

1 INCORPORATED VILLAGE OF LAWRENCE

2 BOARD OF APPEALS

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

6 August 17, 2016
7 7:35 p.m.

8 APPLICATIONS FOR ADJOURNMENT:

9 Majeski	Alpert
9 9 Rolling Hill Lane	455 Mistletoe Way
10 Lawrence, New York	Lawrence, New York
11 Luck Crossing LLC	

12 P R E S E N T:

13 MR. LLOYD KEILSON
Chairman

14 MR. EDWARD GOTTLIEB
Member

15 MR. DANIEL HILLER
Member

16 MR. ELLIOT MOSKOWITZ
Member

17 MR. AARON FELDER
Member

18 MR. KENNETH A. GRAY, ESQ.
Village Attorney

19 MR. GERALDO CASTRO
Building Department

20 MR. DANNY VACCHIO
Building Department

21 Mary Benci, RPR
22 Court Reporter
23
24
25

1 CHAIRMAN KEILSON: Good evening, ladies and
2 gentlemen. Welcome to the Lawrence Board of
3 Zoning Appeals. Please turn off any phones, and
4 please, no cross-conversations. If you have to
5 converse with someone about one of the items,
6 please step out into the vestibule.

7 Okay. Proof of posting, Mr. Castro.

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

10 CHAIRMAN KEILSON: Okay, thank you very much.
11 I think we'll skip the preamble.

12 MR. GRAY: Whatever you like.

13 CHAIRMAN KEILSON: We have several requests
14 for extensions. Let's see if we can address them.
15 The first is the Majeski residence, 9 Rolling Hill
16 Lane. The letter is requesting that they adjourn
17 the variance application to August 17th.

18 MR. GRAY: Today is August 17th.

19 CHAIRMAN KEILSON: Sorry, you're right.
20 September -- what's the next date?

21 MR. CASTRO: 14th.

22 CHAIRMAN KEILSON: September 14th. Okay
23 from the Board?

24 MEMBER GOTTLIEB: Yes.

25 MEMBER MOSKOWITZ: Yes.

Proceedings - 8/17/16

1 MEMBER FELDER: Yes.

2 MEMBER HILLER: Yes.

3 CHAIRMAN KEILSON: Very good.

4 Then we have a letter from Warren Meister,
5 architect, in reference to the Alpert residence,
6 where he apologizes for missing the last meeting,
7 and he's asking for an adjournment till the
8 September 14th date.

9 Again, any issue from the Board?

10 MEMBER GOTTLIEB: Okay with me.

11 MEMBER MOSKOWITZ: No.

12 MEMBER HILLER: Fine.

13 MEMBER FELDER: Fine.

14 CHAIRMAN KEILSON: Very good.

15 Finally, we have a letter from Luck Crossing
16 LLC, Tobi Nachman Lokshin, and this is a
17 longstanding project.

18 How long ago did this begin?

19 MR. CASTRO: Approximately 2000 -- I think it
20 was in about 2008.

21 CHAIRMAN KEILSON: 2008. And how far along
22 are they in their construction?

23 MR. CASTRO: Currently, the dwelling is fully
24 constructed, but the outside has to be finished
25 and they're working on finishing inside and the

1 utilities.

2 CHAIRMAN KEILSON: So the lengthy explanation
3 is the windows didn't come from Europe, okay. And
4 let's see what they're asking for. They're asking
5 for a further extension of 18 months.

6 I think at this point let's just give them
7 two years so we don't have to deal with this
8 again, if that's acceptable to the Board.

9 MEMBER GOTTLIEB: I'm okay with the two
10 years, but I'd like you to ask them to work
11 expeditiously with respect to their neighbors who
12 have been facing this construction for the past
13 many years.

14 CHAIRMAN KEILSON: Many years.

15 So Mr. Castro, you can express the sentiments
16 from the Board. I think everybody is in accord
17 with that, that it's far too long this project has
18 been going on. We've been very compassionate
19 about it, but at this point I think they have to
20 do everything possible to expedite the completion
21 because it's very disruptive to the neighbors as
22 we know.

23 MR. CASTRO: I will share it with them.

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25 we'll go for the two years. Is that acceptable to

Proceedings - 8/17/16

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2 MEMBER MOSKOWITZ: Yes.

3 MEMBER GOTTLIEB: Yes.

4 MEMBER HILLER: Yes.

5 MEMBER FELDER: Yes.

6 CHAIRMAN KEILSON: Okay.

7 MR. GRAY: Was that final?

8 CHAIRMAN KEILSON: I think it's almost
9 pointless at this point to suggest that.

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

12 *****

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

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Mary Benci

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MARY BENCI, RPR
Court Reporter

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7 7:38 p.m.

8 APPLICATION: Herskowitz
9 80 Barrett Road
10 Lawrence, New York

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13 Chairman

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15 Member

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18 MR. ELLIOT MOSKOWITZ
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Herskowitz - 8/17/16

1 CHAIRMAN KEILSON: The matter of Herskowitz,
2 80 Barrett Road. Will they or their
3 representative please step forward.

4 MR. YOON: Good evening. Young Yoon, with
5 PAU Architects. I'm here representing the
6 Herskowitzes. We're here requesting a relief from
7 surface area coverage of 2,006 -- 2,006 square
8 feet, which is 25 percent overage which is
9 currently existing and we're not changing.

10 We're also requesting a rear-yard setback of
11 15 -- 15 feet 9 inches, also currently existing
12 that we're not changing.

13 We're also requesting a rear-yard height/
14 setback variance of 0.26 overage, and we're
15 requesting a height variance of ten inches over
16 the 30-foot allowed.

17 The reason why we're here requesting the
18 relief is because the property is very irregular
19 in size and shape, and in speaking with the
20 client, we wanted to minimize how much work was
21 going to be done in the house. When we looked at
22 doing the addition towards the front, they're
23 still going for a height/setback ratio, and doing
24 an addition towards --

25 CHAIRMAN KEILSON: There's nothing here to

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1 explain to us why it's needed. The premise for a
2 variance is that there's a need, okay. The papers
3 are very lean and leaves a lot to the imagination.
4 And we spend time. I think the least you could do
5 is flush out your papers so that when we come here
6 we know how many years the applicant has lived in
7 the house, how many children they have, other than
8 just giving us boilerplate.

9 In fact, it's offensive for us to read this
10 application and the other one that you submitted
11 where it's identical language.

12 MR. YOON: I apologize.

13 CHAIRMAN KEILSON: We don't want apologies.
14 We have had this before. No apologies.

15 MR. YOON: The reason for the request is the
16 Herskowitzes need additional bedrooms. They need
17 additional rooms. They recently purchased this
18 home. They have been in it for about a year now,
19 a year and a half and --

20 MEMBER GOTTLIEB: Seven months she said?

21 MR. YOON: Seven months, yes. And they love
22 the area, they love the area, they want to stay in
23 this area, and when they found this house they
24 fell in love with the house, but they needed more
25 space.

1 MEMBER GOTTLIEB: How many children are
2 there?

3 MR. YOON: There are currently three
4 children.

5 MEMBER GOTTLIEB: How many bedrooms will you
6 have with this addition?

7 MR. YOON: With the addition they would have
8 four on the first level, and then they would have
9 two on the -- I'm sorry -- three on the second
10 level, and the master bedroom would be up on the
11 second level.

12 CHAIRMAN KEILSON: Seven bedrooms, plus a
13 master bedroom, three children?

14 MR. YOON: Yes.

15 MS. HERSKOWITZ: Not seven bedrooms.

16 MEMBER MOSKOWITZ: Maybe, Mr. Chairman, we
17 have the applicant here herself, she may be able
18 to answer those questions better than the
19 architect.

20 CHAIRMAN KEILSON: Mr. Moskowitz, there's a
21 procedure, okay.

22 MEMBER MOSKOWITZ: Okay.

23 CHAIRMAN KEILSON: First of all, identify
24 yourself for the record.

25 MS. HERSKOWITZ: I'm Esty Herskowitz, owner

1 of the house.

2 CHAIRMAN KEILSON: All right. So the
3 question was proffered to the architect, who
4 responded, and you're correcting the architect.

5 MS. HERSKOWITZ: Right. It's not going to be
6 seven; it's going to be six.

7 MR. YOON: There's six bedrooms. The one
8 towards the back of the kitchen is currently used
9 as an office space. There's six.

10 CHAIRMAN KEILSON: Six bedrooms and a master
11 bedroom?

12 MS. HERSKOWITZ: One of them will be a
13 master.

14 CHAIRMAN KEILSON: Of the six?

15 MS. HERSKOWITZ: Yes.

16 CHAIRMAN KEILSON: So it's not seven, it's
17 not six plus one; it's six.

18 MR. YOON: Yes, six.

19 MS. HERSKOWITZ: Yes.

20 CHAIRMAN KEILSON: Six bedrooms, okay. For
21 three children, plus the couple.

22 MS. HERSKOWITZ: Right.

23 CHAIRMAN KEILSON: Okay.

24 MS. HERSKOWITZ: Two of them are tiny, if you
25 look you can see them.

1 CHAIRMAN KEILSON: You're moving into a
2 house, and generally speaking, variances that are
3 being granted support a need. It's quite clear
4 there is not the need, so we have to evaluate the
5 nature of the variances in terms of, you know,
6 what's being requested.

7 MR. YOON: They do have a lot of guests that
8 do stay over the house and, you know, I mean --

9 CHAIRMAN KEILSON: Thank you.

10 MEMBER HILLER: Could you clarify for me
11 again which bedroom is the den -- is the office?

12 MR. YOON: The one towards the back behind
13 the kitchen is actually an office.

14 MEMBER HILLER: To the left of the kitchen as
15 I'm looking at the plan?

16 MR. YOON: Yes.

17 MEMBER GOTTLIEB: There's no basement in this
18 house?

19 MS. HERSKOWITZ: It's a playroom. Is that
20 even called a basement?

21 MR. YOON: It's a basement. It's a basement.
22 The ceiling height is about 7-6 and it is a
23 playroom.

24 MEMBER GOTTLIEB: You're saying, just so I
25 understand, on the main level, the furthest most

1 from the front bedroom close to the kitchen,
2 that's an office?

3 MR. YOON: That's an office.

4 MEMBER HILLER: What is it currently being
5 used as?

6 MR. YOON: It's currently being used as an
7 office.

8 MS. HERSKOWITZ: An office.

9 MEMBER HILLER: So this, again, is something
10 on the plans which is not clear and misdirects the
11 intentions of the owner and confuses the Board.

12 MEMBER GOTTLIEB: Continuing on with this, so
13 there is a shed that is on the plan, but there's
14 no application for maintaining a shed that looks
15 like it is too close to the neighbor's property
16 line.

17 MR. YOON: Correct. There is a shed towards
18 the back of the house that was existing. We
19 didn't know that it needed to get maintained.

20 Gerry, does it need to get maintained?

21 MR. CASTRO: I have to check. I'd have to
22 check for any prior permits for a shed, but
23 regardless, in that location the shed would have
24 also have needed a variance if it was approved as
25 a permit.

Herskowitz - 8/17/16

1 MR. GRAY: For the setback purposes?

2 MR. CASTRO: For the setback purposes.

3 MEMBER FELDER: At that size how many feet
4 does it need to be off the property line?

5 MR. CASTRO: Just looking right now, this is
6 a BB zone, it's eight feet.

7 MEMBER FELDER: Eight feet?

8 MR. CASTRO: Eight feet.

9 CHAIRMAN KEILSON: Eight feet off the
10 property line?

11 MR. CASTRO: Yeah.

12 MEMBER FELDER: Do you need that shed?

13 MS. HERSKOWITZ: I don't need it, no.

14 MEMBER FELDER: Would you be willing to move
15 it if you had to?

16 MS. HERSKOWITZ: Yes. I didn't put it in.

17 MEMBER HILLER: May I ask, what is in the
18 cabana?

19 MS. HERSKOWITZ: A bathroom --

20 MEMBER HILLER: I'm sorry?

21 MS. HERSKOWITZ: A bathroom, a changing room
22 and a sink.

23 MEMBER HILLER: Okay.

24 CHAIRMAN KEILSON: There's an issue in terms
25 of the surface coverage.

1 MR. CASTRO: Yes. As exists, there's excess
2 surface coverage and it seems to be primarily in
3 the pool area where what exists currently is not
4 what -- it doesn't conform to what was approved
5 when the pool was originally put in sometime 15,
6 16 years ago. So sometime between then and now
7 the paving was changed. That's why the applicant
8 needs to -- they're applying to maintain the
9 overage in surface coverage even though there's no
10 proposed changes at this time.

11 CHAIRMAN KEILSON: So it is captured within
12 the numbers that we have.

13 MR. CASTRO: Correct.

14 CHAIRMAN KEILSON: So that's really a
15 technicality that we want to validate.

16 MR. CASTRO: Correct.

17 CHAIRMAN KEILSON: Okay. We don't penalize
18 because of poor preparation of plans or
19 application. We're going to look at it on its
20 face and evaluate it. In terms of, again, my
21 perspective only, the surface area coverage is not
22 being changed, so there's nothing that's being
23 affected by the proposed construction. The
24 rear-yard setback is not being changed by the
25 proposed construction. The height is ten inches

Herskowitz - 8/17/16

1 over the permitted. The likelihood is that the
2 new zoning regulations that will come about in the
3 next period of time will probably permit even
4 higher homes. So again, I don't think from my
5 perspective that it's an issue. The rear yard
6 height/setback ratio, which is of concern
7 normally, I don't think in this case there's a
8 problem because there's really nothing back there
9 or no neighbors to the rear.

10 And again, have you discussed the
11 construction with the neighbors?

12 MS. HERSKOWITZ: Yes.

13 MR. YOON: We have (handing).

14 MEMBER GOTTLIEB: How many letters of
15 support, Mr. Chairman, for the record?

16 CHAIRMAN KEILSON: One, two, three letters of
17 support. Who is the neighbor directly behind you?

18 MS. HERSKOWITZ: Ziff.

19 CHAIRMAN KEILSON: So he's here.

20 MS. HERSKOWITZ: Ziff and Rosenberg would be
21 the two that would be able to see the work.
22 They're the only one's facing.

23 CHAIRMAN KEILSON: Any questions?

24 MEMBER GOTTLIEB: Did we say what we're doing
25 with the shed, moving the shed or removing the

Herskowitz - 8/17/16

1 shed?

2 CHAIRMAN KEILSON: Are you shedding the shed?

3 MR. GRAY: The options are just to move it
4 eight feet off the property line or to take it
5 down; is that correct, Gerry?

6 MR. CASTRO: Correct.

7 MR. GRAY: Unless you wanted to amend the
8 application and go for a variance and then we'd
9 have to renote the hearing and come back another
10 time. Those are your three options.

11 MS. HERSKOWITZ: I've never actually been in
12 the shed.

13 MR. YOON: So we'll remove the shed.

14 MEMBER GOTTLIEB: That takes a little bit off
15 the surface coverage. Thank you.

16 CHAIRMAN KEILSON: Yes, it's actually a
17 reduction. So you have to amend that.

18 MR. GRAY: Do you know what the dimensions of
19 the shed are?

20 MR. CASTRO: Twelve by ten.

21 MR. VACCHIO: A little more than 120 square
22 feet.

23 CHAIRMAN KEILSON: Does anybody in the
24 audience want to speak to the matter? Anyone else
25 on the Board want to ask any further questions?

Herskowitz - 8/17/16

1 MEMBER GOTTLIEB: Are you living in the house
2 now?

3 MS. HERSKOWITZ: Yes. We actually don't have
4 a master bedroom in the house. That's why.

5 CHAIRMAN KEILSON: Well, based on the plan
6 you are going to have a sizeable master bedroom.
7 We wish you well with it. Assuming that we vote
8 positively.

9 MS. HERSKOWITZ: Right.

10 CHAIRMAN KEILSON: Anyway, in determining and
11 assessing the decision, we evaluate the benefit of
12 the applicant as opposed to any detriment in terms
13 of the neighborhood, the neighbors, et cetera, and
14 we're going to vote at this point.

15 Starting with Mr. Felder.

16 MEMBER FELDER: I'm for.

17 CHAIRMAN KEILSON: Mr. Hiller.

18 MEMBER HILLER: For.

19 CHAIRMAN KEILSON: Mr. Gottlieb.

20 MEMBER GOTTLIEB: For.

21 CHAIRMAN KEILSON: Mr. Moskowitz.

22 MEMBER MOSKOWITZ: For.

23 CHAIRMAN KEILSON: And I too will vote for,
24 and you have two years, and Board of Building
25 Design.

Herskowitz - 8/17/16

1 MR. CASTRO: Two years. And the addition is
2 on the rear of the home. Are you changing the
3 exterior of the facade or are you matching
4 existing with it?

5 MR. YOON: We're matching existing. They
6 currently have stucco.

7 MR. CASTRO: Since it's on the rear, I'm not
8 going to send it to the Board of Building Design,
9 okay.

10 (Whereupon, the hearing concluded at
11 7:52 p.m.)

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10 Lawrence, New York

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1 CHAIRMAN KEILSON: Frishman, 129 Hards Lane.

2 MR. YOON: Young Yoon, PAU Architects,
3 representing the Frishman residence.

4 So we're here requesting a variance to again
5 add additional space to the house. The current
6 family -- the family has four children.

7 CHAIRMAN KEILSON: How long are they living
8 there?

9 MR. FRISHMAN: Ten years.

10 MR. YOON: Ten years.

11 CHAIRMAN KEILSON: Ten years, four children,
12 okay.

13 MR. YOON: And it's -- and they need more
14 space. With that, we're requesting a front-yard
15 setback where the permitted is 30 feet. We're
16 requesting a -- proposing 22.5 feet from the
17 front, seven -- which is 7.5 feet overage, and
18 that is currently --

19 CHAIRMAN KEILSON: It is existing, right?

20 MR. YOON: That is currently existing, yes,
21 and then we're also requesting a 15-foot side yard
22 setback. I mean, required is 15 feet side. We're
23 requesting 10-foot side on one side and 5.2 feet
24 on the other side. And that's a 5-foot overage on
25 the 10-foot side and it's an 8.8-foot overage on

1 the 5.2-foot side.

2 We're also requesting a --

3 CHAIRMAN KEILSON: This is actually a
4 positive, right? You're going from 9.5 to 10?

5 MR. YOON: I apologize. To clarify, what
6 they're going to -- the existing house is
7 currently 9.5, but the addition that we're putting
8 on is at the 10-foot side-yard setback line.

9 MEMBER FELDER: So it's moving back?

10 MR. YOON: Right, so it's --

11 MEMBER FELDER: Half a foot.

12 MR. YOON: The addition sets in at the
13 property setback line.

14 CHAIRMAN KEILSON: You're increasing the
15 setback.

16 MR. GRAY: Only on the new portion of the
17 building.

18 MR. YOON: Only on the new portion, correct.

19 CHAIRMAN KEILSON: Yes. Can I just clarify
20 something else. Your papers read that you're
21 putting the addition on the east side of the
22 house. I'm not an architect, but I don't think
23 it's on the east side of the house.

24 MR. YOON: No, it would be on the --

25 CHAIRMAN KEILSON: Chances are it's on the

1 west side.

2 MR. YOON: It would be on the north side. My
3 apologies.

4 CHAIRMAN KEILSON: Whoa, whoa, whoa, whoa,
5 whoa.

6 MR. YOON: Well, following the north arrow,
7 right -- I'm sorry, sorry.

8 CHAIRMAN KEILSON: Let's not play Jeopardy.
9 The answer is the west side.

10 MR. YOON: West side, yes.

11 CHAIRMAN KEILSON: Not the east side.

12 MR. YOON: Yes.

13 CHAIRMAN KEILSON: Okay.

14 MR. YOON: And then we're requesting a
15 side-yard setback aggregate of 15.2 feet and the
16 overage is 14.8 feet and that as well as no
17 change.

18 We're requesting a front yard height/setback
19 ratio of 0.84 where the required is 0.74, an
20 overage of 0.1, and that is existing nonconforming
21 as well, and a side yard height/setback ratio of
22 2.1 on the one side and 2.8 on the other side, an
23 overage of 0.6 and 1.3 respectfully, and that as
24 well as no change.

25 CHAIRMAN KEILSON: Okay. Let's synopsise

1 what you're doing here as far as the numbers,
2 because it's hard to understand. On the left side
3 of the house you're removing the existing
4 driveway, correct?

5 MR. YOON: Correct.

6 CHAIRMAN KEILSON: The driveway that goes
7 from the street all the way to the garage in the
8 back, right?

9 MR. YOON: Correct.

10 CHAIRMAN KEILSON: So you're removing that?

11 MR. YOON: Yes, and also removing the
12 detached garage.

13 CHAIRMAN KEILSON: That's a positive, right?

14 MR. YOON: Yes.

15 MR. GRAY: You're also removing what, you
16 said?

17 MR. YOON: The detached garage.

18 CHAIRMAN KEILSON: The detached garage is
19 being removed as well.

20 MR. YOON: Correct.

21 CHAIRMAN KEILSON: That's also a positive,
22 correct?

23 MR. YOON: Correct.

24 CHAIRMAN KEILSON: Now we are moving to the
25 right side. You're putting in a driveway?

1 MR. YOON: Correct.

2 CHAIRMAN KEILSON: And the one-story
3 addition?

4 MR. YOON: Correct.

5 CHAIRMAN KEILSON: In the rear of the house
6 you're putting on a two-story addition?

7 MR. YOON: Correct.

8 CHAIRMAN KEILSON: And even though the
9 drawing depicts a pool, there is no pool?

10 MR. YOON: There is currently no pool, but we
11 are proposing to put a pool in, and the size of
12 the pool is 16 by 32.

13 MEMBER GOTTLIEB: Is that part of this
14 application?

15 MR. YOON: We submitted it, but I just spoke
16 with Gerry, and he was telling me that he didn't
17 realize that the pool was part of this
18 application.

19 MEMBER GOTTLIEB: I think he might have said
20 that because it says pool on separate application.
21 That might have given him that reason and us as
22 well.

23 MR. YOON: But the pool is within the
24 setbacks and it does not increase -- it does not
25 exceed their surface coverage allowed.

1 MEMBER FELDER: The numbers that you put on
2 here for surface coverage included the pool
3 already?

4 MR. YOON: Correct, correct. But there was
5 no reason for a variance for the pool. The code
6 requires them to have a one car.

7 CHAIRMAN KEILSON: The pool is on the south
8 side of the house, right?

9 MR. YOON: Yes. The code requires a one-car
10 garage, which is why we're requesting that
11 side-yard setback to extend that addition towards
12 the back to take that current sunroom and convert
13 it into a garage.

14 CHAIRMAN KEILSON: Can you just tell us what
15 you're doing in terms of the interior of the
16 house. You're adding bedrooms? What are you
17 doing?

18 MR. YOON: In terms of the interior, we are
19 adding -- in terms of the interior, we're
20 reconfiguring the first-floor layout to provide an
21 office, a bigger dining room and living room
22 combination, with a den, and a bigger kitchen.

23 And in terms of the second floor, they
24 currently have I believe four bedrooms, and
25 they're looking to add a nice, big, master bedroom

1 for themselves to, you know, accommodate their --

2 CHAIRMAN KEILSON: Themselves.

3 MR. YOON: Themselves and their children,
4 correct.

5 MEMBER GOTTLIEB: So is it safe to say that
6 the addition on the second floor is all the master
7 bedroom?

8 MR. YOON: Yes.

9 MEMBER GOTTLIEB: And the four bedrooms in
10 the front are staying as they are?

11 MR. YOON: With modification because we're
12 adding another bathroom as well. We're -- so the
13 bedrooms and the closets shifted and reconfigured
14 to provide a bathroom.

15 MEMBER GOTTLIEB: So previously, was there
16 only one bathroom on the second floor?

17 MR. FRISHMAN: There were two.

18 MR. YOON: There were two.

19 MEMBER GOTTLIEB: So you're adding one in the
20 master bedroom.

21 MR. YOON: One in the master -- we're
22 proposing three on the second floor now; one
23 towards the back of the house in the master
24 bedroom suite.

25 MEMBER GOTTLIEB: Right. But there are

1 currently two?

2 MR. YOON: Correct.

3 CHAIRMAN KEILSON: Okay. Further questions
4 from the Board?

5 MEMBER GOTTLIEB: So as you're building the
6 house 17 or 18 feet further to the back, how does
7 that line up with the neighbors' house east and
8 west? How much further back is this house going
9 to be from the neighbors east and west? What I'm
10 getting at is if they currently have a deck and
11 they are looking out, are they now going to be
12 facing a brick wall ten feet off their property
13 line?

14 MR. FRISHMAN: I know the calculation as far
15 as --

16 CHAIRMAN KEILSON: State your name for the
17 record.

18 MR. FRISHMAN: Yehuda Frishman.

19 I know the calculation as far as the
20 distance, but I understand that it would be
21 conforming to side setbacks.

22 MEMBER GOTTLIEB: Actually, it's not
23 conforming.

24 CHAIRMAN KEILSON: No, you're not conforming.

25 MEMBER GOTTLIEB: You're conforming to

1 existing conditions.

2 MR. FRISHMAN: The new addition is being set
3 in, I understand. That's what was mentioned
4 before.

5 MEMBER GOTTLIEB: By six inches.

6 MR. FRISHMAN: I mean, right now my neighbor
7 to the east has a dilapidated garage that they
8 stare out at. I think they'd rather not stare at
9 it. I think they probably would rather not see
10 that, and that's going to come down and probably
11 be fenced in there, so they'll see a nice open
12 backyard.

13 MEMBER GOTTLIEB: That's my question. Are
14 they going to see a nice, open backyard or are
15 they going to open their rear doors and look at a
16 17-foot wall?

17 MR. FRISHMAN: Well, I don't believe they
18 will. I believe the extension ends behind where
19 -- it would be behind where the east neighbor has
20 their patio set, and right now, like I said, that
21 patio set is staring more at a dilapidated garage
22 than an extension of a house.

23 CHAIRMAN KEILSON: Where is that dilapidated
24 garage on the drawing right now?

25 MR. YOON: It's actually very faintly dashed

1 in.

2 MEMBER HILLER: Have you consulted your
3 neighbors about your plans?

4 MR. FRISHMAN: I consulted both my neighbors
5 before we began construction. I consulted the
6 east neighbor, who is actually here. The concern
7 is that we would be moving the driveway to their
8 side, and I was concerned that might infringe on
9 their quality. At that time before we even
10 proceeded, they said that things seemed to be an
11 issue. They can comment on that themselves,
12 they're here. The west side neighbors we
13 consulted and they didn't seem to have an issue
14 with it.

15 MR. YOON: We are also -- we are also
16 proposing to provide screening and tall trees
17 around the perimeter of the property.

18 MEMBER GOTTLIEB: Do you have any letters of
19 support from your neighbors?

20 MR. FRISHMAN: No, but my neighbors are here
21 so you can discuss it with them.

22 MEMBER GOTTLIEB: Terrific.

23 MR. CASTRO: Do you know what size the
24 screening in the back is going to be, how tall?

25 MR. YOON: Leyland cypress, most likely, and

1 tall trees that grow from the very bottom upwards
2 of 15 feet.

3 CHAIRMAN KEILSON: I think we can stipulate
4 that for the record when we vote.

5 MR. CASTRO: I think we should.

6 CHAIRMAN KEILSON: I think definitely we
7 should.

8 MEMBER GOTTLIEB: So do you want to speak
9 with the neighbors?

10 CHAIRMAN KEILSON: Let's hear from the
11 neighbor. Please step forward, identify yourself
12 for the record.

13 MR. STATMAN: I'm Dr. Meyer Statman,
14 127 Hards Lane, right next-door.

15 CHAIRMAN KEILSON: You're on the east side?

16 MR. STATMAN: We're on the west.

17 CHAIRMAN KEILSON: You're on the west side.

18 MR. STATMAN: We're closer to the sun when it
19 sets.

20 MEMBER GOTTLIEB: For clarity, you're the
21 neighbor closest to where the new garage is going
22 to be?

23 MR. STATMAN: No.

24 CHAIRMAN KEILSON: Yes.

25 MR. STATMAN: Let me just say, if I can, I'd

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1 like to make some preface to this whole thing.

2 CHAIRMAN KEILSON: Please.

3 MR. STATMAN: This is the second time I'm
4 here. The first time was when our neighbors to
5 our west unfortunately had a fire; the house
6 pretty much burned down. They decided to rebuild
7 and they came here so that they can build a much
8 bigger house, and I recall they said that it's the
9 smallest house on the block and they wanted a
10 bigger house. And my argument was it was the
11 smallest when you bought it, and there's no -- you
12 know, and it was the smallest when they built it.
13 So that's what you got and why do you want to
14 build a bigger house? And I said that this
15 house -- you know, the houses are relatively close
16 compared to other sections, and I claimed --

17 CHAIRMAN KEILSON: I'm sorry, who is the
18 neighbor to the right?

19 MR. STATMAN: Mindell. Other than bringing
20 in the issue, I really didn't want to bring in the
21 thing but that's okay.

22 CHAIRMAN KEILSON: No problem.

23 MR. STATMAN: They're good folks.

24 CHAIRMAN KEILSON: Okay.

25 MR. STATMAN: And their variance request was

1 approved. I claimed that because of the situation
2 that the houses are that close that their building
3 if it would go higher would have a major negative
4 impact on us, including sunlight. We have a
5 garden on the side and in the back, and in fact
6 they did build the house, and it's a very
7 unfortunate thing for us and we did nothing wrong
8 and we should not have to pay any price for other
9 people's desires to expand.

10 CHAIRMAN KEILSON: Do you recall how long ago
11 that was?

12 MR. STATMAN: I'm going to guess, ten years.
13 Ten years. It's way over five and under 15, I
14 think.

15 And our quality of life is impacted in a way
16 that we're not happy and we feel unjustly so
17 because it's okay to do what you want, you know.
18 They say you can -- you can punch your fist as far
19 as you can, but not till you hit my nose, and
20 that's what happened, my nose got hit by this
21 situation.

22 So I'm bringing in the same thing here. Here
23 we are again. We were asked about this some time
24 ago by Mr. Frishman. My wife, she could tell you
25 the details of it. We spoke to -- we have never

1 been involved in giving any approval or anything
2 like that. So we were asked to sign a paper
3 saying that we approve, and in speaking to a
4 member of the administration which there's no need
5 to mention who said it, just get the blueprints.
6 When we requested blueprints we were told --

7 MS. STATMAN: It wasn't on paper.

8 CHAIRMAN KEILSON: You have to identify
9 yourself for the record. I'm sorry.

10 MR. STATMAN: Hearsay. She can vouch for it.

11 CHAIRMAN KEILSON: You can identify yourself
12 for the record and augment the testimony.

13 MS. STATMAN: I'm Miriam Statman. We were
14 told that we have a right to see the plans --

15 CHAIRMAN KEILSON: Of course.

16 MS. STATMAN: -- before signing the letter
17 that we saw the plans, and we asked to see the
18 plans and we were told it's not available on paper
19 to look at, it's just on the phone, and you
20 know --

21 MR. STATMAN: And just a minimal amount of
22 the plans would be -- you know, somebody is going
23 to show me a little thing for five minutes, and
24 have a nice day.

25 MS. STATMAN: The part that would affect us.

1 MR. STATMAN: And we were told also that
2 there would be some private things that they
3 didn't want to share.

4 MS. STATMAN: They were uncomfortable showing
5 all the plans.

6 MR. STATMAN: But they wanted us to approve
7 all this.

8 MEMBER MOSKOWITZ: Who was this conversation
9 with? Was this a member of the administration?

10 MS. STATMAN: No, no, I had the conversation
11 with Mrs. Frishman.

12 MEMBER FELDER: But the plans were available
13 here at the Village.

14 MR. STATMAN: We were not aware of that.

15 MS. STATMAN: We weren't told that, that it
16 was available here.

17 CHAIRMAN KEILSON: All right, continue.

18 MS. STATMAN: So then we were told, you know
19 what, if you want to see the plans, we don't
20 really feel comfortable showing you all the plans.
21 Never mind about the letter, please just come to
22 the hearing and you'll see the full plans. And
23 that's why we're here.

24 MR. STATMAN: In other words, tough luck, and
25 it sounds like, you know, if we can get away

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1 without showing you the plans we'll try to.
2 That's the way it came across to me. But
3 nevertheless, I still have no idea what exactly
4 the picture is. I just want to say that I very
5 much object to any impact on my quality of life
6 and our enjoyment of our investment, if you will,
7 and our daily, you know, you get out, you see
8 grass, and I'm going to have a driveway to look
9 at. I can look out of my back porch and I can see
10 east past, you know, to see some neighbors a few
11 houses down. Now, if they expand back there I
12 don't know that I'll see anybody else. I'll just
13 have a garage between myself and the eastern sun,
14 the rising sun, and I'm not happy about that.

15 CHAIRMAN KEILSON: You're going to see --

16 MR. STATMAN: I know. I haven't seen the
17 plans due to no lack of effort on my part.

18 MR. CASTRO: Mr. Statman, did you receive a
19 copy of the notice? Because in the last paragraph
20 in the legal notice it tells you that all the
21 applications, the exhibits are on file and you can
22 inspect them at the Village office between 8 a.m.
23 and 4 p.m.

24 MR. STATMAN: I didn't see that, but we were
25 told by the Frishmans that they're not available

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1 to us.

2 CHAIRMAN KEILSON: Okay, thank you very, very
3 much.

4 MR. STATMAN: Okay.

5 CHAIRMAN KEILSON: Any other neighbors? I
6 guess not.

7 So Mr. Frishman, you've heard your neighbor.

8 MR. FRISHMAN: Yes.

9 CHAIRMAN KEILSON: And we've heard your
10 neighbor, and obviously, we have to give some
11 recognition to their concerns, and I don't think
12 that we're in a position tonight to be able to,
13 you know, evaluate. I'm not sure that we can ask
14 the neighbors at this point in time to sit here
15 and evaluate.

16 Any other comments from the Board?

17 MR. FRISHMAN: Can I just offer a response to
18 what they said?

19 CHAIRMAN KEILSON: Of course.

20 MR. FRISHMAN: Thank you.

21 That the claim that we're trying to pull the
22 wool over their eyes is really unfounded. We
23 called them and we said we have the plans on our
24 iPad, we'd be more than happy to sit with you and
25 show it to you. They said they wanted a copy of

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1 the plans. We said we don't have a copy of the
2 plans, a hard copy, but we'd be more than happy to
3 sit with you. The first day they agreed, they
4 said we'll meet you today, tomorrow, then they
5 hemmed and hawed, and they just basically pushed
6 it off and said that they spoke to Mr. Oliner, who
7 used to be the mayor and he said, I guess advised
8 them, that perhaps they had rights or whatever.
9 We weren't trying to prevent them from looking at
10 the plans. They just seemed like they were just
11 -- I don't know what they were doing, just trying
12 to procrastinate. I don't know what the issue
13 was. But to say that we didn't have the plans
14 available to them, we were more than happy to show
15 them. In fact, the neighbors to the other side we
16 did sit with the iPad, showed them the plans that
17 we had, and it didn't really seem to be an issue.

18 CHAIRMAN KEILSON: You have to be fair, a
19 person looking at a small iPad and trying to
20 review the plans --

21 MR. FRISHMAN: I understand, I understand.

22 CHAIRMAN KEILSON: Please don't interrupt me.
23 So that certainly somebody who is not skilled at
24 it or schooled at it or has seen plans in the
25 past, for them to understand fully, I think we

1 both can agree that it's really not that easy to
2 discern exactly what the impact would be. Now,
3 should they have gone down to the Village Hall and
4 asked to see the plans? I guess we can all agree
5 that probably would have been a very good idea.

6 But tonight we're faced with a situation with
7 a neighbor who is most impacted, well, certainly,
8 yeah, probably most impacted, mainly because of
9 the driveway, et cetera, and has not fully
10 appreciated what's going on. So normally in such
11 an instance we certainly want to give them the
12 opportunity to review the plans. And I would urge
13 that you seek an adjournment till the next hearing
14 date, and hopefully by then they will have seen or
15 sat with them, perhaps, or they'll sit with the
16 Building Department and get a keen understanding
17 as to what exactly is happening and how it's
18 impacting. I think that that would be the proper
19 procedure I think at this juncture.

20 MR. FRISHMAN: Okay. I mean, the statement
21 also that he said he's going to be looking at a
22 garage is really not fair. That structure is
23 there already.

24 CHAIRMAN KEILSON: Again --

25 MEMBER GOTTLIEB: You have to realize he

1 hasn't seen the plans and he's only hearing what
2 we're saying. We're talking about a garage ten
3 feet from his house. If I'm hearing this without
4 visual -- the benefit of the visuals, it sounds
5 like I'm going to have a garage.

6 MR. FRISHMAN: The offer was there to have
7 them look at it. I hear you.

8 MEMBER GOTTLIEB: I understand that you want
9 a bigger kitchen, you want a den, a kitchen, a
10 master bedroom. It always makes total sense, but
11 I think in speaking to your neighbors you can do
12 it amicably.

13 MEMBER FELDER: Can they by right -- just out
14 of curiosity, can the Frishmans by right put up
15 30-foot trees along their property line right now
16 if they wanted to, without even -- forget about
17 this, the construction request, forget about
18 anything.

19 MR. GRAY: Yes.

20 MEMBER FELDER: They can. So I'm just
21 curious what impact if your neighbor chose to
22 screen in his entire property with 30-foot trees
23 which by right he could do if he wanted to --

24 CHAIRMAN KEILSON: Mr. Felder, that's not an
25 appropriate question. They haven't seen the

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1 plans. Let them see the plans.

2 MEMBER FELDER: I know, just out of
3 curiosity.

4 CHAIRMAN KEILSON: I don't think it's an
5 appropriate question, truthfully. They're not
6 under scrutiny.

7 MEMBER FELDER: No, no, not at all. I'm just
8 curious to see what impact it would have.

9 MEMBER MOSKOWITZ: Is it appropriate if I ask
10 one question to Dr. Statman?

11 CHAIRMAN KEILSON: Of course.

12 MEMBER MOSKOWITZ: Because I think it's going
13 to orient us a bit. This is going to come before
14 us again so I think it will orient a bit
15 everyone's thinking for the next meeting, and that
16 is, could you explain in your own words are you
17 opposed to any construction on this property? It
18 sounds like you have an issue that's sort of based
19 on your preamble about the issue that you had with
20 your prior neighbor. Are you opposed to any
21 construction? Do you think that they should just
22 basically stick within the existing footprint that
23 they have right now? I want -- or is your concern
24 more with respect to you have a view right now
25 that may be impacted by the future construction

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1 plans? I want to understand your perspective a
2 little bit.

3 CHAIRMAN KEILSON: Dr. Statman, just
4 understand a record is being created. You need
5 not respond or you can respond, it's up to you.

6 MR. STATMAN: I'll be happy to respond.

7 CHAIRMAN KEILSON: Please.

8 MR. STATMAN: It sounds like it's a
9 yes-or-no, either-or question, but in fact my
10 answer is sort of in the middle. It's well known
11 throughout the country, throughout all large
12 cities, the increased rate of building of larger
13 houses, tearing down old houses and building new
14 houses and mega mansions and all this stuff. I
15 have no problem with any construction being done
16 next to me if it has zero impact on me. I have no
17 -- I have some -- I may have little or no or some
18 objection to construction that has a minimal
19 impact on me.

20 And I think the question is what am I going
21 to be left with? Am I going to be left with an
22 impaired view? Am I going to be left with less
23 grass and more driveway, concrete? Am I going to
24 be left with less ability to look sideways when I
25 go to the back of the house? And if I am, you

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1 know, I'd like to have the views that I had when I
2 bought the house. And I can't say anything that
3 is done within zoning allotments or allowances,
4 but I am here to speak if it's something that
5 requires a variance. If it requires a variance,
6 then I think I need to speak up. So you show me
7 what is going to happen to me, and then I can give
8 you my answer.

9 CHAIRMAN KEILSON: I think also,
10 Mr. Moskowitz, our experience is that when
11 neighbors sit down and they review the plans, in
12 95 percent of the cases there's a meeting of the
13 minds, okay, and I hope that that's what will
14 happen here, that they'll both understand the
15 needs and aspirations of each party. It's the
16 worst thing possible to have a neighbor coming
17 down who has never seen the plans. It took us a
18 period of time to just digest them ourselves, and
19 now we're asking a neighbor who hasn't seen the
20 plans to absorb it, or having seen it on a small
21 device. It's not appropriate. I think
22 historically we've been able to come to terms with
23 variances, most admirably when neighbors sit down.

24 MR. STATMAN: I'd like to respond to a
25 comment that's almost insulting to me.

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1 Mr. Frishman said that, well, maybe he was trying
2 to procrastinate or something like that.

3 CHAIRMAN KEILSON: I would appreciate --

4 MR. STATMAN: We were told that there were
5 some privacy issues, that they didn't want us to
6 see the whole thing. That makes it sound, and it
7 could be taken any way, that there's something
8 that somebody didn't want us to see.

9 CHAIRMAN KEILSON: That something nefarious
10 was going on.

11 MR. STATMAN: That's what we felt.

12 CHAIRMAN KEILSON: You're asking for an
13 adjournment. Do you want us to vote on the
14 adjournment?

15 MR. GRAY: Before you do that, Mr. Young, is
16 it?

17 MR. YOON: Yes.

18 MR. GRAY: I notice the portion of the house
19 that you're proposing to convert to the garage,
20 what is that now on the side?

21 MR. YOON: It's currently a sunroom.

22 MR. GRAY: Behind that sunroom I see on
23 current plans that there's an air-conditioning
24 unit there, correct?

25 MEMBER FELDER: The little box.

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1 one. So we will vote for an adjournment.

2 MEMBER GOTTLIEB: Did they ask for an
3 adjournment?

4 CHAIRMAN KEILSON: They did. Mr. Moskowitz.

5 MEMBER MOSKOWITZ: For.

6 CHAIRMAN KEILSON: Mr. Gottlieb.

7 MEMBER GOTTLIEB: For.

8 CHAIRMAN KEILSON: Mr. Hiller.

9 MEMBER HILLER: For.

10 CHAIRMAN KEILSON: Mr. Felder.

11 MEMBER FELDER: For.

12 CHAIRMAN KEILSON: Certainly, we vote for the
13 adjournment. So it's incumbent upon Mr. Frishman
14 to make arrangements to meet with the neighbor, or
15 they can go to the Building Department. You can
16 speak to Mr. Castro, and he'll be more than happy
17 to show you the plans.

18 (Continued on the following page.)
19
20
21
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25

Frishman - 8/17/16

1 MR. GRAY: I already memorized it (handing).

2 (Whereupon, the hearing concluded at

3 8:20 p.m.)

4 *****

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

8
9 Mary Benci

10 MARY BENCI, RPR
11 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 August 17, 2016
7 8:20 p.m.

8 APPLICATION: Sletteland
9 223 Hollywood Crossing
10 Lawrence, New York

11 P R E S E N T :

12 MR. LLOYD KEILSON
13 Chairman

14 MR. EDWARD GOTTLIEB
15 Member

16 MR. DANIEL HILLER
17 Member

18 MR. ELLIOT MOSKOWITZ
19 Member

20 MR. AARON FELDER
21 Member

22 MR. KENNETH A. GRAY, ESQ.
23 Village Attorney

24 MR. GERALDO CASTRO
25 Building Department

MR. DANNY VACCHIO
Building Department

Mary Benci, RPR
Court Reporter

Sletteland - 8/17/16

1 CHAIRMAN KEILSON: The final matter this
2 evening is Sletteland on Hollywood Crossing.
3 Would they or their representative.

4 MR. HOPKINS: Mr. Chairman, members of the
5 Board, Michael Hopkins, from the firm of Hopkins &
6 Kopilow, on behalf of the Sletteland application.
7 Good to see you all.

8 Mr. Chairman, I have my client here,
9 Miss Sletteland. You were asking some questions
10 before about need. There is a need because
11 Miss Sletteland wants to have her mother, aged 90,
12 who currently lives I believe in Garden City, to
13 move in with her. By moving in with her she wants
14 to, of course, have a safe place for the mother to
15 be, and at the same time to afford her some
16 privacy. As a result of that, the plans that you
17 have in front of you, the streetscape, the shadow
18 studies, et cetera, I would submit are very
19 reasonably done, at least I hope you find that
20 they are reasonably done.

21 There are only three zoning applications that
22 are before the Board on the proposed work. The
23 first one has to do with the side-yard setback
24 height -- forgive me -- the side-yard height
25 ratio. And if I can ask John, if you would be

1 kind enough, can you pull the page that shows the
2 side where the --

3 CHAIRMAN KEILSON: Identify yourself for the
4 record, John.

5 MR. NOVELLO: John Novello, 158 Irving Place,
6 Woodmere, New York 11598. I'm here on behalf of
7 Norman Wax, the architect on the project.

8 MR. HOPKINS: John, if you would be kind
9 enough, I'd like to show to the Chairman and
10 members of the Board the discrete locations where
11 the setback ratio in question is located on the
12 particular elevation where the improvement is to
13 be done. Can you show that to them please, John.

14 MR. NOVELLO: Do you want me to show them the
15 plot plan?

16 MR. HOPKINS: They have the plot plan. The
17 one where you actually see the calculations for
18 the setback ratios.

19 MR. NOVELLO: That would be sheet A3 and it
20 would be the front elevation.

21 MR. HOPKINS: And what I wanted to point out
22 to the Board is that the two dormers in question
23 that are producing the proposed setback ratio, I
24 believe it's of 1.9, they basically accommodate
25 two windows. It allows light into the area of the

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1 bedroom and specifically light into the area of
2 where the bathroom is proposed to be constructed.
3 If I can also show where the other elevation which
4 actually shows the run of the property -- the next
5 page -- what page is that?

6 MR. NOVELLO: A4.

7 MR. HOPKINS: And what I wanted to show to
8 the Chair and members of the Board is that the two
9 dormers take up a very small percentage, a very
10 small percentage of that entire run of that
11 particular elevation, as a practical proposition.
12 But they are needed in order to provide light, it
13 is submitted, particularly to the bathroom in
14 question. I would suggest that it's a relatively
15 minor variance which is being sought because it's
16 not sought for the entire length of the proposed
17 work, just for the discrete locations where the
18 dormers are situated.

19 CHAIRMAN KEILSON: So are there major ones
20 that we should be looking at?

21 MR. HOPKINS: Major height/setback ratios?

22 CHAIRMAN KEILSON: No, major decisions. You
23 said that is a minor request.

24 MR. HOPKINS: Well, the second minor request
25 has to do, of course, with the side-yard setback

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1 and the aggregate side-yard setback.

2 CHAIRMAN KEILSON: That's minor?

3 MR. HOPKINS: Well, that remains for the
4 Board to determine, of course. And if you would
5 be kind enough, John, again, as you will see, the
6 proposed property is going to have -- John calls
7 it a breezeway, but it's a connecting hallway.

8 MEMBER GOTTLIEB: What page are you on?

9 MR. NOVELLO: We could look at A0, which is
10 the plot plan, or if you want to see a more
11 detailed plan it would be the first-floor plan on
12 sheet A2.

13 CHAIRMAN KEILSON: John, there is no A0 that
14 we have.

15 MEMBER GOTTLIEB: It's A1.

16 MR. NOVELLO: Well, A1. Let's look at the
17 first-floor plan.

18 MR. CASTRO: A2.

19 MR. NOVELLO: A2.

20 MR. HOPKINS: Mr. Chairman, what is there, as
21 you will see, is there's the -- we call it a hall
22 on the plan, breezeway. It's designed to connect
23 the proposed addition to the main body of the
24 house. There had been some thought given to maybe
25 moving the project back a little bit, and

1 therefore not being required to ask for this
2 side-yard setback. But as a practical
3 proposition, to do that was going to create a
4 whole array of problems.

5 First of all, the connecting hallway would
6 functionally be going through the garage, a
7 physical impossibility to accomplish, as a
8 practical proposition. If it were all moved back
9 again, it would also create problems with ingress
10 and egress to the garage, as a practical
11 proposition. And the third thing, Mr. Chairman,
12 had to do with the fact that moving it back, if
13 you see the photographs we submitted with the
14 application, would obscure the view from the main
15 house out towards the roadway in question.

16 So realistically speaking, the only location
17 that functionally worked is the location that is
18 on the plan right now, as a practical proposition.

19 CHAIRMAN KEILSON: Why can't it be in the
20 backyard?

21 MR. HOPKINS: Again, it will tend to remove
22 the ability to see even through the backyard. The
23 windows in the backyard, as a practical
24 proposition, would be obscured by trying to put
25 this addition up in the backyard.

1 CHAIRMAN KEILSON: I didn't follow that.

2 MR. NOVELLO: The back of the house is a
3 kitchen and a family room. So putting any
4 addition would not allow light and ventilation
5 into those living spaces in the rear.

6 MEMBER GOTTLIEB: So the plans we have don't
7 show the existing house, just the addition, right?

8 MR. NOVELLO: Well, there's a kitchen and
9 family room in the back.

10 MEMBER HILLER: How many bedrooms are in the
11 house at present?

12 MR. HOPKINS: I believe there are four,
13 right? You can speak. This is Miss Sletteland,
14 by the way.

15 MS. SLETTELAND: Jeryl Sletteland. There's
16 four bedrooms.

17 MEMBER HILLER: How many occupants are there
18 in the house at present?

19 MS. SLETTELAND: Sometimes six.

20 MEMBER HILLER: Six when your children visit?

21 MS. SLETTELAND: Yeah, well, they live with
22 me during the summer.

23 MR. HOPKINS: Mr. Hiller, the other thing
24 that I -- but I mean, I think it's honorable that
25 she would want to be able to take her mother in

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1 who is aged 90.

2 CHAIRMAN KEILSON: We applaud that. We are
3 asking a question as to the location where she has
4 to put her in.

5 MR. HOPKINS: Fully understood, fully
6 understood. But to afford some privacy, as a
7 practical proposition, to avoid --

8 CHAIRMAN KEILSON: Who is the playroom for?

9 MR. NOVELLO: For grandchildren.

10 MS. SLETTELAND: I have grandchildren.

11 CHAIRMAN KEILSON: The playroom is new?

12 MS. SLETTELAND: No, it's an existing office,
13 but that's what we're naming it as a playroom.

14 MEMBER GOTTLIEB: But you're expanding it,
15 right?

16 MR. NOVELLO: The shape of it changed.

17 MS. SLETTELAND: The shape of it is changed.

18 CHAIRMAN KEILSON: Is there a greater
19 encroachment as a result of the proposed
20 construction?

21 MR. NOVELLO: Right now the setback -- the
22 current southerly setback is 16.5, and we're
23 requesting 10 feet, a 10-foot setback.

24 CHAIRMAN KEILSON: For the playroom?

25 MR. NOVELLO: For the playroom and the

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1 breezeway or hallway in connection from the
2 mother's space into the main living area.

3 CHAIRMAN KEILSON: Is that so the mother can
4 access the playroom?

5 MR. NOVELLO: Access the house. This is that
6 hallway, and right by that playroom that is the
7 access to the main house.

8 MEMBER HILLER: Your mother is going to the
9 second floor? Does that pose a problem at
10 90 years?

11 MS. SLETTELAND: No, not at all. My mother
12 can sit down on the floor and play with my
13 grandchildren. She's very active. She lives in a
14 large house in Garden City and it's three stories.
15 And she does her own cleaning; she does her own
16 cooking. The only thing she doesn't do is drive,
17 and that's why I want her with me. My father just
18 passed away in October, and they had -- this is a
19 side-bar -- but 65 wonderful years, and so I'm the
20 only child so she needs to be with me.

21 CHAIRMAN KEILSON: The issue that we have is
22 when you're creating a mother and daughter
23 situation you're permanently changing the
24 configuration of the house here, and it's a
25 significant encroachment when there seem to be

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1 options, or we can't evaluate the options because
2 we don't have the plans of the rest of the house.

3 MR. HOPKINS: Well, Mr. Chairman, the logic,
4 as I say, you don't -- I apologize. Is it
5 critical to have the plans for the rest of the
6 house? If it is, let us know, and we will
7 certainly do whatever is necessary to accommodate
8 you. So that when Mr. Novello says, for example,
9 that logistically siting it elsewhere is simply
10 not available, that can be borne out by taking a
11 look at those plans. If that is required, we
12 certainly will supply it to you. We don't want
13 any guesswork.

14 MEMBER GOTTLIEB: Mr. Hopkins and
15 Mr. Novello, you've both been here many times,
16 many applications, and we often get elderly
17 parents in need to stay with their children, and
18 we ask about bedrooms and bathrooms. I think one
19 of the problems is that we're adding a lot. We're
20 adding a living room, a bedroom, a hallway, a
21 second-floor bedroom, a kitchen.

22 MR. GRAY: Two bedrooms.

23 MEMBER GOTTLIEB: I don't think for the
24 14 years I've been here I don't think I've ever
25 added that much on for an elderly parent. It's

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1 kind of a first time for me that we are putting in
2 a second kitchen.

3 MS. SLETTELAND: My mother does her own
4 cooking.

5 MEMBER GOTTLIEB: I understand that.

6 MR. HOPKINS: I was about to say, I think,
7 Mr. Gottlieb, what really is extraordinary is that
8 this is an extraordinary woman who is capable of
9 doing certain things. This is a woman who is
10 immensely acute, sharp as a tack, physically
11 aware, physically capable of doing things. I've
12 even had some applications in front of this Board
13 where people were seeking certain relief in order
14 to accommodate an elderly parent nowhere near as
15 vibrant as Miss Prose (phonetic) is, as a
16 practical proposition. This is a person who, as
17 my client was saying, is going from a relatively
18 large house, no other children to take care of
19 her. She is not going to be put into a home or
20 anything of that caliber. She, meaning
21 Miss Prose, would very much appreciate some
22 privacy when everything is said and done, and yet
23 at the same time safeguarding her by making sure
24 that there is access and that these things can be
25 accomplished.

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1 And one final thing, if I may, Mr. Gottlieb,
2 I had talked with Miss Sletteland that most of
3 these questions would be coming up, as a practical
4 proposition, and with the passage of time if it
5 should become difficult for her to negotiate steps
6 there's always the ability to put in whatever
7 those mechanical seats are, as a practical
8 proposition. So this is not a person -- let me go
9 back for a second.

10 There is a need to take care of this person.
11 Miss Sletteland is ready, willing and able to take
12 care of her mom. I know everybody here thinks
13 that's a wonderful thing to do, but this is a
14 vibrant person. This is not just an elderly
15 person who is going into the room and not
16 interacting with people, not seeing her daughter,
17 not seeing her children or grandchildren when
18 they're around.

19 So I really think that this particular
20 application given this particular configuration is
21 beyond the norm of what I've done on several of
22 these, and I have been in front of this Board on
23 applications involving the very elderly who are
24 functionally incapable of taking care of
25 themselves, as a practical proposition.

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1 Miss Prose is not -- she's not and she should not
2 be alone in a home by herself at the present time
3 with nobody else.

4 I see Mr. Gray looking at me.

5 MR. GRAY: Yeah, Mr. Hopkins, if you can just
6 -- I think one of the concerns that the Board may
7 have is that the way it's designed is in essence
8 you're turning this into a two-family home and
9 that could be changing the character of the
10 neighborhood the way it's configured, and it's
11 being configured for the purposes of privacy, all
12 the reasons that you just stated. The concern is
13 that you've just created a two-family home that is
14 easily dividable and kept separate.

15 MR. HOPKINS: Well, of course.

16 MR. GRAY: And that may change the character
17 of the neighborhood because the neighborhood is
18 not comprised of two-family dwellings.

19 MR. HOPKINS: No, the neighborhood is not
20 comprised of two-family dwellings. I know the
21 Board is a hot Board. They know that this is
22 probably the smallest parcel, as a practical
23 proposition, in that neighborhood; that as a
24 practical proposition, the properties on either
25 side are many times larger than this particular

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1 piece of property. They're talking acreage I
2 believe on about 22,000 square feet.

3 And I've confronted this, Mr. Gray; you and I
4 both do public sector work in this regard. The
5 danger that you talk about in the abstract is and
6 should be handled, at least theoretically, by code
7 enforcement, and there are multiple ways of making
8 sure that nobody at any time abuses that relief
9 which would be granted, we trust.

10 CHAIRMAN KEILSON: That's fairly
11 disingenuous.

12 MR. HOPKINS: Why is that?

13 CHAIRMAN KEILSON: Because code enforcement
14 -- Mr. Castro, is that disingenuous?

15 MEMBER GOTTLIEB: You have to rely upon a
16 neighbor ratting you out, if you will.

17 Mr. Hopkins, it's not that it's the smallest
18 property, it's just particularly narrow, which is
19 why Mr. Keilson and the members were suggesting
20 doing this work in the back of the house so it's
21 not tightening up the front when you've only got
22 78 feet in the front.

23 MR. GRAY: And you may be able to accomplish
24 that without the need for any variances.

25 MR. HOPKINS: At the same time when

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1 everything is said and done, what has to be
2 analyzed is whether or not, as a practical
3 proposition, the expense involved and what impact
4 that's going to have on this house in terms of
5 looking out in the back, when you're talking about
6 light, air and things of that nature.

7 I still like my code enforcement argument
8 because I am confronted, Mr. Keilson, with what
9 you're looking at right now within other villages.
10 If it became absolutely necessary, as a practical
11 proposition, there perhaps would be some
12 covenants, some conditions imposed that would
13 mitigate the concern that you have, and perhaps
14 other members of the Board, that it not be
15 inappropriately converted to an illegal
16 two-family, as a practical proposition.

17 CHAIRMAN KEILSON: I think, as a practical
18 proposition, the use of the backyard cries out.
19 You have such a deep backyard. What is in that
20 backyard currently? Is there a pool or anything?

21 MS. SLETTELAND: There's no pool and, quite
22 frankly -- I'm sorry. The house itself -- I mean,
23 the house itself is a very simple house, and the
24 addition that I want to put for my mother is a
25 very simple addition.

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1 If you go to other areas, this is not a
2 mc-mansion. This is not bastardizing a structure.
3 It is not even marrying two structures, which when
4 I look in Lawrence and I see Palladian windows and
5 columns and I see all this architectural design, I
6 sort of am frightened about it.

7 This is a very simple structure that from the
8 outside looking at it, it looks like it belongs --
9 it looks like it belongs with the house. And in
10 the back of my house I have a beautiful kitchen,
11 that's a livable kitchen because it's the hub of
12 the house, and I don't want to impede that view in
13 the back.

14 And the front of the house is very simple
15 what we've done. If you go up to other areas, if
16 you go up to Cape Cod or you go up to New England,
17 New Hampshire, this is sort of a typical house.
18 We're not -- I don't want it embellished. I don't
19 want it shouting from the front. It is very
20 simple. And it's really to accommodate a very
21 lively 90-year-old.

22 My grandmother lived until 102. She walked
23 up a flight of steps in Brooklyn every day. She
24 buried every single parish priest and she finally
25 -- she finally succumbed to her age at 102, and

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1 I'm hoping my mother lives that long and she's
2 with me and she can enjoy my grandchildren and the
3 environment that I've provided for her.

4 So, you know, my appeal to the Board is that
5 I'd like to get this done. I don't want to see
6 her alone in Garden City. I'm a full-time working
7 woman. It's very difficult for me to even manage
8 taking care of her in Garden City. But so that's
9 why we're here, and I would not have -- I wouldn't
10 have brought Michael in, and I certainly wouldn't
11 have John do anything. I had worked for
12 Richard Meier, who is a star architect. I
13 understand architecture. I understand form and
14 function. And I would never do something to that
15 house or this community that would shout something
16 that is not appropriate. So I'm sorry, I probably
17 am not saying the things that you want to hear.

18 MR. NOVELLO: I'd like to point out a comment
19 that Mr. Gottlieb had asked. The design of the
20 living space, this is probably the smallest living
21 space that we've ever designed. If you look at
22 the size of the kitchenette and the living room
23 and the bathroom, it's 23 by 18 including the
24 staircase. This is probably -- this whole living
25 space is probably smaller than the previous

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1 application's master bedroom, you know, it's very
2 concise.

3 MEMBER GOTTLIEB: For sure it is.

4 MR. NOVELLO: It's very tight. We tried --
5 we tried not to, you know, exceed the front-yard
6 setback and we tried to squeeze in as much as we
7 can. I told Gerald that, you know, this is very
8 -- it's not roomy enough, but she was happy. So
9 it's at its minimum.

10 Another point is that the house to our south
11 is 110 feet away from our property line, and it's
12 a humongous house. So we have -- and with our
13 proposed ten feet we have 120 feet from this
14 one-story addition to our southerly neighbor. So
15 you know, and we provided the Board with the sun
16 studies so you can see that, you know, it has no
17 impact to the neighbor to our south, and
18 obviously, the addition has no impact to the
19 northerly neighbor.

20 MEMBER HILLER: I'm very sympathetic,
21 especially the beautiful presentation you made. I
22 was very impressed with it, and we do have
23 understanding about taking care of elderly parents
24 which is very commendable.

25 What I'm disturbed about is not seeing the

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1 interior of the present existing house. It makes
2 it very difficult to visualize why something can't
3 be done -- why something can't be done to the rear
4 of the house, maybe converting the den at the rear
5 into the bedroom and building it further -- I
6 shouldn't even say that.

7 The second question I want to ask is, before
8 doing this did you consult with the Graffs, the
9 neighbors that are 110 feet away from you on your
10 south side? Have you consulted with them?

11 MS. SLETTELAND: No. I mean, to be perfectly
12 honest with you, and I don't mean to be
13 pejorative, but I'm the only Christian that lives
14 on the block, and I mean, people, my neighbors,
15 I'm not part of the community, I'm not worshipping
16 where everybody is worshipping, so we are friendly
17 and we clean up our streets and that's it. But we
18 are not intimate and we don't dine in each other's
19 homes.

20 MEMBER HILLER: I understand that.

21 MS. SLETTELAND: So I wouldn't go knocking on
22 their door.

23 MEMBER HILLER: It's appropriate for anybody,
24 regardless of their religion, to appropriately
25 knock on the door of the neighbor when they intend

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1 to do construction which is abutting the
2 neighbor's property, and I understand what you're
3 saying.

4 MS. SLETTELAND: The Graffs did construction
5 I know, but nobody ever --

6 MEMBER HILLER: I understand what you're
7 saying. I don't fully agree with what you're
8 saying, but I very much understand your feelings.
9 But that would have been appropriate.

10 And also, as I said, I'm uncomfortable not
11 having the interior of the house available.

12 MR. NOVELLO: To answer that question, it
13 wasn't done intentionally as you can see.

14 MR. HOPKINS: He's not suggesting that.

15 MR. NOVELLO: That's a long house. It
16 wouldn't have fit on the sheet. If you look at
17 the site plan, it's so long, so we purposely cut
18 it off so you can see what we're proposing.

19 Again, as Mrs. Sletteland said, the back of
20 the house, you're more than welcome to come over
21 or look at the plans. I'm sure the Building
22 Department -- there's a large kitchen with glass
23 looking out to the --

24 MEMBER HILLER: The entire back of the house
25 is the kitchen?

1 MR. NOVELLO: Kitchen and family room.

2 MS. SLETTELAND: And there's a library in the
3 back too, yes.

4 MR. GRAY: Mr. Hopkins, I think based upon
5 Mr. Hiller's comments and for this Board to
6 consider and deliberate, one of the prongs of the
7 criteria that they have to consider is whether or
8 not what you're looking to do, which is
9 accommodate your mother, can be achieved by some
10 other method that wouldn't require a variance. So
11 I think that's something Mr. Hiller and the Board
12 is asking for.

13 MR. HOPKINS: Fully understood, Mr. Gray.

14 And Mr. Novello has said that it is
15 impractical for the reasons that he's already
16 stated. If perhaps the members of the Board would
17 like to go do a site visit and see what the parcel
18 is like in the back and what Mr. Novello said is
19 an accurate statement, certainly, everybody is
20 welcome to make the site visit to confirm
21 independently what we've been stating here on the
22 record. I think that would perhaps be a lot
23 easier than drawing up a whole new set of plans
24 showing the entirety of the house.

25 MEMBER GOTTLIEB: We like to give John extra

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1 work. I'm okay with a site visit.

2 MR. GRAY: Off the record.

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

5 CHAIRMAN KEILSON: In order to achieve, you
6 know, an understanding before the next hearing,
7 there are existing plans. I'm not sure why it's
8 so difficult.

9 MS. SLETTELAND: Maybe they are upstairs.
10 Can somebody go up?

11 CHAIRMAN KEILSON: We're not going to find
12 that now. But we have -- we have to see the
13 plans. The encroachment is a significant
14 encroachment, and notwithstanding the description
15 of the mc-mansion and everything else, that has no
16 bearing on this. We understand the nature of this
17 construction. The issue is the encroachment and
18 we've been very protective of side-yard
19 encroachments, and that's one of the no-nos.

20 MR. HOPKINS: And I've been through them
21 before, I'm fully aware. All I would suggest,
22 Mr. Keilson, even with regard to the side-yard
23 encroachment issue, it's in the context that the
24 encroachment becomes aggravated or perhaps
25 mitigated, and I think that's what Mr. Novello was

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1 saying before, that the property adjacent to the
2 subject parcel that would theoretically be
3 impacted by this, the nearest point is 100 --

4 MR. NOVELLO: 120 feet away from our proposed
5 addition.

6 MR. HOPKINS: So this is not, for example, as
7 the good doctor said, if this is moved 10 feet
8 closer to the property line I could have a real
9 problem, I don't care what he does. Perhaps
10 providing it doesn't impact me, and in terms of
11 the analysis, of course you would have to look at
12 the size of the encroachment that's being sought.
13 But again, the analysis continues with the benefit
14 to the applicant and the impact on the
15 neighborhood, and in this case the nearest
16 neighbor most impacted, at least in theory, is the
17 neighbor 120 feet away, as a practical
18 proposition, and I would submit that in context
19 it's a relatively de minimis side-yard setback
20 which is being sought, in context.

21 MR. GRAY: I'm more concerned with the
22 character of the neighborhood going from
23 one-family to two-family, and in the code there's
24 a presumption if you have two kitchens it's
25 presumed to be a multifamily house.

1 MR. HOPKINS: Of course, and I've been before
2 this Board before when enormous houses have gone
3 up with kosher kitchens, so it has been done
4 before.

5 MR. GRAY: But with a kosher kitchen it's not
6 structured in such a way that you can live as two
7 separate families. The kosher kitchen is usually
8 off of the kitchen and part of the main structure;
9 it's not dividable. This, if you put a lock on
10 one of the doors, you have a separate,
11 freestanding, one-bedroom, two-bath apartment.
12 That's all I'm saying.

13 MR. HOPKINS: And I'm simply responding to
14 that by saying that the concept of the second
15 kitchen has been sanctioned. And what you're also
16 suggesting, Mr. Gray, is you have to put it into a
17 context, which is what I was talking about with
18 the side-yard setback as well. So keeping things
19 in context as a proposition as we fully
20 understand, we've discussed this amongst ourselves
21 that this is an issue that might come up. And I
22 don't mean to be cavalier about it, but the
23 probability and the area of this thing ever going
24 into the area of concern to you, I suggest, is nil
25 to none. I suggest, I suggest is nil to none, but

1 I do understand the concern. I'm not suggesting
2 in any manner, shape or form that the concern is
3 absolutely far-fetched. It's not fully
4 understood. The reality of the situation is when
5 in theory could this become an issue? Presumably,
6 upon the sale of the house or the death of a
7 parent. When everything is said and done, as a
8 practical proposition, could it become an issue in
9 any other context? Probably not.

10 MEMBER HILLER: I think the major concern of
11 the Board is that this could be remedied in a way
12 that would not require a variance, and if that
13 possibility exists without impeding the light and
14 air, then we'd like to explore it, and we haven't
15 seen on these plans anything to show us what the
16 present house looks like.

17 MR. HOPKINS: I understand, and this is why I
18 made the offer. If the Board wants to do the site
19 visit, they're more than welcome, with or without
20 a glass of wine. And as a practical proposition,
21 I mean, if you could grant the relief subject to a
22 satisfactory site visit, I would suggest --

23 CHAIRMAN KEILSON: Grant the relief subject
24 to?

25 MR. HOPKINS: Doing the site visit and being

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1 contented that the reality of putting it anywhere
2 else on the property is really severely limited,
3 both practically speaking in terms of light and
4 air severe on the property and any number of other
5 factors.

6 CHAIRMAN KEILSON: As a practical
7 proposition, that's never happened, so.

8 MEMBER GOTTLIEB: Mr. Chairman, I'd like to
9 ask, if you do come back, would you please ask, I
10 guess Mr. Wax, to make a few corrections on the
11 zoning chart. One of them is the rear yard, I
12 don't think permitted is 15 feet for rear-yard
13 setback. Also, on the side-yard aggregate and
14 side yard there are mistakes in existing, and
15 proposed. It's 19 feet.

16 MR. NOVELLO: I believe a separate zoning
17 analysis was submitted that supersedes the zoning
18 analysis.

19 MR. HOPKINS: The code relief.

20 MEMBER GOTTLIEB: The code relief sheet does
21 not show rear yard. I'd also like to see building
22 and surface coverage not as a percentage but as
23 correctly what's permitted, what's existing and
24 what's proposed. And what I'm asking you for is
25 what's on most applications. I'm not asking for

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1 anything different than what we usually see.

2 Mr. Hopkins, you know that.

3 MR. HOPKINS: Believe me, I know that too.

4 But again, I think Mr. Novello and Mr. Wax's
5 intention, because the house is somewhat long, is
6 to literally focus your intention on the discrete
7 part that is the subject of the inquiry.

8 MEMBER GOTTLIEB: What I'm asking you for is
9 just something that's on every application that
10 you ever submit here.

11 MR. HOPKINS: I'm not -- I don't disagree
12 with you, Mr. Gottlieb, and if you're asking us to
13 collect this information it will be done.

14 MEMBER GOTTLIEB: Just clarify it.

15 MR. HOPKINS: It will be done, as a practical
16 proposition, and the site visit I would recommend
17 as the easiest way of dealing with this and/or I
18 guess we have no choice, as a practical
19 proposition, John, to supply the --

20 MEMBER GOTTLIEB: Moving over to page A2, can
21 you just fill in some of the numbers. I don't see
22 how wide the hallway is or how long it is. The
23 proposal is 23 feet by 18. Can you just fill in
24 some of the missing numbers, how big the garage
25 is, just so I have a better idea of what I'm --

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1 you know, is that hallway 10 feet wide? Is it
2 four feet wide? I have no idea.

3 MR. NOVELLO: Do you want the answer now or
4 when we resubmit?

5 MEMBER GOTTLIEB: Just add those things in to
6 help us understand better.

7 MR. CASTRO: One more question. You show a
8 proposed basement with steps. It looks like it's
9 unfinished. Is that the --

10 MR. NOVELLO: It's storage.

11 MEMBER GOTTLIEB: Is there a basement on
12 this?

13 MR. NOVELLO: Yeah, storage.

14 MEMBER GOTTLIEB: How deep is that basement?

15 MR. NOVELLO: Nine feet, I believe, water
16 table permitting.

17 MEMBER GOTTLIEB: Which is why I asked.
18 You're not just removing the surface coverage, but
19 now you're removing the percolation of storm
20 water. By having a nine-foot deep basement in
21 that area there's less percolation for rainwater.

22 MR. NOVELLO: I don't understand.

23 MEMBER GOTTLIEB: Now, I understand there is
24 a basement so I look at a basement and the impact
25 of rainwater.

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1 MR. NOVELLO: I believe we provided a dry
2 well plan, so we addressed that.

3 MEMBER GOTTLIEB: Okay.

4 MR. HOPKINS: Mr. Keilson, I await your
5 guidance. Is it your preference that we get this
6 information back to you to continue the matter on
7 the first available date hereafter?

8 CHAIRMAN KEILSON: Yes.

9 MR. HOPKINS: Thank you. Fully understood.

10 MEMBER MOSKOWITZ: I have one question from
11 my perspective, one question. Is the sole and
12 exclusive reason for this construction project
13 your mom, or is there any other reason that you
14 want to do this construction?

15 MS. SLETTELAND: Just my mother.

16 MEMBER MOSKOWITZ: Okay.

17 CHAIRMAN KEILSON: Okay.

18 MR. HOPKINS: We'll get that information back
19 to you then, sir.

20 CHAIRMAN KEILSON: If she has the plans, they
21 exist in the Building Department. We're not
22 trying to burden you with more work.

23 MR. HOPKINS: Mr. Keilson, fully understood.
24 Mr. Castro will let us know if you have plans
25 upstairs buried somewhere. And let me ask, I'm

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1 just trying to figure out, technically speaking,
2 obviously, you can't close the hearing if you're
3 going to be looking at additional stuff.

4 MR. GRAY: This will be adjourned and
5 continued at a future date.

6 MR. HOPKINS: I don't mean to be rude, but
7 would that be a September date, at least?

8 MR. GRAY: September 14th.

9 CHAIRMAN KEILSON: Yeah, absolutely.

10 MR. CASTRO: The deadline for filing is
11 Friday.

12 MR. HOPKINS: Whoa, whoa, whoa, what do you
13 mean by filing? This hearing is continued;
14 there's no need to file anything more per se.

15 CHAIRMAN KEILSON: Right. It will
16 automatically go onto that calendar.

17 MR. CASTRO: Correct.

18 MR. HOPKINS: All right, Mr. Chairman.

19 CHAIRMAN KEILSON: Okay. So you're asking
20 for an adjournment. I think from the Board's
21 perspective we're all in accord.

22 MR. HOPKINS: It will be done.

23 CHAIRMAN KEILSON: Thank you very much.

24 MR. HOPKINS: If anybody cares to make a site
25 visit in the interim, they're more than welcome.

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CHAIRMAN KEILSON: I think some people will.

(Whereupon, the hearing concluded at

8:55 p.m.)

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

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MARY BENCI, RPR
Court Reporter