

1 Klaus

2
3 INCORPORATED VILLAGE OF LAWRENCE

4 BOARD OF APPEALS

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

9 August 21, 2019
7:33 p.m.

10 APPLICATION:

Klaus
231 Juniper Circle East
Lawrence, New York

11 P R E S E N T:

12 MR. LLOYD KEILSON
Chairman

13 MR. EDWARD GOTTLIEB
14 Member

15 MR. DANIEL HILLER
16 Member

17 MR. ELLIOT MOSKOWITZ
Member

18 MR. AARON FELDER
19 Member

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

21 MR. GERALDO CASTRO
22 Building Department

23 MR. DANNY VACCHIO
24 Building Department

25 Yaffa Kaplan
Court Reporter

1 Klaus

2 CHAIRMAN KEILSON: Okay, good evening,
3 ladies and gentlemen. Welcome to the Lawrence
4 Board of Zoning Appeals. Please turn off your
5 phones. And if there is a need to converse,
6 please go out into the hall. Thank you very
7 much.

8 Mr. Castro, proof of posting?

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

11 CHAIRMAN KEILSON: Okay. Thank you very
12 much. We have a request for an extension of
13 Klaus, 231 Juniper Circle East. Date of
14 expiration was October 2019, and they are
15 doing an extension on the house and a pool.
16 The pool was completed, and they are about to
17 start the expansion on the house. They are
18 asking for an additional two years. Okay.
19 Any objection or concerns? Mr. Moskowitz?

20 MEMBER MOSKOWITZ: For.

21 CHAIRMAN KEILSON: Mr. Gottlieb?

22 MEMBER GOTTLIEB: For.

23 CHAIRMAN KEILSON: Mr. Hiller?

24 MEMBER HILLER: For.

25 CHAIRMAN KEILSON: Mr. Felder?

Klaus

MEMBER FELDER: For.

CHAIRMAN KEILSON: And I as well. Okay.

So three years.

(Whereupon the hearing concluded at 7:33

p.m.)

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

A handwritten signature in dark ink, appearing to read 'Yaffa Kaplan', is written over a horizontal dashed line.

YAFFA KAPLAN

Court Reporter

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Leifer

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

August 21, 2019
7:33 p.m.

APPLICATION:

Leifer
1 Amberly Road
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. AARON FELDER
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Leifer

2 CHAIRMAN KEILSON: Okay. The matter of
3 Leifer at One Amberly Road. They or their
4 representative.

5 Good evening, Mr. Macleod.

6 MR. MACLEOD: Members of the Board, I am
7 here this evening --

8 CHAIRMAN KEILSON: Good to see you.

9 MR. MACLEOD: Yes. I have been away for
10 a while from your presence.

11 CHAIRMAN KEILSON: We understand it's
12 because your clients are adhering to the
13 zoning regulations.

14 MR MACLEOD: We are trying whenever
15 possible and sometimes we are.

16 CHAIRMAN KEILSON: We hope many would
17 emulate you.

18 MR MACLEOD: Well, this evening we are
19 asking for a small variance for the Leifer
20 residence. Jonathan and Jamie Leifer who live
21 at Number One Amberly Road and have lived
22 there for 20 years and growing their family
23 there. They last did an addition ten years
24 ago, substantial work on the house, and at
25 this time we are just looking to expand one

Leifer

corner of the back of the house, which is the kitchen and breakfast area, and we are looking to expand a very small amount into the rear yard. And if you had taken -- if you had read through the petition, you will see that --

CHAIRMAN KEILSON: There is no ifs in our board. We all read it.

MR MACLEOD: Excellent. I will not repeat it too much, but as you can see from the site plan, there is a couple of things on this particular property which are particular to it which put us at a slight disadvantage. One is that it's an irregularly shaped property, a corner property, and when they built the original house, it was set back a little bit further than today's code, which is a 35-foot front yard and they have a 50-foot front yard directly in front of the house, a lesser amount to the left side, which is actually a side yard, but it is on the street and this pushed the original siding of the house towards the rear.

And at this point we currently have a setback of 46-foot-7 and we are looking to

Leifer

extend the kitchen into that by 8 feet to bring it down to 38-foot-7. This only occurs at the rear left of the kitchen. The rear right corner is slightly less of a request because the setback there is a 42-foot-7. So the setbacks are particularly only to the one-story section of this addition. There is a second-floor part to this addition, which is an expansion of the second-floor bedroom with a bathroom, but we have kept that back at the line of the existing kitchen wall so that it does not protrude into this required variance that we are looking for this evening.

The shape of the house -- if you had seen the photographs and the petition, it has an irregular roof line. The first photograph shows two gables and some dormers facing the rear yard, and in the middle of the photo is the back wall of the kitchen as it stands right now, directly opposite the barbecue. We will be extending the addition towards the barbecue, but as I said, only by 8 feet and the second-floor addition will be somewhat matching the existing gable, the larger of the

Leifer

two gables that you see there. It will match that detail on the rear of the house and the irregularity of the shape and the form of the rear gable, the new rear gable will be in keeping with the lines of the house.

The other photos illustrate how private this backyard is, and you can see the second photo to the right, which is a picture of the swimming pool. There are no houses in view in that direction. There is a house to the right of the property, which is totally out of sight behind the 30-foot-tall evergreens to the right and which can also be seen in the first photograph.

If you look at the first photograph of the house, you can see in the background there are some very tall evergreen trees and there is a house there but totally out of sight. They cannot look in; the Leifers cannot look out. The closest neighbor to this addition is to the rear left and that is the -- sorry. That is the Sicklick residence. Sicklick residence and I have a letter from them here that I would like to read into the record if

Leifer

you wouldn't mind and I would pass these other two supporting letters here as well.

This is from the Sicklicks, which is the neighbor directly to the rear to the left and the closest neighbor to the house:

"Gentlemen, my neighbor the Leifers of One Amberly Road, are seeking a variance for construction. They have lived in the neighborhood for a good number of years and have proved themselves to be very fine and respected members of the community and have always kept a home in exemplary shape and to enhance the surroundings. As such, I am writing this letter in support of their request and will not stand in the way of any of their plans as filed. Yours very truly, Francine Sicklick."

There are two other letters of support from close-by neighbors which --

CHAIRMAN KEILSON: Which you will submit?

MR MACLEOD: I will submit from the 95
Briarwood and 83 Briarwood if I can put those
in.

1 Leifer

2 CHAIRMAN KEILSON: Specific need for the
3 variance?

4 MR MACLEOD: So we are --

5 CHAIRMAN KEILSON: What are you
6 alleviating by having an expansion?

7 MR MACLEOD: Yes. So the Leifers host
8 many charity events and hope to do so in the
9 future, and their existing kitchen is not of
10 satisfactory size to be able to accommodate
11 that. We are looking to expand it again. Not
12 by an awful amount but by 8 foot toward the
13 rear, which will give necessary circulation
14 and better usage of the kitchen as well as
15 provide some additional interior space, which
16 we mentioned in the petition which can have a
17 dual function of a sitting room for Jonathan
18 Leifer's parents when they come to visit.
19 They will have a dedicated sitting area that
20 could be used either as a sitting room, in
21 association to the small bedroom which is on
22 the first floor, but other times it can be
23 used as a pass-through and serving area
24 through the dining room.

25 The second-floor addition, which again

1 Leifer

2 is not -- it is part of the variance but it is
3 not extending out as far as the first floor,
4 that expansion, which will enable us to add a
5 bathroom for that bedroom, and as the Leifers'
6 family is growing and maturing and hopefully
7 expanding eventually, any bedrooms and
8 bathrooms or additional bathrooms will be much
9 needed.

10 CHAIRMAN KEILSON: Okay.

11 MEMBER GOTTLIEB: For full disclosure, I
12 live within 300 feet of the property. It
13 makes no bearing on me. I have no personal
14 interest, but I do have some questions.

15 CHAIRMAN KEILSON: Yes.

16 MEMBER GOTTLIEB: When you talk about
17 the 8-foot expansion and I am looking at the
18 overhang of an unenclosed area, is it 8 feet
19 beyond that or going 8 feet from the interior
20 wall?

21 MR MACLEOD: So if you look at the
22 photograph, where the first floor walls are
23 white and timber, that is the corner of the
24 kitchen. So we are not adding -- where you
25 see the open porch, that will remain. The

1 Leifer

2 addition is if you could imagine the stucco
3 and timber wall being extended towards the
4 rear on the first floor only. And if you
5 compare that to the site plan, you will see
6 the 8-foot dimension there indicated coming
7 off of that white and timber corner, 8 feet
8 into the rear yard.

9 MEMBER GOTTLIEB: I see. So the porch
10 is remaining. Okay. I misread the plans.

11 MR MACLEOD: Yes. The porch is
12 remaining, and again the view of this from the
13 street, there is a lot of greenery. I don't
14 believe you can see into the street from
15 Briarwood or Cedarhurst Avenue as it's also
16 called.

17 MR. CASTRO: Just going back to Member
18 Gottlieb's question, but there also is an
19 overhang in the area where you are bumping out
20 on the first floor.

21 MR MACLEOD: Okay. So we are measuring
22 the 8 feet from the white stucco and timbered
23 wall, not from the overhang.

24 MEMBER GOTTLIEB: Going towards the
25 barbecue?

1 Leifer

2 MR MACLEOD: Going straight toward the
3 barbecue, correct.

4 MEMBER HILLER: Are you extending the
5 patio as well?

6 MR MACLEOD: No. The patio is remaining
7 as it is. We are actually going to be using
8 part of the patio for the addition.

9 MEMBER GOTTLIEB: So that's why you have
10 no additional surface coverage?

11 MR MACLEOD: That's correct. And if we
12 could go on to the next item, which is the
13 surface coverage, the building coverage, we
14 are currently slightly over the existing
15 permitted. Currently the building coverage is
16 4,031 square feet. And we are adding 191
17 square feet to that, which represents an
18 additional 4.85 percent. The variance that we
19 require is 7.2 percent, so the existing
20 overage is about 2 and a half percent right
21 now, 2.3 percent, so we are slightly over and
22 we will be asking for an additional --

23 MEMBER GOTTLIEB: The 191 square feet
24 that you are going over is over existing
25 impervious?

1 Leifer

2 MR MACLEOD: That's correct.

3 MEMBER GOTTLIEB: So you are not
4 exacerbating any water percolation?

5 MR MACLEOD: That's correct.

6 CHAIRMAN KEILSON: Okay. Any further
7 questions?

8 MEMBER GOTTLIEB: Mr. Castro, will any
9 water mitigation runoff be involved with this
10 application, any dry wells?

11 MR. CASTRO: So typically any additions
12 that create new roof lines, to the extent
13 possible, that water has got to be contained
14 into a dry well. If there is no existing dry
15 wells, that has to be verified.

16 MR MACLEOD: Yes. So we can verify the
17 existence of any dry wells that were done
18 during the addition ten years ago. If we
19 could be limited to the amount of additional
20 surface coverage rather than --

21 MR. CASTRO: The entire --

22 MR MACLEOD: -- the entire property that
23 would be --

24 MR. CASTRO: Any new values created.

25 Again, that particular area would be --

Leifer

MR MACLEOD: We will provide -- when we submit the technical drawings for the submission, we will include a dry well for the 191 square feet additional surface area.

MEMBER GOTTLIEB: The reason I asked this -- and I want this to be on the record -- is that a few hours ago we had five or ten minutes of rain and the streets were flooded. Specifically just to the south of where this house lies, so it's not because of this house, but I think it's something we have to be cognizant of with every application.

MR MACLEOD: We are actually going to be improving the situation here because as I pointed out, this building is on top of an impervious patio, which probably does have runoff of the surrounding area.

CHAIRMAN KEILSON: Identify yourself for the record.

MR. LEIFER: Jonathan Leifer, homeowner. Ten years ago we added seven dry wells to the back to make sure that the Sicklicks had no issues and I think -- I don't know the technical kind of area that's required, but I

Leifer

believe that we are way over the requirement
and that was to make certain that the
Sicklicks were fine with the addition of the
pool ten years ago.

MEMBER GOTTLIEB: Thank you for stating
that.

MR MACLEOD: We will access that information in detail and hopefully show that there is excess cubic footage for this small addition.

MR. CASTRO: So the leaders and gutters
will be tied into the system.

CHAIRMAN KEILSON: Okay. Anyone in the audience want to speak to the matter and address it? Okay. Then the Board will be prepared to weigh the benefit to the applicant as opposed to any detriment to health, safety, and welfare of the neighborhood, and taking that into consideration, also we believe the de minimis request that you are making in light of the fact that the applicant has lived in the house for 20 years, we can fully appreciate the need as stated, and so we will open with Mr. Moskowitz. You will vote --

1 Leifer

2 MEMBER MOSKOWITZ: For.

3 CHAIRMAN KEILSON: Mr Gottlieb?

4 MEMBER GOTTLIEB: For.

5 CHAIRMAN KEILSON: Mr. Hiller?

6 MEMBER HILLER: For.

7 CHAIRMAN KEILSON: Mr. Felder?

8 MEMBER FELDER: For.

9 CHAIRMAN KEILSON: And I am for. And
10 how much time do you think you will need? Two
11 years just to make sure?

12 MR MACLEOD: Two years.

13 CHAIRMAN KEILSON: Need the Board of
14 Building design or not?

15 MR MACLEOD: Totally in the back.

16 MR. CASTRO: Probably matching the
17 existing house?

18 MR MACLEOD: Yes.

19 MR. CASTRO: No.

20 MR. MACLEOD: John Macleod,
21 M-A-C-L-E-O-D, 595 Park Avenue, Huntington,
22 New York 11743.

23 CHAIRMAN KEILSON: Thank you, John.

24 MR MACLEOD: Thank you.

25 (Whereupon the hearing concluded at 7:44

Leifer

p.m.)

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

A handwritten signature in dark ink, appearing to read 'Yaffa Kaplan', is written over a horizontal dashed line.

YAFFA KAPLAN

Court Reporter

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SDIG Equities
INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

August 21, 2019
7:44 p.m.

APPLICATION: SDIG Equities
347 Mulry
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. AARON FELDER
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 SDIG Equities

2 CHAIRMAN KEILSON: Okay. SDIG Equities
3 on Mulry Lane, they or their representative.

4 MR. SAVALDI: Good evening. Good
5 evening to the Board. My name is Amiel
6 Savaldi, One Middle Drive, Pittsburgh.

7 MS. ROTHMAN: Hi, I am Deborah Rothman.
8 Good evening, members of the Board, chairman
9 of the Board. We meet again and I don't have
10 a busload of patients with me this time so --

11 MR. SAVALDI: You probably saw the
12 pictures and you read and it's a simple case.
13 We had to choose the -- the optimal location
14 for the air conditioners because of the shape
15 of the lot and surrounded with two front
16 streets, et cetera. We put it in the rear
17 yard and one of the AC units has 1.4 foot
18 setback where 4 feet is required. So that is
19 the variance that we are requesting that it
20 will be granted as you --

21 CHAIRMAN KEILSON: It was installed
22 already?

23 MR. SAVALDI: It was installed and you
24 may have seen the center is already complete.
25 It looks beautiful, if I may say so, and the

SDIG Equities

1
2 neighbors are satisfied. The neighbor
3 immediately abutting the air conditioners is
4 okay. I believe he signed. And it's a quiet
5 unit. It's behind an existing -- preexisting
6 fence that is owned by the neighbor. So we
7 don't see -- there are no complaints.

8 MEMBER MOSKOWITZ: The variance is only
9 with respect to one unit; is that correct; is
10 that right?

11 MR. SAVALDI: Well, the one unit is the
12 most critical. If you can look at the sketch,
13 the least distance is 16 inches and the most
14 is 68 and we need 48.

15 CHAIRMAN KEILSON: So again, for how
16 many units -- finish for all the units?

17 MR. SAVALDI: We have four units.

18 CHAIRMAN KEILSON: All the units require
19 the variance?

20 MR. CASTRO: No.

21 CHAIRMAN KEILSON: How many units
22 require the variance?

23 MR. SAVALDI: I believe three of them.

24 CHAIRMAN KEILSON: Let's wait for the
25 Building Department. One, two?

1 SDIG Equities

2 MR. VACCIO: Looks like two. Maybe two.

3 CHAIRMAN KEILSON: Two of the four
4 require the variance. We picked it up on
5 inspection? How did it come about?

6 MR. VACCHIO: Inspection.

7 MR. CASTRO: Final.

8 MEMBER GOTTLIEB: Was it the air
9 conditioners weren't planned to be there when
10 it was first proposed when you came for the
11 first variance?

12 MR. SAVALDI: No. We hoped to find a
13 better location but we couldn't.

14 MS. ROTHMAN: I would like to submit two
15 things if that's okay. One is from the
16 neighbors surrounding who are all well aware
17 -- and I believe as Amiel mentioned, all very
18 high-powered, very quiet units. We also have
19 a specialized crate sitting below the units
20 which really buffers the sound. The fence
21 neighbors, which is preexisting, is owned by
22 the neighbors. According to the survey, what
23 you see, it's a very unique shaped lot. I
24 know that everybody here is familiar with the
25 property because it was the -- it has a lot of

SDIG Equities

1 history to the location. It's a very unique
2 property, so our big issue was we had no place
3 to put the units and I believe -- I think you
4 should have a record there, a letter that I
5 submitted. Do you have this? Otherwise I can
6 give you the copy, and this is basically
7 explained that -- you do have it -- on the
8 William side we have the gas pipes come out
9 there, and you are forbidden to put the air
10 conditioning units next to that. It also is
11 the front main entrance.
12

13 On the Mulry side, we have in the
14 previous grant, you gratefully granted the
15 parking lot, which is also handicapped
16 accessible, and if we put the unit there, you
17 would literally block the ramp that goes into
18 the elevator providing that access. On the
19 other side -- which was where we were hoping
20 initially to answer your question, so I am
21 going a bit of a roundabout way -- we would
22 have liked to put the compressor there.
23 That's the staff parking side. We needed two
24 forms of egress, and so there was no way to
25 fit the four compressors needed without

SDIG Equities

blocking the two doors of egress.

So we literally had -- there are only four sides to the building. We had no other option, and again, the fence, it's preexisting, it's very quiet. We haven't had any complaints and the building has been open and we have been doing fine.

MEMBER GOTTLIEB: Typically I would have suggested rooftop. However, since this was already done, I had the benefit of going to your building and listening to your air conditioners running, and while I am no expert, they sounded very quiet to me.

CHAIRMAN KEILSON: I think Member Hiller also visited.

MEMBER HILLER: I did. Can you explain -- again, you mentioned something about at the base of the air conditioning you put in something to muffle the sound?

MS. ROTHMAN: They did. They actually put in a special type of a crate, which is a sound buffer. It absorbs the sound. It just holds a few inches off, but it literally makes a difference. I can tell you, for example, in

SDIG Equities

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2 my house -- I live in Woodmere -- we don't
3 have that, and when we have barbecues in the
4 backyard, it's annoying. You hear it all the
5 time. It's like a buzzing and we don't have
6 that. It's really very quiet. It makes a
7 good difference, and they are good quality
8 units.

9 We, in addition, looking at the property
10 line because it runs at a angle, what we did
11 was I actually had the installers move this
12 during the construction. They put the biggest
13 unit where the biggest setback is, so we
14 really tried to minimize so the very smallest
15 unit is where the smallest encroachment is.
16 So we tried to do the best that we really
17 could with the interesting line of the
18 property.

19 CHAIRMAN KEILSON: What do you do on
20 your property?

21 MS. ROTHMAN: It's Acu-Zen Wellness.
22 It's acupuncture, and yes, healing the natural
23 way.

24 CHAIRMAN KEILSON: So your patients
25 don't scream louder than the air conditioner?

SDIG Equities

1
2 MS. ROTHMAN: It depends if I am in the
3 mood to pull out the big needles but maybe
4 it's okay.

5 CHAIRMAN KEILSON: You can leave your
6 card around.

7 MEMBER GOTTLIEB: The building really
8 came out beautiful. I am quite surprised at
9 how nice it came out again.

10 MS. ROTHMAN: Thank you. I have to say,
11 it was quite a challenge, but for all of you
12 who know this building for many years, we have
13 been living in Long Island for 20 years. For
14 us it's very special. When people ask us
15 about the building, it's -- we actually give
16 them a little history and I have written
17 articles about the history.

18 CHAIRMAN KEILSON: We will wait for the
19 movie.

20 Anyone in the audience want to speak to
21 the matter? Otherwise we are going to vote,
22 weigh the benefit to the applicant as opposed
23 to any detriment to the neighborhood. Having
24 said that, Mr. Felder?

25 MEMBER FELDER: For.

SDIG Equities

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: I vote for and you
don't need any time to do it. You did it.

MS. ROTHMAN: Thank you very much. I
hope to see you all.

(Whereupon the hearing concluded at 7:51
p.m.)

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

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YAFFA KAPLAN

Court Reporter

1 Slone

2 INCORPORATED VILLAGE OF LAWRENCE

3 BOARD OF APPEALS

4
5 Village Hall
6 196 Central Avenue
7 Lawrence, New York

8 August 21, 2019
9 7:51 p.m.

10 APPLICATION: Slone
11 267 Pearsall Place
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. ELLIOT MOSKOWITZ
21 Member

22 MR. AARON FELDER
23 Member

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

MR. GERALDO CASTRO.
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Slone

2 CHAIRMAN KEILSON: Next matter is Slone
3 on 267 Pearsall Place, they or their
4 representative.

5 Good evening, Mr. Flaum.

6 MR. FLAUM: Good evening.

7 CHAIRMAN KEILSON: Congratulations on
8 your father's wedding.

9 MR. FLAUM: Thank you very much. I
10 waited a very long time to marry off my
11 father.

12 Good evening, everyone. I am here
13 representing Mr. Slone at 267 Pearsall Place
14 seeking two variances. He is doing a small
15 alteration/addition at the front of the house
16 where there is an existing, partially open,
17 covered porch and a small vestibule. He is
18 going to be building directly on top of that
19 exact location, a two-story addition on the
20 location where the covered porch is. And
21 where there is an existing covered vestibule,
22 he is going to -- sorry. Where there is a
23 currently open porch, becoming an enclosed
24 entry with a second story above that.

25 CHAIRMAN KEILSON: How long are they in

Slone

the house?

MR. FLAUM: They just purchased the house not too long ago. They are doing interior alterations, so they filed it separately because it needed a variance and its interior alterations did not.

MEMBER GOTTLIEB: So they have a permit for the current interior alterations?

MR. FLAUM: Now, yes, and now they are coming before the Board to get a variance for these two items that I am going to list for you on the code relief section.

So the two sections are Section 212-16.D(1) minimum front yard setback. Permitted at 30 feet, existing is 21 feet, 1.5 inches. The proposed is the same distance, 21 feet, 1.5 inches, as I just stated prior. They are building the extension over the existing porch that's already there and the front covered vestibule, so no additional encroachment into the front yard.

The second item under code relief that we are seeking is Section 212-16.D(2), maximum front yard height setback. Permitted at .74.

Slone

The existing is .92. The proposed is .92 and overage is .18. So currently they said there is an existing piece of the property house that's projecting forward. It's already existing noncompliant. They are just rebuilding over the portion of the porch in a different configuration that should be in the drawings. And basically we are just trying to maintain something about compliance that are already there.

CHAIRMAN KEILSON: How old is the house?

MR. FLAUM: It's a good question. I don't know. How old is your house?

MR. SLONE: Jesse Slone, homeowner. Residing at eventually 267 Pearsall Place. The original house was built in 1888. Yeah.

MEMBER HILLER: Are you redoing the entire exterior?

MR. SLONE: No.

MEMBER HILLER: You are not finishing up the exterior in a different way? You are leaving it as it is?

MR. SLONE: Yes. They painted it though. We got approval from somebody here to

1 Slone

2 paint it in a color. I think it was the same
3 color as the original. We just like polished
4 it, I guess.

5 CHAIRMAN KEILSON: How many bedrooms are
6 there in it?

7 MR. SLONE: Right now, four. Four or
8 three and a small office.

9 CHAIRMAN KEILSON: When was it last
10 renovated if you know?

11 MR. SLONE: Fifteen, 16 years ago maybe.

12 CHAIRMAN KEILSON: You bought it from
13 the original owner?

14 MR. SLONE: They were an 87-year-old
15 couple it happens to be but still doesn't make
16 it.

17 CHAIRMAN KEILSON: They moved out?

18 MR. SLONE: Yes.

19 MEMBER GOTTLIEB: Mr. Flaum, just so I
20 understand, my question is regarding the
21 height setback ratio. Are you bumping out the
22 second floor to match the first floor?

23 MR. FLAUM: Yes. The second floor is
24 bumping out to match the first floor.

25 MEMBER GOTTLIEB: So the second floor

Slone

will be over the porch that's there now,
right?

MR. FLAUM: So the second floor and a
portion of the first floor that was -- okay,
so I don't know if you have the existing in
front of you, the existing front elevation on
the streetscape. It's a little confusing but
the streetscape, it should be easy to
understand. So currently we are showing --
you have it in front of you? So on the
existing house on the right side on the bottom
on the first floor, there is a covered porch
but it's open. To the left is an enclosed
vestibule. That's the entry into the house.
On the redesign, that closed piece becomes an
open covered porch underneath the second-story
projection on the left side, and the open
porch on the front right becomes enclosed.
So --

MEMBER GOTTLIEB: So the house is being
moved forward?

MR. FLAUM: It's being moved forward in
that it's coming up to where the existing
porch is but not any closer than the existing

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porch is.

MEMBER GOTTLIEB: So the question I had is if the front yard setback is at .92, before you were saying that existing front yard setback. Actually, you didn't include -- I may have misunderstood what you said.

MEMBER GOTTLIEB: So it says existing is .92, so how is the proposed .92 bringing -- not bringing the house forward?

MR. FLAUM: So I think that's an error. I am looking at the elevation on the bottom of Z-100 so the proposed is .92. It says required .74, and I am assuming with the setback it's currently at that number or a little bit less. I don't know if you have -- do you have the construction drawings that was for the proposed house?

MR. VACCHIO: Just one page.

MR. FLAUM: It wasn't filed?

MEMBER GOTTLIEB: It was just my concern the discrepancy when you said existing is .92 and proposed .92 and bringing the house 3 feet, the house on the second floor, so one of them is either understated or overstated.

1 Slone

2 MR. FLAUM: Right. So it's .92 is --
3 the existing is probably between .74 and .92
4 because it's an existing nonconforming front
5 yard.

6 MEMBER GOTTLIEB: I like your accuracy.
7 But the proposed is .92 so we are .18 over?

8 MR. FLAUM: .18 over.

9 CHAIRMAN KEILSON: Okay. Any other
10 questions from the Board? Anyone from the
11 audience want to comment or question? Okay.
12 I think everyone is disappointed you are not
13 doing more work.

14 MR. SLONE: Sorry.

15 CHAIRMAN KEILSON: Okay. Weighing the
16 benefit to the applicant as opposed to any
17 detriment to the community, Mr. Moskowitz?

18 MEMBER MOSKOWITZ: For.

19 CHAIRMAN KEILSON: Mr. Gottlieb?

20 MEMBER GOTTLIEB: For.

21 CHAIRMAN KEILSON: Mr. Hiller?

22 MEMBER HILLER: For.

23 CHAIRMAN KEILSON: Mr. Felder?

24 MEMBER FELDER: For.

25 CHAIRMAN KEILSON: And I am for. How

Slone

long do you need?

MR. FLAUM: Give him two years but it
will be done before then.

CHAIRMAN KEILSON: Board of Building
Design, Gerry?

MR. CASTRO: Yes.

CHAIRMAN KEILSON: Okay. Good luck.
Okay.

(Whereupon the hearing concluded at 8:00
p.m.)

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

A handwritten signature in dark ink, appearing to read 'Yaffa Kaplan', is written over a horizontal dashed line.

YAFFA KAPLAN

Court Reporter

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Finestone

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

August 21, 2019
8:00 p.m.

APPLICATION:

Finestone
123 Winchester Place
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. AARON FELDER
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERALDO CASTRO
Building Department

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Finestone

2 CHAIRMAN KEILSON: Matter of Finestone,
3 Winchester Place.

4 MR. MAYERFELD: My name is Stanley
5 Mayerfeld, architects for the Finestone
6 resident. Okay, so --

7 CHAIRMAN KEILSON: Address?

8 MR. MAYERFELD: Reside at 17 Bruck Court
9 in Spring Valley, New York 10977.

10 So the Finestones have been living in
11 their current residence for the past six
12 years. They really like the neighborhood,
13 they want to stay there, and they are looking
14 to expand their house. However, it is quite a
15 small house, 1,700 square feet and change.
16 That includes the garage. It's a bit tight in
17 there for a family of their needs, a family of
18 houses comparable in the village.

19 The lot is on the narrow side. It's 80
20 feet. A little bit about the property. It's
21 a one-way street, it's right in front of the
22 temple, the JCC, so that's -- there is a
23 really large structure. There is only three
24 houses on that block. Both their neighbors
25 are corner houses. The lot width on either

Finestone

side is 120 and 125 feet. Their lot, the subject lot is only 80 feet wide.

So the challenge is how do we get the rooms -- in a typical house, how do we get that on this type of width? So the challenge was instead of encroaching, on making the house super-wide and tight, which would bring it down, the square footage, we wanted to kind of keep the -- limit our side encroachments and really limit how far our side yards would be and limit any type of the variance that we are requesting on the side yard. Instead we went deep. So going deep required a lot more -- if you look at the floor plans, requires a lot more area to get to the other rooms. So if you walk on a typical floor, maybe 10 by 10, that's a decent size for a floor. One hundred square feet -- we have over 500 feet just to get to the back of the house and it has to be -- technically when you have a deep space, it can't be narrow. It has to be wide. When I was taking my exams, the appropriate ratio to room is 2 to 1. Once you start going past that, you failed the exam.

Finestone

So even on this room, our hallway, it's a wide hallway but it's, you know, even -- it's so deep and that's what is really taking up a lot of that extra square feet.

Again, so the current condition right now is noncompliant in terms of the yard. We are -- even though we -- because we are going for a number of variances. The three variances we are requesting is for building coverage, for side yard, and total side yard. So with -- and with regards to the side yard, even though the total side yard is not as good as the current condition but we are shifting over the house is each of the independent yards are in better compliance. For instance, on the side yard right now, we only have 8 feet 2 inches on one of the sides. So we are increasing that to 11 feet 2 inches on one side, and it will be compliant on the other side. Compliant on the 15-foot side.

It's also I think important to note on regards to the yards that this is where we are really sticking out, and these numbers we are talking about, it's at the far end of the

Finestone

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2 house and the front of the property. We are
3 just two feet over. You know, we worked the
4 plans, we did many different versions, and
5 again, like I started off, the first initial
6 draft or just we thought -- we took a pen and
7 paper was to draw the house tighter, but again
8 that would require -- you need like a house to
9 be like 60 feet wide really to make it a
10 smaller square footage house.

11 CHAIRMAN KEILSON: New construction.

12 MR. MAYERFELD: New construction.

13 CHAIRMAN KEILSON: As a general rule,
14 new construction, we ask the people to stay
15 within the zoning regulations unless there is
16 a compelling reason not.

17 MR. MAYERFELD: Understood.

18 CHAIRMAN KEILSON: You began by calling
19 it an expansion. It's new construction; it's
20 double the size.

21 MR. MAYERFELD: When I said expansion,
22 expand the house. The need was to expand the
23 living quarters, but yes, we actually looked
24 into keeping the house, but it just didn't
25 make sense.

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MEMBER HILLER: What is the square footage of the basement, and what is the square footage of the attic?

MR. MAYERFELD: The basement -- again, it's really the first floor that is --

MEMBER HILLER: When we get plans, we generally get -- when the space is that size, both the basement and attic, we get the set of plans for them.

MR. MAYERFELD: Right now the basement, I don't even know if they plan on finishing it now. I mean, there is going to be a couple of guest rooms in the basement.

MEMBER HILLER: Not on the plans.

MR. MAYERFELD: I am assuming that's what we are going to do. That's what's typically done.

MEMBER HILLER: You are the architect. You don't have to assume.

MR. MAYERFELD: We are not there yet. Really, it's a first floor -- it's not even the second floor. It's the number of the bedrooms. The challenge was again, it was not about like wait, we need so much square

Finestone

footage in the house, X amount of square footage, how are we going to do it. Put some in the basement, some in the attic. Really we are not putting the living room, dining room in the basement. We are not putting the kitchen in the basement.

MEMBER HILLER: But bedrooms you could.

MR. MAYERFELD: Bedrooms, yes, we could but it's not the number of bedrooms. The challenge -- the bedrooms challenge was not -- first when we work on plans, first thing we do is work on the first floor. After that it's kind of -- we start like using the first floor, build off of that, and we use that as --

MEMBER HILLER: What's your plans for the attic?

MRS. FINESTONE: We are not finishing them.

MR. FINESTONE: Joseph Finestone, owner of 123 Winchester Place. So as my architects stated, typically we start with the first floor. You know, he came to us and said what are your needs for your first floor, what are

Finestone

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2 your needs for the house, and typically we
3 give him the list of basic needs. That being
4 said, the basic living room, dining room,
5 study, family room, playroom, my parents are
6 of older age, so we made the decision to also
7 have a bedroom on the first floor, which is
8 sort of a decision we are going back and
9 forth.

10 And as we are sort of putting the pieces
11 of the puzzle, they basically came to us and
12 said there is no way we could stay within the
13 constraints of the width of the house without
14 adding toward the square footage, and trust
15 me, every meeting -- you know, and every time
16 I talked to a builder, it's basically price
17 goes up per square foot. There is no way you
18 don't get a bundle deal, and every time we
19 added square footage, please, let's just
20 narrow this down. And essentially every time
21 we kept coming back to the drawing table. It
22 was do you want your hallway to be 4 feet?
23 Typical entry hallway is between 10 and 14.
24 Ours is 10 feet.

25 Our rooms, if you look at the plan, are

Finestone

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2 not of a larger nature. It's just a matter of
3 having the necessities of our first floor. My
4 wife has a large family. We like to have a
5 lot of events. The dining room is one
6 specific characteristic of the house that we
7 wanted to have a little bit larger in size.
8 My wife has ten family siblings. So you know,
9 there is just one or two pieces of the house
10 that were important to us, namely the dining
11 room and having a bedroom on the first floor,
12 which the nature of the property just kept
13 adding to the square footage. So we
14 definitely understand the nature of our
15 request that it is a new construction.

16 Again, just to reiterate, we would have
17 preferred to stay within the confines of the
18 renovation for different reasons as I am sure
19 you would all know, but everyone just said
20 it's just -- you have to be crazy -- excuse my
21 words -- to put in all this money and just
22 stick with the renovation and the guts of the
23 house. All my friends have told me that when
24 we tried to stay within the renovation, the
25 price just escalated three or four times,

Finestone

three or fourfold.

So that being said, we did try to stay within the constraints. We thought new construction would be more financially viable, but that being said, with the width of the property kept sort of -- as we said, kept making us go more square footage of the house and that's really our request is if we can -- I think I heard Chairman Keilson mention -- you know, the last case he said will it be a detriment to the community, and those words were just ringing in my ears. I don't personally feel the detriment to the community. The reason being is because we do live on a very unique block. We are pretty much the only house, if not one other, on the whole block. When you walk out of my front door, you basically see a huge monstrosity, temple, whatever you want to call it. If you want to say maybe just compare it to the village, it's not like our house will be huge and all other houses will be small. It's -- in essence it will be a very comparable to the other houses in the close vicinity.

Finestone

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2 MR. MAYERFELD: I think Mr. Finestone
3 stated it well. In terms of character, it's
4 going to be in complete character in terms of
5 the existing house right now. I don't feel
6 the existing house is out of character, and in
7 fact, the proposed house is going to be a
8 couple of feet narrower than existing
9 condition. It's really just going deep.
10 That's where the variance is, and again, what
11 Mr. Finestone said, you take each one of these
12 rooms, all the rooms on the first floor, add
13 them all up --

14 MEMBER HILLER: Are you aware of the
15 square footage and height of the attic as
16 presently constituted in your plans?

17 MR. MAYERFELD: You want the specific
18 number of the attic?

19 MEMBER HILLER: I know it.

20 CHAIRMAN KEILSON: Why don't you share
21 it?

22 MR. ROTHSCCHILD: Joe Rothschild,
23 designer. If I may add, we didn't even get to
24 that yet. If we are forced to alter it -- we
25 did this three or four times. If there is

Finestone

potentially bedrooms up there, obviously we will have to follow code. Sprinklers, everything.

MEMBER HILLER: I want to just interrupt you for a moment. You want to correct him on the sprinkler issue?

MR. CASTRO: Yes. New York State Building Code said that as long as it's a two-and-a-half-story house, if the attic is habitable, there is only three requirements for that and those are greater than 70 square feet, which it is, greater than or equal to 7 feet in height, and it's within the roof area, then the entire house has to be sprinkler.

MR. ROTHSCHILD: It's almost the full -- based on the roof scale, you are losing probably 5 feet around the perimeter, so it's a decent size. The whole thing is not going to be potentially maybe tall ceilings.

MR. FINESTONE: Just one other point. Mr. Hiller asked the height. My understanding, we are definitely going to be, if not the same, if not or lower than what the house is. It's at 36.

1 Finestone

2 CHAIRMAN KEILSON: Whoa, whoa, whoa.

3 MEMBER HILLER: Not even close. It's --

4 CHAIRMAN KEILSON: Look at the
5 streetscape. House of 36 feet?

6 MR. ROTHSCHILD: Existing house?

7 MR. MAYERFELD: Across the street is
8 more than 36.

9 MR. ROTHSCHILD: We can take the house
10 down.

11 MR. MAYERFELD: We can talk about the
12 attic but the main -- I think the main point
13 we keep going back to is that --

14 CHAIRMAN KEILSON: Can you please answer
15 the question?

16 MR. MAYERFELD: How many square feet?

17 CHAIRMAN KEILSON: No. What was the
18 height of the house, the existing house?

19 MR. MAYERFELD: Existing house? It's
20 under 36.

21 MR. FINESTONE: I think it was 36 from
22 the last meeting we had.

23 MRS. FINESTONE: The initial drawing
24 submitted I think I believe it was 36.

25 MR. CASTRO: Then the drawings are off.

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They are not to scale then.

MR. MAYERFELD: In either case, can I ask where you are going with that?

MEMBER HILLER: Very simply. You are asking new construction for 18 percent overage on building coverage. That is generally not granted. That is a substantial overage. But on top of that, you also have -- whether you finish it now or not, you have prepared two -- well, forget about the basement. You have prepared a large area on the third floor. I wouldn't even call it an attic. The plans show something like 13 feet -- 13 feet of possible ceiling. I believe --

MR. MAYERFELD: It's more to the peak.

MEMBER HILLER: To the peak. I understand. So you have 9 feet, you have 8 feet, you have -- okay. All right. You have substantial -- and you have allowed for that and it was indicated that that's for a future date. Somebody said that so the question comes up, do you really need all this overage on the building coverage when you could use that space and fulfill all your needs?

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MR. MAYERFELD: So the answer to that is
it's a good question, a valid question.

MEMBER HILLER: Thank you.

MR. MAYERFELD: It's not about total
square footage. It's about appropriate square
footage for the first floor. It's about the
-- what's typically on the first floor. And
what's maybe different, not different but
what's maybe atypical is the fact of having a
guest room on the first floor. Otherwise,
like I said, a living room, dining room.
These rooms are typically on the first floor.
We can't put that up in the attic, so if it's
to add a bedroom, it's -- I think they are
going -- in either case they are going to put
a bedroom there because it's important for Mr.
Finestone to have his parents over, and as
they age, the stairs are difficult.

MEMBER HILLER: He looks like a young --

MRS. FINESTONE: They are in their 70s,
my in-laws.

MEMBER HILLER: So am I.

MR. MAYERFELD: So it's -- it's not
about the -- if we make the second floor

Finestone

smaller, it will make the second floor smaller. It's not about -- we could make the second floor if the Board is more comfortable maybe not allowing them to build an entire basement. I mean, again, it's --

MEMBER GOTTLIEB: We have many houses in the village that are 80 foot -- it's not unusual and large enough houses can be built. You mentioned it's unusual to have bedrooms on the first floor. I don't think we have an application that comes before us anymore without a bedroom on the first floor. They are not 10,000 square feet and I am being modest. It looks like we are well over that.

The fact is this is new construction. You are way over on coverage and that's my biggest issue is that, you know, you could still build a beautiful house here that is maybe not quite 3,700 feet but 3,100 feet. When you have new construction -- there is so many things I can tell you. One of the reasons why you have the Zoning Board is there are always lots that are not quite squared, not quite rectangle. We have triangle-shaped

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lots where the zoning doesn't work for anyone. This is the most perfect rectangular lot I have seen before us in quite a while. I won't comment on the applicant's reference to Temple Israel as a monstrosity. I think that's the first time I ever heard that in my 37 years living in the village.

MR. FINESTONE: I didn't mean that in a derogatory --

MRS. FINESTONE: It's a pretty monstrosity.

MR. MAYERFELD: I think he meant the character of size.

MEMBER MOSKOWITZ: It's not a block that has only houses on it, but there is a very large nonresidential building on the same block, so that should be taken into account for purposes of whether the proposed construction is adjusting the character of the block when you have this very large nonresidential structure on the block. That's how I interpreted it.

MR. ROTHSCHILD: If I may add, the lot is pretty long, which means we -- over 12,000

Finestone

square feet, which gives us more stringent setbacks over total overall square footage.

MR. CASTRO: Puts you in a higher category.

MR. ROTHSCHILD: Right. That's makes the house even more narrow, and if the house was wider, as Stanley was saying earlier, then the house could be --

MR. MAYERFELD: It's the house width which is a byproduct of the zoning which we are in the higher zone which we are required to have a total of 35 feet.

MR. ROTHSCHILD: I mean, the whole overage is practically in the hallway.

MR. MAYERFELD: It's all in that hallway. I mean, we could slim down the hallway. I wouldn't want to do -- even let's say a 5-foot hallway. That's a very, very -- that's like a bowling alley. It's a shaft-type space, but if we could bring down the total coverage by adjusting that hallway space, we bring it down to 18 percent. It's a very high number but it's 500 -- 500 and change. Six hundred square feet. 565. I

Finestone

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2 mean, we could take down that hallway, maybe
3 slim down some of the rooms, and maybe bring
4 it down to 17 percent. Sixteen and a half
5 percent.

6 MEMBER HILLER: You are about double
7 what -- when we are feeling munificent what we
8 allow.

9 MR. MAYERFELD: Because if you take it
10 down, maybe it sounds like a small percentage
11 difference, but if I took off 13 percent off
12 the overage, then that would -- I think that's
13 something to work with. But again, the main
14 -- the main point is this whole -- the reason
15 why we are here tonight is because they feel
16 like it's them and their neighbor because even
17 the other house, the other neighbor is
18 fronting the main street. They got this other
19 big nonresidential big parking lot, big
20 situation, unknown future in front of them.

21 It's a one-way street. They feel like
22 they are on a little island and they are
23 trying to make this house but they still want
24 to live here. They love the neighborhood and
25 they are trying their best to make this --

Finestone

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2 they have six rooms on the first floor and
3 they are trying to get best how do we get the
4 six rooms on the first floor. And the rooms
5 are not oversized, but again, having to go
6 deep, it's really just, you know, pushing the
7 house deep that's requiring -- we did the
8 square foot overage. All the overage is right
9 in the hallway.

10 MR. CASTRO: You show a detached garage.
11 Was there any thought to attaching that garage
12 to the house?

13 MR. MAYERFELD: We would -- ideally that
14 would be great, but as you know, that's going
15 to go ahead -- we are so tight to begin with,
16 and that's going to be a yard issue again.

17 MR. ROTHSCHILD: And that's also
18 coverage required.

19 MR. MAYERFELD: The coverage has already
20 been included in that.

21 MR. CASTRO: I mean like incorporating
22 it into the first floor plans somehow.

23 MR. ROTHSCHILD: We can't because of the
24 setback. It goes way back. If it's attached,
25 then you are really not complying.

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MR. MAYERFELD: You are going to have garage, room like vestibule, and then one room on the side. It's going to be even deeper.

CHAIRMAN KEILSON: I think the issue we have here --

MR. MAYERFELD: I don't know if the Board -- I have seen this done on other boards. You mentioned the garage. Would the Board consider having -- limiting the requirement to provide a garage because that would be the overage right there.

MR. ROTHSCHILD: That's a decent amount of square footage. So I am thinking two-car garage, it would take down the overage by a significant amount and that plus slimming down --

MEMBER HILLER: So let's hear what would that constitute.

MR. MAYERFELD: I mean, that would bring down --

MEMBER HILLER: We can't eliminate the garage because you have a one-car garage.

MR. MAYERFELD: Just thinking different ideas like where would be the best place.

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MEMBER GOTTLIEB: So in the village's generous wisdom, they reduced the two-car garage to one garage. That's all making it easier for you as the architect to meet coverage.

MEMBER MOSKOWITZ: Let me just ask a question. Have the neighbors been consulted?

MR. MAYERFELD: Yes. Thank you.

MRS. FINESTONE: We have letters from the neighbors.

MR. MAYERFELD: The neighbors have been consulted and looking obviously at the immediate neighbors, everybody speaks to full support.

CHAIRMAN KEILSON: We recognize there is a law of reciprocity in the village, so although we are not minimizing the importance of the neighbors approving it, but at the same time, there are zoning regulations. If every neighbor agreed to let waive all the zoning regulations, why not.

MR. MAYERFELD: I understand.

CHAIRMAN KEILSON: So we have a problem here, and it's not our job to figure out how

Finestone

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2 to reconfigure the house so that you can come
3 within some reasonable facsimile of the zoning
4 regulation. And it's -- you have some
5 significant problems here, and I am not sure
6 that we can do it standing on one leg right
7 now, just trying to figure out how to make it
8 more palatable. That's a problem. The whole
9 purpose of the new zoning regulations was
10 because in the post-Sandy era, we were
11 concerned about coverage, and this is exactly
12 what we are doing here. We are doing it all
13 over again.

14 MR. MAYERFELD: In terms of the
15 post-Sandy in terms of coverage?

16 MEMBER HILLER: That's why they allowed
17 the height to be 36 feet so that you can get
18 some of the room you need. As far as
19 bedrooms, I understand you are not putting the
20 kitchen in the attic. You said that before.
21 Maybe in Spring Valley that passes, but here
22 it doesn't run.

23 MR. FINESTONE: Sorry. If I can go
24 ahead?

25 MEMBER HILLER: Sorry. That's all

Finestone

right. That's why we allowed the extra height and you are taking full advantage.

MR. MAYERFELD: I think it was suggested to have the house lower. I don't mind bringing the house lower. I am happy to bring it down.

MR. FINESTONE: Can I just make one point? I think Mr. Keilson mentioned in terms of Sandy and the new regulations, and from my research and understanding, our property is at the highest point of Lawrence currently. We did a boring test in terms of the whole village itself. From my understanding, it's literally the highest point of Lawrence, and my understanding if my house is under water, then we have a much bigger issue. So just that being said --

MEMBER HILLER: But we can't have regulations where we go house by house.

MR. FINESTONE: I understand.

MR. MAYERFELD: But we can put in a dry well if we have runoff.

MEMBER HILLER: I think you have to revisit this.

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MR. MAYERFELD: All right. I am just looking for the Board -- because we have spent a -- the question is -- we don't want to just like spinning wheels and keep coming back.

MEMBER GOTTLIEB: Well, the interesting thing to do is build it by right.

MR. ROTHSCHILD: The challenge here is the long lot. If they grant us the -- less than the 12,000 square feet 20, we could bring it back down, wider setback. It would be a lot easier. Square footage would actually come down, but the setbacks would be wider. That alone is a push in the right direction.

MEMBER GOTTLIEB: So let me see if I understand what you are saying. That if we going to page A-1, if you will, on the top. So the existing property is 13,200, and because of the shape of the lot, it's 165 deep. If your lot was only 150 deep, for example, would you be able to build more? Is that what you are suggesting?

MR. ROTHSCHILD: Now build less but wider. They don't want to go that far back. They want a rear yard.

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MR. MAYERFELD: I think, Joe, what you are suggesting if you go by the C-1 side yard --

MR. ROTHSCCHILD: It would be side yard.

MR. MAYERFELD: It would be 10 and 25 as opposed to the 35 requirement. You stick with the C-1 requirement which the zone is in, that would make it -- that would make things a lot easier and then that --

MEMBER GOTTLIEB: If this was C-1, what would the side yards be?

MR. MAYERFELD: Ten and 25.

MR. ROTHSCCHILD: No. An aggregate of.

MR. MAYERFELD: Total 25.

MEMBER GOTTLIEB: Ten-foot minimum, 25 aggregate.

MEMBER FELDER: They gain 10 feet.

MR. ROTHSCCHILD: Which is huge.

MR. MAYERFELD: We believe that would bring down the square footage.

MEMBER FELDER: Then you build it wider, not as deep.

MR. MAYERFELD: We keep circling back to the same issue.

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MEMBER GOTTLIEB: Would you have room
for the garage?

MR. ROTHSCHILD: The garage would be
detached and off to the side.

MR. MAYERFELD: We would have the garage
comply.

MR. ROTHSCHILD: Yes. It could be
detached and as close as 4 feet in C-1, which
is the zone we are obviously in.

MR. CASTRO: The only way you would be
able to comply with that is if you would have
to lose over 4,000 square feet on your lot.

MR. MAYERFELD: To keep the square
footage, but look at it, just give the
requirement of a C-1.

CHAIRMAN KEILSON: Make believe.

MR. MAYERFELD: A C-1 zone. If you
drive down the block, you don't see the depth.
You see the width of the house and that's C-1.

MR. ROTHSCHILD: Center hallways.

MR. CASTRO: Generally C-1 district
properties.

MR. MAYERFELD: And it would still
require obviously a variance, but maybe it

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would be a different type of variance.

(Discussion off the record.)

CHAIRMAN KEILSON: Okay. We are back on the record, gentlemen. I think that there is a certain empathy on the part of the Board to try to facilitate what you are trying to achieve, and we are not averse to considering it as a C-1 with the type of side yard that we are speaking of. It's not something we can do tonight. It's something that you have to come back, take into consideration everything you heard tonight, dropping the height, and then we can see what we can do to mitigate or eliminate some of what we consider to be egregious numbers.

MR. MAYERFELD: Thank you. I appreciate the Board considering this, and I am sure we can bring down the square footage. I am confident.

MEMBER GOTTLIEB: You were being penalized for having extra depth and your neighbors don't necessarily do, so if you are in a C-1 district and you can make the envelope work in C-1, I think we can be a

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2 little relaxed on the side yard setback, which
3 will give you what you want. It will be a
4 little bit shorter and wider. Probably cost
5 you much less to build perhaps, so if that's
6 okay with you, we usually don't make
7 recommendations. It's a little bit odd that
8 we have done this, but that's what the Zoning
9 Board is for. We listen to situations that
10 are unusual.

11 MR. MAYERFELD: Okay. Thank you.

12 MEMBER GOTTLIEB: Even if it's a perfect
13 rectangle.

14 MRS. FINESTONE: I don't want a perfect
15 rectangle.

16 CHAIRMAN KEILSON: So we will adjourn.
17 Work the plans, see what we come up with.
18 Stay in touch with Mr. Castro, okay?

19 MR. MAYERFELD: On the next submission,
20 do you want to see an attic plan
21 Mrs. Finestone is asking?

22 MRS. FINESTONE: Is there a specific
23 height that you would rather us lower the
24 height of the house?

25 CHAIRMAN KEILSON: That's a given.

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Otherwise, we are afraid what it will look like.

MEMBER FELDER: If it's too high and too wide, it will be monstrous.

MEMBER GOTTLIEB: You don't have to eliminate the attic.

MEMBER HILLER: Attic plan, basement plan would be nice.

MR. ROTHSCHILD: So the whole footprint is changed.

CHAIRMAN KEILSON: Thank you so much.
Motion to adjourn? We are adjourned.

(Whereupon the hearing concluded at 8:36 p.m.)

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



YAFFA KAPLAN

Court Reporter