeking code
3 relief. Just to clarify, the bulk of the work
4 is actually the rear of the property and not
5 visible from the street. It's visually not
6 even viewable except if you go to the side of
7 the house because the existing roof is
8 blocking the entirety of the rear yard or the
9 rear adding extension. The only thing visible
10 from the street would be the encroachment of a
11 new portico that's one story at the front.
12 Otherwise, there is a new dormer being added
13 at the rear of the attic level. Below that is
14 an extension at the second floor and then at
15 the first floor level. The Herzkas are in
16 need of additional bedrooms of living space
17 for their growing family. This will allow
18 them to get a much larger family room, a new
19 bedroom at the basement level, and an
20 additional two bedrooms at the upper attic
21 level.

22 MEMBER HILLER: I know in the back of
23 the house now there is a stairway and a little
24 deck or something like that. Are they
25 building beyond that?

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2 MR. FLAUM: So the encroachment is
3 actually only to where that I think stair is
4 because they already have partial buildout so
5 they are not recreating that entire deck.
6 They are just adding a stair down from the
7 upper first floor after they build the
8 extensions which I believe is visible on the
9 elevations. You can see that there is a stair
10 with a landing and then an additional stair
11 going down. So I believe the extension
12 going --

13 MEMBER HILLER: Where can I see?

14 MR. FLAUM: On the rear elevation of the
15 house.

16 CHAIRMAN KEILSON: What page?

17 MR. FLAUM: I believe it's the last page
18 that you have in your sheet set. The last
19 page you have with your drawing set. It
20 should be a rear elevation showing the dormer
21 extension at that attic level. The area
22 that's being pushed out at the rear, it's
23 shaded with a new hatching to distinguish
24 between what's existing and what's proposed,
25 and you see there is just a stair going down

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2 to the landing and then to the backyard.

3 So it's not going to be a recreation of
4 the full deck because they don't want to
5 encroach any further than they need to with
6 the house. They are going to extend, so it's
7 not a full deck. It's just a landing with a
8 stair going down to the actual yard.

9 MEMBER HILLER: That -- I may be --
10 maybe I didn't calculate properly.

11 MR. FLAUM: Referring to this drawing
12 here, this is the rear, and this is the
13 staircase I am talking about.

14 MEMBER HILLER: This is -- it works out
15 the same thing. This proposed extension is
16 only about three feet beyond where the house
17 was, deck --

18 MR. FLAUM: Where the deck? I believe
19 it was the deck that you are referring to.

20 MEMBER HILLER: Did you count the deck
21 in the 16 feet from the neighbor's yard?

22 MR. FLAUM: I don't believe we count the
23 deck.

24 MEMBER HILLER: So you are actually
25 closer to the neighbor's yard than 16 feet?

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2 MR. FLAUM: With the staircase you are
3 referring to or with the extension? The
4 extension is counting.

5 MEMBER HILLER: Oh, it's 13. Proposed
6 -- no, the proposed is 16. The proposed is 16
7 feet, but now you are telling me really the 16
8 feet is from the end of the house, not from
9 the end of the decking.

10 MR. FLAUM: Correct. Not from the
11 staircase.

12 MEMBER HILLER: So what is it from the
13 staircase?

14 MR. FLAUM: Well, minimum staircase is
15 three feet, so if you count down the landing
16 which turns, it's six more feet by the
17 landing.

18 MEMBER HILLER: You are almost on top of
19 your neighbor's fence.

20 MR. FLAUM: It's very close, correct.

21 MEMBER HILLER: So this is misleading.

22 MR. FLAUM: It's not misleading because
23 it's just a staircase.

24 MEMBER HILLER: It's not misleading to
25 you but it is misleading.

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2 MR. FLAUM: It can be misleading.

3 MEMBER GOTTLIEB: Is the existing -- in
4 the rear yard says 19.2. Is the 19.2 to the
5 actual structure or is that to a deck?

6 MR. FLAUM: To the structure and the
7 16.25 is to --

8 MEMBER GOTTLIEB: So regarding Mr.
9 Hiller's question, the house is only going out
10 three feet?

11 MR. FLAUM: I believe there is an
12 existing piece of the house. You don't have
13 the existing drawings. You only have the
14 proposed drawings because you don't have --

15 MEMBER GOTTLIEB: Because that's what
16 you gave us.

17 MR. FLAUM: True but if you look at the
18 full drawings that there is an existing piece
19 that comes out.

20 MEMBER GOTTLIEB: Actually, we could see
21 it.

22 MR. FLAUM: There is a site plan.

23 MR. CASTRO: The survey --

24 MEMBER GOTTLIEB: So we have the survey.

25 MR. CASTRO: Yes.

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2 MEMBER GOTTLIEB: So the survey shows
3 what's existing.

4 MR. FLAUM: Survey shows a combination
5 of proposed, what's being hatched over
6 existing, so there is a deck.

7 MR. CASTRO: He is looking at the
8 existing survey.

9 MR. FLAUM: Oh, sorry. The site plan
10 over here, top sheet.

11 MEMBER GOTTLIEB: So looking at the top
12 of Z-100.00 --

13 MR. FLAUM: Correct.

14 MEMBER GOTTLIEB: And at the top the
15 hatch is the front porch?

16 MR. FLAUM: Correct. So if you take a
17 look, the existing house that's not hatched is
18 at 19.2. There is a dimension line from the
19 rear yard to the existing rear of the house.
20 The new proposed addition is only coming
21 forward of that 19 foot 2 -- actually 2 foot
22 10 inches to 16.4.

23 MEMBER GOTTLIEB: So you might call it
24 you are squaring it off and adding 3 feet on
25 one small portion of the house, so half of the

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2 house is at 16 and the other half is at 19.2,
3 remaining what it is.

4 MR. FLAUM: Correct.

5 MEMBER HILLER: Are your neighbors who
6 signed these petitions aware of how close you
7 are coming, especially your rear neighbor?
8 Are they aware how close you are coming?

9 MR. HERZKA: Yes. They saw everything.
10 They don't really care to be perfectly --

11 MEMBER HILLER: I would feel so much
12 more comfortable if I didn't feel that this
13 was --

14 MR. FLAUM: We should have them write we
15 don't really care.

16 MEMBER FELDER: The neighbor right
17 behind is Bodek.

18 MR. HERZKA: The neighbor is Bodek. She
19 is the most affected. She couldn't care less
20 and she signed a letter, but all we are
21 talking about what you are referring to
22 specifically is a little staircase that's
23 going down. The construction that we are
24 referring to is the deck. That's what she is
25 seeing. It's the staircase that you are

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2 harping on for lack of a better word that
3 really is immaterial to her. It's
4 insignificant.

5 MEMBER MOSKOWITZ: What's the difference
6 between where the patio ends and the
7 neighbor's property? Just a couple of feet,
8 right?

9 MR. FLAUM: The patio is to scale
10 probably two to three feet from the rear yard.

11 MEMBER HILLER: Two to three feet from
12 the fence of the neighbor, but it's a patio on
13 grade so it's not a built-up structure.

14 MR. VACCHIO: Should be 6 feet from the
15 existing, from the new addition. You got two
16 landings there, right?

17 MR. FLAUM: You are talking about the
18 staircase or patio?

19 MEMBER MOSKOWITZ: I was asking about
20 the patio.

21 MR. FLAUM: So the staircase I know is 6
22 feet because it's a 3-foot width.

23 MEMBER GOTTLIEB: So the patio on grade
24 doesn't have any restrictions?

25 MR. CASTRO: Only coverage.

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2 MEMBER GOTTLIEB: You can go right up to
3 your property line if it's at grade and the
4 patio is --

5 MEMBER HILLER: What's the patio made
6 of?

7 MR. FLAUM: It's going to be a paver.
8 The material -- I don't think they chose one.
9 Just says patio 3. I guess Board of Building
10 Design will choose the actual material.

11 MEMBER HILLER: Did that affect your
12 impervious coverage, the way you are planning
13 it because I don't see --

14 MR. CASTRO: Yes. Three and a half
15 percent over I guess because --

16 MEMBER HILLER: Does that count as the
17 patio?

18 MR. CASTRO: The patio would -- is
19 included, absolutely.

20 MEMBER GOTTLIEB: But the impervious
21 coverage is in total of 8 feet?

22 CHAIRMAN KEILSON: Excess.

23 MEMBER GOTTLIEB: Total excess or total
24 from existing? Total from permitted?

25 MEMBER HILLER: I don't understand the

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2 number either on that. I could be mistaken.
3 And I don't want to harp on it. I mean, I
4 could be mistaken. It appears to me that
5 there is a lot more coverage than is indicated
6 on the code relief sheet if you already had
7 existing 2,355, and you are adding the patio,
8 the patio is not that small. What's the
9 square footage on the patio? Besides
10 existing, it is existing 2,355. You are
11 building out the front which is going to add
12 to coverage, and then you have a patio which
13 you didn't have before, so how is that like
14 100 feet? Ninety feet, 90 square feet, it's
15 impossible to be 90 square feet.

16 MEMBER GOTTLIEB: Because you removed
17 the deck.

18 MR. FLAUM: There was a deck?

19 MR. CASTRO: A terrace more than a deck
20 because it was raised up.

21 MR. VACCHIO: These are pervious.

22 MR. FLAUM: They easily can be a
23 pervious paver with the patio on grade. So
24 even if the concern was impervious surface
25 coverage, we could easily specify them as

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2 pervious.

3 CHAIRMAN KEILSON: I think the concern
4 is the accuracy of the numbers.

5 MR. FLAUM: So I don't have what the
6 original coverage for the existing deck was,
7 so that's sort of my confusion there but I can
8 check over here and see if it is here.

9 MEMBER HILLER: Mr. Chairman, I really
10 think we need new numbers, and I really think
11 the neighbors have to be, especially the rear
12 neighbor, informed exactly what's going to be
13 -- what they are going to be facing.

14 MEMBER FELDER: He said they did.

15 MEMBER HILLER: I don't think they
16 understand.

17 MR. FLAUM: You are correct. The
18 pervious is 214 square feet. That was the
19 patio grade because if you take a look, if you
20 have it in front of you. So it says pervious
21 750 square feet, so maximum is 750. Existing
22 was zero. Proposed is 214.4. That was the
23 patio at grade.

24 MEMBER HILLER: These numbers are not
25 accurate. We are not -- you know, we are

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2 trying to understand the needs of the family,
3 but it's difficult to come to a conclusion
4 when the numbers doesn't bear out the reality.

5 MR. FLAUM: The concern that you raised
6 was for the patio at grade, but the patio at
7 grade is not requiring an overage. Therefore,
8 it doesn't require a code relief and what's
9 counted on the zone analysis as being
10 accounted for, so the only other item that's
11 adding additional lot coverage is the
12 extension at the front, and there was already
13 an existing coverage from the deck so that's
14 only coming out the 3 feet along the back
15 width beyond where the previous deck was. So
16 those are the only two items that are
17 increasing actual surface coverage. So what
18 other items of concern were there?

19 CHAIRMAN KEILSON: Repeat that again. I
20 didn't follow.

21 MR. FLAUM: Mr. Hiller?

22 MEMBER HILLER: Yes. What was the size
23 of the present patio? I don't remember a
24 patio when I went back there. Was it present?

25 MR. FLAUM: No. It's a terrace but it's

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2 really a raised deck.

3 MEMBER HILLER: Yes and that is now
4 being replaced by a patio?

5 MR. FLAUM: No. That's being replaced
6 by the extension.

7 MEMBER HILLER: And the patio is going
8 where?

9 MR. FLAUM: At grade. The patio is not
10 raised up like the current --

11 MEMBER HILLER: And you are stipulating
12 the patio will be pervious?

13 MR. FLAUM: It can be but it doesn't
14 even need to be. I mean, we are going to make
15 it pervious, yes, stipulating that the patio
16 grade will be pervious.

17 CHAIRMAN KEILSON: Which is it?

18 MR. FLAUM: It will be pervious.
19 Pervious paver.

20 MR. CASTRO: It will have to be.
21 Otherwise the impervious will increase by 240
22 square feet.

23 MR. FLAUM: It's not just triggering a
24 variance to be more pervious than allowed.

25 MEMBER HILLER: I was concerned about

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2 the impervious that was being added.

3 MR. FLAUM: Got it.

4 CHAIRMAN KEILSON: I'm sorry. Is the
5 number on the impervious correct now or isn't
6 it?

7 MR. FLAUM: No, it's accurate
8 impervious. He was questioning the patio
9 grade if it was also impervious, but on the
10 full zoning analysis, which is not quoted in
11 the code relief because these are only items
12 received in code relief, it doesn't indicate
13 what the pervious amount is but it's on the
14 zoning analysis that the proposed patio grade
15 is a pervious amount and it's 214, which is
16 approximately the size of the patio at grade
17 because it's approximately 12 by -- I can't
18 see the number because it's too small on my
19 copy, but it looks like 17 and change.

20 CHAIRMAN KEILSON: Which doesn't require
21 a variance?

22 MR. FLAUM: Which does not require a
23 variance and therefore is not a topic of
24 discussion for the variance purpose.

25 CHAIRMAN KEILSON: I think the general

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2 tenor of the comments that we are concerned
3 about the encroachment, it's an unusual
4 encroachment that normally we would not
5 approve. And in such a situation --

6 MR. CASTRO: It's also an encroachment
7 not of an eve or a gable. It's a gambrel roof
8 which, you know, has -- tends to have an
9 appearance of almost a third story.

10 MEMBER GOTTLIEB: Is there a third story
11 now?

12 MR. FLAUM: There is currently rooms in
13 the third story, correct.

14 MEMBER GOTTLIEB: And you are going to
15 have more rooms on the third floor?

16 MR. FLAUM: Correct.

17 MEMBER GOTTLIEB: So if it was a third
18 floor and continues to be, do you need
19 sprinklers?

20 MR. CASTRO: Throughout because it's not
21 -- because it's adding to the existing attic
22 by more than 10 percent.

23 MEMBER GOTTLIEB: Is that the trigger if
24 it goes over just the third floor?

25 MR. CASTRO: When it's limited

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2 sprinklers versus a whole house sprinklers,
3 yes.

4 MEMBER GOTTLIEB: So because it's more
5 than 10 percent more, the entire needs to be
6 fully sprinkled. Just learning. You know.

7 MR. FLAUM: You have to learn every day.

8 CHAIRMAN KEILSON: What's the economic
9 impact of that?

10 MR. FLAUM: I don't understand the
11 question.

12 CHAIRMAN KEILSON: I will repeat it.
13 What's the economic impact of that?

14 MR. FLAUM: On the owners or on the --

15 MR. VACCHIO: Sprinklers.

16 MR. FLAUM: It depends how many heads
17 they have to install, which is a function of
18 the room layouts. So it could vary. Maybe 15
19 to 20,000 on a residential sprinkler system.

20 MEMBER HILLER: Does this house have a
21 basement?

22 MR. FLAUM: No. The additional basement
23 level is the lowest level. It's ground level,
24 first, and second, which is ground, first,
25 second, and attic. There is no fourth level.

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2 I think that's what you mean by basement.

3 MEMBER HILLER: Is there an underground?

4 MR. FLAUM: There's nothing underground.

5 The lowest level is walk-in grade hill.

6 CHAIRMAN KEILSON: So that's the first
7 floor of the house?

8 MEMBER HILLER: So it's a house built on
9 a slab?

10 MR. FLAUM: Correct. It's a slab on
11 grade.

12 MEMBER GOTTLIEB: That explains why the
13 mechanicals are in the garage. You got to put
14 them somewhere.

15 MR. FLAUM: Correct. Put them on the
16 roof but that wouldn't be look very sightly.

17 MEMBER GOTTLIEB: It's hard to fix the
18 boiler when your boiler is up on the roof.

19 CHAIRMAN KEILSON: Okay. We are ready
20 to vote.

21 So taking into considerations the
22 benefit to the applicant as opposed to any
23 detriment, health, safety, and welfare of the
24 neighborhood, employing the five criteria,
25 statutory criteria, we will vote at this

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2 point.

3 And Mr. Moskowitz?

4 MEMBER MOSKOWITZ: For.

5 CHAIRMAN KEILSON: Mr. Gottlieb?

6 MEMBER GOTTLIEB: I vote for.

7 CHAIRMAN KEILSON: Mr. Hiller?

8 MEMBER HILLER: I am very torn but I am
9 voting for but I have -- I know you will
10 appear before us in the future. And I hope we
11 will not have this kind of presentation. I
12 mean, we need the presentation to be accurate.
13 And Mr. Herzka, mainly because I believe you
14 to be an honest person who has actually
15 consulted with his neighbors, I will go
16 against my better judgment and vote for.

17 CHAIRMAN KEILSON: Mr. Felder?

18 MEMBER FELDER: I am just for.

19 MEMBER GOTTLIEB: Thank you for that.

20 CHAIRMAN KEILSON: And I will vote for.

21 Two years enough?

22 MR. HERZKA: Depends how much the
23 sprinklers cost.

24 CHAIRMAN KEILSON: Board of Building
25 Design?

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2 MR. CASTRO: Yes.

3 CHAIRMAN KEILSON: So give them two and
4 a half just to be sure. Okay. All right. We
5 adjourn.

6 (Whereupon the hearing concluded at 8:23
7 p.m.)

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

12



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YAFFA KAPLAN

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Court Reporter

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