1		Marx - 1/17/2024
2	INCORPO	DRATED VILLAGE OF LAWRENCE
3		BOARD OF APPEALS
4		
5 6		Village Hall 196 Central Avenue Lawrence, New York
7		January 17, 2024 7:32 p.m.
8	APPLICATION:	Marx
9		5 Keewaydin Road Lawrence, New York
10	PRESENT:	
11		MR. LLOYD KEILSON Chairman
12 13		MR. EDWARD GOTTLIEB Member
14		MR. PHILIP KERSTEIN Member
15		MR. DANIEL HILLER
16		Member
17		MS. SYMA DIAMOND Member
18		MR. ANDREW K. PRESTON, ESQ.
19		Village Attorney
20		MR. DANNY VACCHIO Building Department
21		-
22		Yaffa Kaplan Court Reporter
23	*	
24		
25		

1	Marx - 1/17/2024
2	CHAIRMAN KEILSON: Good evening, ladies
3	and gentlemen. Welcome to the Lawrence Board
4	of Zoning Appeals. Please turn off
5	cellphones, and if there is need to speak,
6	please do it within the lobby outside. Thank
7	you very much.
8	Thank you for coming out in this
9	beautiful weather. All right. Danny, proof
10	of posting?
11	MR. VACCHIO: Chairman, I offer proof of
12	posting and publication.
13	CHAIRMAN KEILSON: Thank you very much.
14	Okay. There is a request for an
15	extension on David Marx and Gila Marx. Wow.
16	They are seeking an extension of how long?
17	MR. VACCHIO: One month.
18	CHAIRMAN KEILSON: One month?
19	MR. VACCHIO: That's all they need.
20	They will probably be ready next week.
21	CHAIRMAN KEILSON: Why don't we give
22	them three months?
23	MEMBER GOTTLIEB: What's the address?
24	CHAIRMAN KEILSON: That's the one on
25	Keewaydin. The Board okay with it?

1	Marx - 1/17/2024
2	MEMBER KERSTEIN: Yes.
3	CHAIRMAN KEILSON: Okay.
4	(Whereupon the hearing concluded at 7:33
5	p.m.)
6	***************
7	Certified that the foregoing is a true and accurate
8	transcript of the original stenographic minutes in
9	this case.
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11	YAFFA KAPLAN
12	Court Reporter
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1		Fein - 1/17/2024
2	INCORPO	ORATED VILLAGE OF LAWRENCE
3		BOARD OF APPEALS
4		
5		Village Hall 196 Central Avenue
6		Lawrence, New York
7		January 17, 2024 7:33 p.m.
9	APPLICATION:	Fein 30 Muriel Avenue Lawrence, New York
10		Hawlence, New 101%
11	PRESENT:	MR. LLOYD KEILSON Chairman
12 13		MR. EDWARD GOTTLIEB Member
14		MR. PHILIP KERSTEIN Member
15 16		MR. DANIEL HILLER Member
17		MS. SYMA DIAMOND Member
18		MR. ANDREW K. PRESTON, ESQ.
19		Village Attorney
20		MR. DANNY VACCHIO Building Department
21		Yaffa Kaplan
22		Court Reporter
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1	Fein - 1/17/2024
2	CHAIRMAN KEILSON: First matter this
3	evening is Fein of 30 Muriel Avenue in
4	Lawrence. They or their representative,
5	please.
6	MR. WECHSLER: Good evening. Hello, how
7	are you?
8	CHAIRMAN KEILSON: Fantastic. You are
9	on.
10	MR. WECHSLER: Scott Wechsler, Swim King
11	Pools. We are here to ask for a change of
12	elevation for a swimming pool and patio.
13	MEMBER HILLER: And
14	MR. WECHSLER: As well as the equipment
15	encroaching onto the rear setback.
16	CHAIRMAN KEILSON: How about the pool
17	itself? Isn't there encroachment on the pool?
18	MR. WECHSLER: No. We moved it.
19	MEMBER KERSTEIN: It hasn't been revised
20	in what we have seen.
21	MR. WECHSLER: All the plans are
22	updated.
23	MEMBER GOTTLIEB: I am looking at the
24	plans. It's proposed 16 feet and it's 4 feet
25	over.

1	Fein - 1/17/2024
2	MR. WECHSLER: We had moved that to 20.
3	MEMBER GOTTLIEB: Was it moved recently?
4	MEMBER KERSTEIN: We haven't seen that.
5	MR. FEIN: I looked at the plans.
6	Joseph Fein. Apologize.
7	MR. VACCHIO: There is a change on the
8	plan.
9	MEMBER KERSTEIN: The code relief
10	doesn't show that.
11	MR. VACCHIO: I don't have this. This
12	came with the package. What I have is 16.
13	MEMBER HILLER: But we agree now it's
14	20.
15	MR. VACCHIO: I am looking at the plan
16	now.
17	MEMBER GOTTLIEB: I am very happy that's
18	been removed. So how many do we have left?
19	MEMBER KERSTEIN: So the equipment and
20	the
21	MR. WECHSLER: The equipment is being
22	tucked right there. There is a generator
23	there, so the equipment is kind of just going
24	to be in the utility area.
25	MEMBER KERSTEIN: That's problematic.

1	Fein - 1/17/2024
2	There is really no reason not to have the
3	equipment 20 feet from the rear yard.
4	MEMBER HILLER: Fifteen. It's a
5	requirement.
6	MEMBER KERSTEIN: Twenty. It's the rear
7	yard.
8	MR. FEIN: But it is blocked off. There
9	is a generator.
10	MEMBER KERSTEIN: It's not the site of
11	the equipment; it's the noise that the
12	equipment generates. That's the reason for
13	it, my understanding.
14	MR. WECHSLER: We have flexibility with
15	that if we need to move it 4 feet.
16	MR. FEIN: Fair enough. I don't want to
17	cause a problem for my neighbors, so we will
18	move it to be in compliance. We don't need
19	that variance.
20	MEMBER GOTTLIEB: So now we have taken
21	out two variances.
22	CHAIRMAN KEILSON: One to go.
23	MEMBER GOTTLIEB: Without even taking a
24	breath. So now we are up to elevation of a
25	foot point roughly 1 and a half feet.

1	Fein - 1/17/2024
2	MR. WECHSLER: About 18 inches, yeah.
3	MEMBER GOTTLIEB: Can you tell us why
4	this needs to be?
5	MR. WECHSLER: Water table mainly. To
6	get it up out of the water table.
7	MEMBER HILLER: How deep is the pool?
8	MR. WECHSLER: We are going to stay of
9	the water completely, so we are trying to get
10	five, but it may be a little less. We are not
11	going to be doing any kind of dewatering.
12	MEMBER HILLER: I was happy to discover
13	that there is a retaining wall around the
14	entire property.
15	MR. WECHSLER: Yes and lots of drainage
16	in between the walls we are putting in and
17	that wall with dry wells and leaching field.
18	MEMBER GOTTLIEB: Is the entire yard
19	going to be increased by a foot and a half or
20	just a sloping section?
21	MR. WECHSLER: Just there is a wall
22	right around the patio, and everything else is
23	planted and lawn.
24	MEMBER GOTTLIEB: You are going to be
25	planting trees around the perimeter?

1	Fein - 1/17/2024
2	MR. WECHSLER: Yes.
3	MEMBER KERSTEIN: And the patio, you are
4	raising the ground level for both the patio
5	and the pool?
6	MR. WECHSLER: Correct. The wall is on
7	the outside. The wall is on the outside.
8	MEMBER KERSTEIN: That's only for
9	clarification.
10	MEMBER GOTTLIEB: So typically the
11	reason why we don't want the increase is for
12	runoff to the neighbors. And you have
13	premitigated that by putting in this retaining
14	wall.
15	MR. WECHSLER: Yes.
16	MR. FEIN: That's 3 feet below ground.
17	CHAIRMAN KEILSON: Neighbors have
18	approved?
19	MR. FEIN: We have letters of support
20	from all the neighbors that are nonaffected.
21	CHAIRMAN KEILSON: Can you recuse
22	yourself?
23	MEMBER KERSTEIN: I am recusing myself.
24	I am one of the neighbors.
25	CHAIRMAN KEILSON: Most affected.

1	Fein - 1/17/2024
2	MEMBER KERSTEIN: Not the most but one
3	of them.
4	MR. WECHSLER: Letters.
5	MR. PRESTON: Three letters of support,
6	Chairman.
7	(Exhibit A, Letters of support, marked
8	for identification, as of this date.)
9	CHAIRMAN KEILSON: Okay. Thank you very
10	much.
11	MEMBER HILLER: Can I see the names?
12	MEMBER GOTTLIEB: Mr. Fein, you were
13	here a number of years ago for your first
14	variance. When was that?
15	MR. FEIN: 2010.
16	MEMBER GOTTLIEB: I have been on the
17	Board way too long. And you did a beautiful
18	job with your house. It's just
19	MR. FEIN: I appreciate that.
20	MEMBER GOTTLIEB: I remember the old
21	house, and you really kept it very similar.
22	MR. FEIN: It was a restoration.
23	MEMBER HILLER: First of all, I have
24	appreciation for the fact that you have
25	consideration for your neighbors and moved the

1	Fein - 1/17/2024
2	pool and equipment to the proper place on the
3	property and Mazel Tov on your daughter's
4	wedding.
5	MR. FEIN: Thank you. Appreciate that.
6	MEMBER HILLER: And he is missing Sheva
7	Brachos tonight to be here.
8	MR. FEIN: I am not missing; I am
9	heading. Thank you all for your courtesy.
10	MEMBER GOTTLIEB: Let's move this Board
11	forward.
12	CHAIRMAN KEILSON: Any questions from
13	the Board? Anybody from the audience want to
14	comment or question? Taking into
15	consideration the benefit to the applicant as
16	opposed to any detriment to the community or
17	similar, we are going to have a vote. Syma
18	Diamond?
19	MEMBER DIAMOND: For.
20	CHAIRMAN KEILSON: Mr. Gottlieb?
21	MEMBER GOTTLIEB: For. And get yourself
22	to the Sheva Brachos.
23	CHAIRMAN KEILSON: Mr. Hiller?
24	MEMBER HILLER: For.
25	CHAIRMAN KEILSON: And I vote for.

1	Fein - 1/17/2024
2	MR. FEIN: I appreciate the courtesy.
3	MR. VACCHIO: How much time do you need?
4	Do you need a year? Two years?
5	MR. WECHSLER: Oh, no.
6	CHAIRMAN KEILSON: Say a year and a half
7	just to cover yourself. A year and a half.
8	MR. WECHSLER: A couple of months we
9	will be done.
10	CHAIRMAN KEILSON: A year and a half.
11	(Whereupon the hearing concluded at 7:40
12	p.m.)
13	***************
14	Certified that the foregoing is a true and accurate
15	transcript of the original stenographic minutes in
16	this case.
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18	YAFFA KAPLAN
19	Court Reporter
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1		Fein - 1/17/	2024	
2		EXHIBITS		
3	EXHIBIT			FOR ID.
4	Exhibit A	Letters of	support	10
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1		Katz - 1/17/2024
2	INCOR	PORATED VILLAGE OF LAWRENCE
3		BOARD OF APPEALS
4		
5		Village Hall 196 Central Avenue Lawrence, New York
7		January 17, 2024 7:40 p.m.
9	APPLICATION:	Katz 126 Rand Place Lawrence, New York
10 11	PRESENT:	MR. LLOYD KEILSON
12		Chairman
13		MR. EDWARD GOTTLIEB Member
14		MR. PHILIP KERSTEIN Member
15 16		MR. DANIEL HILLER Member
17		MS. SYMA DIAMOND Member
18 19		MR. ANDREW K. PRESTON, ESQ. Village Attorney
20		MR. DANNY VACCHIO
21		Building Department
22		Yaffa Kaplan Court Reporter
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1	Katz - 1/17/2024
2	CHAIRMAN KEILSON: Katz on Rand Place,
3	126 Rand Place, they or their representative.
4	Okay. You are on.
5	MR. NEUWIRTH: Good evening. My name is
6	Sam Neuwirth. I am here representing Mr. And
7	Mrs. Maxwell Katz, the owner of 126 Rand
8	Place. The Katz family is a young, growing
9	family. They actually got a Mazel Tov last
LO	night. They had a baby girl.
11	CHAIRMAN KEILSON: Wow. A wedding and
12	birth? What's next?
13	MR. NEUWIRTH: Simchas in Lawrence. So
L 4	they are pretty much maxed out of their house,
L5	and they need more space. So we are looking
16	to go for a second story over the existing
L7	one-story house. We are not adding any
L8	building coverage or surface coverage. We are
L9	not proposing any new building or surface
20	coverage. We are asking for a variance for
21	rear yard, side yard, aggregate, and setback
22	ratios.
23	CHAIRMAN KEILSON: Well, let's go
24	through the template. Front yard setback is

going to be the same as existing.

1	Katz - 1/17/2024
2	MR. NEUWIRTH: Not changing.
3	CHAIRMAN KEILSON: Side yard setback
4	also not changing.
5	MEMBER GOTTLIEB: No change.
6	CHAIRMAN KEILSON: Aggregate setback, no
7	change. Rear yard setback, no change.
8	MR. NEUWIRTH: It still requires a
9	variance because we are building a second
10	story.
11	CHAIRMAN KEILSON: Understood.
12	MEMBER GOTTLIEB: We understand why you
13	have to be here. The chairman is being
14	generous by making it easy to go through these
15	things and indicate that there is really no
16	changes.
17	CHAIRMAN KEILSON: We want you to earn
18	your fee.
19	MEMBER GOTTLIEB: And the last one is
20	the front yard ratio which is .03.
21	CHAIRMAN KEILSON: Yes.
22	MEMBER HILLER: We also noted that the
23	expansion is in keeping with the rest of the
24	block pretty much. Like the houses on the
25	block will now have a new neighbor that

1	Katz - 1/17/2024
2	appears to fit in.
3	MEMBER KERSTEIN: Part of the block.
4	CHAIRMAN KEILSON: Do we have any
5	letters of support from neighbors?
6	MR. KATZ: No.
7	MEMBER GOTTLIEB: Did you speak to Mr.
8	Biderman?
9	MR. KATZ: We spoke to them on a
10	personal level. They said their support for
11	the project.
12	CHAIRMAN KEILSON: Okay. That's good.
13	MEMBER GOTTLIEB: That's the most
14	affected neighbor.
15	CHAIRMAN KEILSON: Mr. Marx also is in
16	support?
17	MR. KATZ: He is not aware but he will
18	find out.
19	CHAIRMAN KEILSON: All right. Any
20	questions or comments from the audience? No
21	So taking into consideration the benefit to
22	the applicant as opposed to any detriment to
23	the community, we are going to vote. Mr.
24	Kerstein?
25	MEMBER KERSTEIN: For.

1	Katz - 1/17/2024
2	CHAIRMAN KEILSON: Mr. Hiller?
3	MEMBER HILLER: For.
4	CHAIRMAN KEILSON: Mr. Gottlieb?
5	MEMBER GOTTLIEB: For.
6	CHAIRMAN KEILSON: Ms. Diamond?
7	MEMBER DIAMOND: For.
8	CHAIRMAN KEILSON: Okay. And I vote for.
9	So what should we give you? Two years just to
10	be safe?
11	MR. NEUWIRTH: Two years sounds good.
12	CHAIRMAN KEILSON: Board of Building
13	Design?
14	MR. NEUWIRTH: Can we discuss it
15	afterwards? We are keeping everything the
16	same.
17	MR. VACCHIO: Keep it the same style. I
18	am not the Board of Building Design, but I
19	would think
20	MR. NEUWIRTH: I spoke to Nico. He said
21	we don't need to.
22	CHAIRMAN KEILSON: To be determined.
23	MR. VACCHIO: How much time are we going
24	to do?
25	MR. NEUWIRTH: Let's say two years.

1	Katz - 1/17/2024
2	CHAIRMAN KEILSON: We don't want to
3	MR. VACCHIO: I think for the record we
4	should send them to the Board of Building
5	Design.
6	CHAIRMAN KEILSON: For the record.
7	MR. VACCHIO: I know it's going to be
8	the same style, but the Board has to make that
9	decision.
10	MR. NEUWIRTH: Because they have a baby,
11	which is a month's time.
12	CHAIRMAN KEILSON: Can we leave it
13	subject to discussion?
14	MR. VACCHIO: How about we can get
15	started. Prior to front finishing, let's
16	bring it to the Board of Building Design.
17	MEMBER GOTTLIEB: If the project is
18	going to take up to two years
19	MR. NEUWIRTH: They want to start next
20	week already. They already ordered material.
21	(Discussion off the record.)
22	MR. PRESTON: Chairman, since the
23	proposed project changes the appearance of the
24	house from the street, the matter should be
25	referred to the BBD.

1	Katz - 1/17/2024
2	CHAIRMAN KEILSON: All right. We just
3	went to the higher authority.
4	MR. VACCHIO: Board of Building Design.
5	MEMBER GOTTLIEB: It's the right thing
6	to do.
7	MR. NEUWIRTH: Okay. Can't argue.
8	MEMBER GOTTLIEB: It's been approved?
9	CHAIRMAN KEILSON: Yes, approved. Thank
10	you so much.
11	CHAIRMAN KEILSON: So let's go on the
12	record in terms of how long.
13	MR. VACCHIO: Two and a half years?
14	CHAIRMAN KEILSON: Two and a half years.
15	Thank you so much.
16	(Whereupon the hearing concluded at 7:45
17	p.m.)
18	***************
19	Certified that the foregoing is a true and accurate
20	transcript of the original stenographic minutes in
21	this case.
22	
23	YAFFA KAPLAN
24	Court Reporter
25	

1	Мс	oret - 1/17/2024
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3	INCORPORA	TED VILLAGE OF LAWRENCE
4	В	OARD OF APPEALS
5		
6		Village Hall 196 Central Avenue
7		Lawrence, New York
8		January 17, 2024 7:45 p.m.
9	APPLICATION:	Moret
10		210 Beach 2nd Street Lawrence, New York
11	PRESENT:	
12		MR. LLOYD KEILSON Chairman
13		MR. EDWARD GOTTLIEB
14		Member
15		MR. PHILIP KERSTEIN Member
16		MR. DANIEL HILLER
17		Member
18		MS. SYMA DIAMOND Member
19		MR. ANDREW K. PRESTON, ESQ.
20		Village Attorney
21		MR. DANNY VACCHIO Building Department
22		Yaffa Kaplan
23		Court Reporter
24		
25		

1	Moret - 1/17/2024
2	CHAIRMAN KEILSON: Okay, Moret LLC, 210
3	Beach 2nd. They or their representative.
4	Please no conversations.
5	Okay. We are ready?
6	MR. BROWNE: Good evening. Christian
7	Browne, McLaughlin & Stern, 1122 Franklin
8	Avenue, Garden City, for the applicant. Mr.
9	Capobianco is here as well, the architect on
10	the project. You want to put your name and
11	address on the
12	MR. PINCHASOV: Daniel Pinchasov, 391
13	Fifth Avenue.
14	MR. BROWNE: Mr. Pinchasov is the new
15	developer of this site. This is the Beach 2nd
16	Street site and in the Residence K district.
17	I think this is the third time that we have
18	been here.
19	CHAIRMAN KEILSON: You are correct.
20	MR. BROWNE: You have approved two other
21	very similar iterations of this project. It
22	is still owned in fee by Moret LLC which is
23	now which had previously been in contract
24	or under an arrangement to develop it with a

different developer who is no longer in the

picture, which brings us to Daniel who is the new developer. He is the contract vendee on the project now.

If this is approved, he will close on the project, purchase it, and hopefully this project will finally be built. It is similar to what you have seen before, although this project proposes within the same footprint to have four attached buildings, essentially that function as two-family homes that are attached. Before it was only four units, now it will be eight units, one downstairs and one upstairs in each of the four properties with parking underneath. So it's compliant for parking, it's compliant for height.

The setbacks are I believe exactly the same as they were that you previously approved. I can go through those briefly, and then there is this density requirement, this strange density requirement in Residence K which requires a minimum density of 50 units so we are actually coming closer to that because before we were at four, now we are at eight.

1	Moret - 1/17/2024
2	So we need similar relief. We need
3	relief from the density, we need from relief
4	from the side yard, and we need relief from
5	the rear yard. The rear yard is required to
6	be 15. It's 10 to the building and 6 and a
7	half to the balcony.
8	MR. CAPOBIANCO: Correct.
9	MR. BROWNE: That was the same as it was
10	before, and then there is one side yard on the
11	north side that's noncompliant where we are
12	also required to have 10, and we have 6.12 at
13	its shortest point.
14	MR. CAPOBIANCO: Correct.
15	MR. BROWNE: That's where the property
16	narrows again towards the water. There is
17	nobody on the north side. That's where it
18	goes to the water, and there is a drainage
19	area that's adjacent to the water.
20	MR. CAPOBIANCO: Correct. It's made the
21	drainage a challenge.
22	MR. BROWNE: So as you know, there has
23	been a lot of problems logistically and from
2 4	an engineering perspective to develop the

project. It was stymied because they were

unable to connect to the sewer line on the
Nassau County side of the border, but as you
probably recall, the Moret, the owner who
purchased the property behind, Moret will
retain that property, and Daniel's entity,
which will close, will have an easement to run
the line behind the property and connect into
the sewer in Queens and that's already been
approved so the property can be developed now.

MEMBER GOTTLIEB: You mentioned an awful lot in this short speech. The owner is not here, which is Moret LLC, but the contractor vendee is here who will be the new developer?

MR. BROWNE: Correct.

MEMBER GOTTLIEB: Moret is not relinquishing or giving them the space on the New York City side that has the easement; it's going to be maintained by the current owner?

MR. BROWNE: Moret -- my understanding is that Moret, that entity has title to the Queens parcel. It will retain title, but as a part of the closing, this property will receive an easement through so that they can run the line into the Queens sewer.

1	Moret - 1/17/2024
2	MEMBER GOTTLIEB: So the contract vendee
3	is not buying the entire property owned by
4	Moret; they are buying only the property in
5	Lawrence?
6	MR. BROWNE: The second parcel is
7	separately owned I am told, but yes, they are
8	only buying the property that's in Lawrence,
9	not the Queens property.
10	MEMBER GOTTLIEB: I do recall the first
11	two applications that were approved. The last
12	was for four families.
13	MR. BROWNE: Correct.
14	MEMBER GOTTLIEB: Now we are eight
15	families.
16	MR. BROWNE: Correct.
17	MEMBER GOTTLIEB: Now, I know you are
18	saying you are closer to 50. That's just a
19	technicality because the village did not want
20	small multifamily units within the village but
21	you doubled the density now. Have you doubled
22	the parking?
23	MR. BROWNE: There are a total of 12
24	spaces.

MR. CAPOBIANCO: Correct.

1	Moret - 1/17/2024
2	MR. BROWNE: That are underneath the
3	building that complies with the code. I
4	believe it's two spaces over the minimum
. 5	requirement.
6	MEMBER GOTTLIEB: One per unit.
7	MR. BROWNE: One and a half per unit.
8	MR. CAPOBIANCO: It's going to be
9	actually four units for sale, not eight units
10	that can be sold. It's really four attached
11	two-families, and it's very possible that a
12	buyer might want the whole thing for a
13	one-family. Very possible. Of course, they
14	are not that big.
15	MEMBER GOTTLIEB: So if they are sold,
16	they might be sold as a one-family.
17	MR. CAPOBIANCO: Correct. Sold as a
18	one-family, attached two units.
19	MR. BROWNE: Right now it's one lot
20	obviously, and in order for it to sell, we
21	would have to complete a subdivision.
22	MR. CAPOBIANCO: We would do a fee
23	simple sale, not a condo or not a co-op. Fee
24	simple party wall lot line, so the two end

units get the property on the sides, and the

1	Moret - 1/17/2024
2	two middle units have access to their yard
3	through the garage.
4	MEMBER GOTTLIEB: Would that have to go
5	before the Board for the subdivision?
6	MR. BROWNE: Yes. It would have to go
7	before the Planning Board where it was at one
8	iteration. It was before the Planning Board
9	and it was approved.
10	MEMBER GOTTLIEB: Just like it was here.
11	MR. BROWNE: The first one went here and
12	to the Planning Board. Then it was
13	reconceptualized to be a rental property, came
14	back here, and now it's being reconceptualized
15	to the goal is to do a subdivision to sell
16	them as owner-occupied one- or two-family
17	homes.
18	CHAIRMAN KEILSON: Do you know what
19	pricing you would be marketing it at? Not
20	that it's relevant. Not yet.
21	MR. PINCHASOV: Well, when we get there,
22	we will cross that bridge.
23	CHAIRMAN KEILSON: I am sure you have ar
24	idea simply because you wouldn't undertake an
25	investment unless you have a sense it's

1	Moret - 1/17/2024
2	marketable.
3	MR. PINCHASOV: Hopefully one and a
4	half.
5	CHAIRMAN KEILSON: Are you asking me?
6	MR. PINCHASOV: That's the goal.
7	CHAIRMAN KEILSON: I thought it was a
8	question mark at the end of the statement.
9	MEMBER GOTTLIEB: So I guess we are
10	looking at a 6-million-dollar overall project.
11	MR. BROWNE: Is that a fair estimate
12	sale?
13	MR. PINCHASOV: Sale price.
14	MEMBER GOTTLIEB: The overall project.
15	The value of the project after it's all
16	complete, purchasers and soft costs.
17	MR. BROWNE: So the variance here you
18	already approved it, fairly minor. Hopefully
19	it will allow the property to go forward.
20	MEMBER GOTTLIEB: Well, you never know.
21	CHAIRMAN KEILSON: I think there is a
22	limit of three opportunities.
23	MR. BROWNE: I won't be sorry if this is
24	the last one.
25	CHAIRMAN KEILSON: Any further questions

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1	Moret - 1/17/2024
2	from the Board? Okay. We have a lot of
3	people present. Are there any questions from
4	the neighbors and the
5	MR. KAPELOWITZ: We would love to see
6	this develop. David Kapelowitz. I live
7	around the corner. This property has been an
8	eyesore for the last 20 years. So we would
9	love to see something happen to it.
10	CHAIRMAN KEILSON: Before that it was
11	Eddy's Marina. It wasn't an eyesore then.
12	MR. PINCHASOV: There was a Matzah
13	factory at one point.
14	MR. BRENKE: Eric Brenke. I am next
15	door, 200 Beach 2nd, but technically it's 200
16	Doughty Boulevard. Yes. I mean, we have
17	showed up to every variance here wanting the
18	property to be developed. You know, it's
19	still an eyesore at nighttime. You know, you
20	have the Rockapoco come over to the other side
21	and they litter, I mean, every single night.
22	It doesn't matter if you go out there and
23	clean it all up. It's like they dump so much
24	garbage. Guys coming, they park there, and

they just -- I mean, the street like -- so

1	Moret - 1/17/2024
2	hopefully if I mean, I want it. I tried to
3	get a petition to make it, you know, Village
4	of Lawrence parking only, but it was nobody
5	ever acknowledged my letter. But it would be
6	better because you have all the buildings, the
7	people from the building, $7/11$, the parking
8	there, and when they pull out, they just
9	right before they leave, they just all empty
LO	their garbage right outside. So you know, so
11	hopefully if this is developed, you know, we
12	will get the Village of Lawrence parking over
L3	there.
L 4	CHAIRMAN KEILSON: In the event that the
L5	village is not responsive, Mr. Vacchio is
16	here. He will be happy to carry the message
L7	back to the village.
L8	MR. BRENKE: Yes but I hope speedy
L 9	development.
20	MEMBER GOTTLIEB: So far I only hear
21	positive comments from neighbors.
22	CHAIRMAN KEILSON: Is that unusual?
23	MEMBER GOTTLIEB: Generally.
24	CHAIRMAN KEILSON: Please.

MS. TUCCIO: Fran Tuccio from Beach 3rd

Moret - 1/17/2024

2	Street. I had few concerns but we are pro. I
3	am pro for the development. I had issues with
4	the sewers which have been addressed. I have
5	problems about the flooding and the bulkheads.
6	The parking especially.

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Eric was also saying we have a severe parking issue in our area, but I think they have addressed enough parking for the residents when these buildings are finally put I had problems with pilings, but they up. explained to me they are using a different type of piling that's not going to destroy our infrastructure of our existing homes. hopefully it will clean up the neighborhood and it will be done in a timely fashion because we have been waiting many, many years for it to be cleaned up, and I don't know if it's going to change the parking situation because we get parking from people from Beach 14th Street come all the way down to us because they have no parking. And the cars are left there overnight even though it is the Village of Lawrence. It's really not enforced. Danny knows about it. Everyone

1	Moret - 1/17/2024
2	knows about it, but there have been trucks and
3	cars. Like Eric said, they come even in front
4	of my house and just dump their garbage out of
5	their car as they leave and leave a trail of
6	trash through the neighborhood. So hopefully
7	it will be will make it beautiful and
8	clean. I do believe it's going to be a good
9	proposition.
10	MR. BRENKE: We are excited.
11	MS. TUCCIO: It went from six to four to
12	eight. Six to four to eight now but I think
13	it's sufficient. I think the parking is going
14	to be enough underneath the buildings.
15	CHAIRMAN KEILSON: Terrific.
16	MS. TUCCIO: So I am for it.
17	CHAIRMAN KEILSON: Nice to hear.
18	MS. TUCCIO: I wish them luck. Speedy
19	luck. Thank you.
20	CHAIRMAN KEILSON: Okay.
21	MEMBER GOTTLIEB: Danny, you will have
22	to get some parking meters there. Get
23	quarters.
24	CHAIRMAN KEILSON: The village is being

passive about it. They are not acting. We

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1	Moret - 1/17/2024
2	heard about it the last time.
3	MR. VACCHIO: It was addressed to Gerry.
4	MEMBER KERSTEIN: It was mentioned to
5	him.
6	MS. TUCCIO: Can I speak again?
7	CHAIRMAN KEILSON: Of course.
8	MS. TUCCIO: I have spoken to the
9	precinct several times. They just don't
10	whatever the village can do, can ask the
11	police to enforce it. They don't want to give
12	tickets over there. For some reason they will
13	say it's my shift, not this shift, nighttime
14	shift, daytime shift. I am looking for an
15	expired registration, see if the license or
16	the inspection.
17	They are not dealing with the cars being
18	left there all the time, and they don't come
19	at night. It is a bunch of drug addicts and
20	sex going on there. It's an eyesore and it's
21	disgusting but the 4th Precinct it's an act
22	of life. He can see from his house also what
23	he watches from there. The point is I have
24	spoken several times to the 4th Precinct when

they are there. They just don't even write

1	Moret - 1/17/2024
2	the tickets. It's like it doesn't exist.
3	It's the Village of Lawrence. It is the Town
4	of Hempstead. It is Nassau County. It's all
5	those things, but it's like goes on deaf ears.
6	DR. COHEN: Meir Cohen, 205 Seagirt
7	Avenue. So just to mention about the parking,
8	people dump I had a car sitting at my house
9	for months. Literally months. We called the
10	police department. Nothing ever happens.
11	Just about this project again, if Fran has
12	pretty tough standards and Eric as well, so if
13	they are okay with it, I am not going to yell
14	and scream. We know each other for a long
15	time. He built my house, so you know, I trust
16	him.
17	CHAIRMAN KEILSON: And he is still
18	talking to you.
19	DR. COHEN: He did a good job. No
20	complaints. But I just want to make sure it's
21	done appropriately, and again, I trust him.
22	He is a good guy as long as it's done, you
23	know, appropriately.
24	MEMBER GOTTLIEB: Is there anybody left
25	who hasn't spoken in favor?

1	Moret - 1/17/2024
2	DR. COHEN: Just and I know the number
3	has gone up, down, up, down. As long as it
4	doesn't get to the point where it's too many,
5	you know, I don't want it to turn into a slum.
6	Small little apartments. It's just high
7	turnover.
8	CHAIRMAN KEILSON: We are only approving
9	that which is presented to us, which is the
10	four homes and could be two-family homes.
11	MEMBER GOTTLIEB: At these prices I
12	don't think it will be slum-like.
13	DR. COHEN: Again, I just walked in.
14	CHAIRMAN KEILSON: Going off the record
15	for a moment.
16	(Discussion off the record.)
17	CHAIRMAN KEILSON: So taking into
18	consideration the benefit to the applicant as
19	opposed to any detriment to the community,
20	which obviously we have heard is just the
21	opposite, a tremendous benefit, we are going
22	to take a vote. Mr. Kerstein?
23	MEMBER KERSTEIN: Yes.
24	CHAIRMAN KEILSON: Mr. Hiller?
25	MEMBER HILLER: For.

1	Moret - 1/17/2024
2	CHAIRMAN KEILSON: Mr. Gottlieb?
3	MEMBER GOTTLIEB: For.
4	CHAIRMAN KEILSON: Ms. Diamond?
5	MEMBER DIAMOND: For.
6	CHAIRMAN KEILSON: And I am voting for.
7	And we give you three years.
8	MR. PINCHASOV: Thank you. Three years
9	is amazing. Hopefully we will be done much
10	faster than that.
11	MR. VACCHIO: Planning Board and Board
12	of Building Design. Three years.
13	MR. BROWNE: Thank you very much.
14	(Whereupon the hearing concluded at 8:03
15	p.m.)
16	*************
17	Certified that the foregoing is a true and accurate
18	transcript of the original stenographic minutes in
19	this case.
20	M_m
21	YAFFA KAPLAN
22	Court Reporter
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1		Lowy - 1/17/2024
2	INCORPO	RATED VILLAGE OF LAWRENCE
3		BOARD OF APPEALS
4		
5 6		Village Hall 196 Central Avenue Lawrence, New York
7		January 17, 2024 8:03 p.m.
8	APPLICATION:	Lowy
9		217 Juniper Circle South Lawrence, New York
10	PRESENT:	,
11		MR. LLOYD KEILSON Chairman
12 13		MR. EDWARD GOTTLIEB Member
14		MR. PHILIP KERSTEIN Member
15		MR. DANIEL HILLER
16		Member
17		MS. SYMA DIAMOND Member
18		MR. ANDREW K. PRESTON, ESQ.
19		Village Attorney
20		MR. DANNY VACCHIO Building Department
21		Yaffa Kaplan
22		Court Reporter
23	3	
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1	Lowy - 1/17/2024
2	MR. PRESTON: Mr. Chairman, the next
3	application, Lowy, 217 Juniper Circle South, I
4	had a conversation with Mr. Flaum who
5	requested an adjournment on behalf of his
6	client.
7	(Whereupon the hearing concluded at 8:03
8	p.m.)
9	***************
10	Certified that the foregoing is a true and accurate
11	transcript of the original stenographic minutes in
12	this case.
13	
14	YAFFA KAPLAN
15	Court Reporter
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1		Fuchs - 1/17/2024
2	INCOR	PORATED VILLAGE OF LAWRENCE
3		BOARD OF APPEALS
4		
5		Village Hall
6		196 Central Avenue Lawrence, New York
7		January 17, 2024 8:06 p.m.
8	APPLICATION:	Fuchs
9	APPLICATION.	101 Fulton Street Lawrence, New York
10	PRESENT:	
11		MR. LLOYD KEILSON Chairman
12		MR. EDWARD GOTTLIEB
13		Member
14		MR. PHILIP KERSTEIN Member
15		MR. DANIEL HILLER
16		Member
17		MS. SYMA DIAMOND Member
18		MR. ANDREW K. PRESTON, ESQ.
19		Village Attorney
20		MR. DANNY VACCHIO Building Department
21		Yaffa Kaplan
22		Court Reporter
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1	Fuchs - 1/17/2024
2	CHAIRMAN KEILSON: Ladies and gentlemen,
3	we are calling the matter of Fuchs, 101 Fulton
4	Street, Lawrence, and before introduce
5	yourself to the
6	MR. CAPOBIANCO: John Capobianco,
7	architect, 159 Doughty Boulevard, Inwood,

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architect, 159 Doughty Boulevard, Inwood, New York.

CHAIRMAN KEILSON: Let me just go on the record with a preamble. One of the laws that will govern tonight's discussion is what's called RLUIPA, R-L-U-I-P-A, which is the National Religious Land Use and Institutional Persons Act. The statute passed in the year The mandate of RLUIPA as applicable to the instant application is that, "No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that the imposition of the burden on that person, assembly, or institution is in furtherance of a compelling government interest, and it is the least restrictive

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1	Fuchs - 1/17/2024
2	means of furthering that compelling government
3	interest."
4	This law has served to allow religious
5	prayer groups, synagogues, churches, and
6	mosques to be built in residential areas
7	unless there is a compelling public interest
8	most often in terms of safety concerns or
9	congestion that are being affected adversely.
10	And with that introduction, Mr. Capobianco?
11	MR. CAPOBIANCO: Good evening. Thank
12	you for having us here to present this. We
13	reviewed the restrictive covenants and we
14	find
15	CHAIRMAN KEILSON: Before we get to
16	that, first talk about what you are seeking in
17	terms of the variance.
18	MR. CAPOBIANCO: What I would like to do
19	before we get into that is just submit in
20	evidence letters of support, one particularly
21	of the neighbor immediately adjacent at the
22	rear of the house. Wieder, which I worked on
23	the house. I did the design of the house. He

is very much in favor of the house and very

much in favor of the Shul being opened and he

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1	Fuchs - 1/17/2024
2	really is all for it and so are 20 other
3	neighbors who have signed this document. So I
4	would like to have rather
5	CHAIRMAN KEILSON: The neighbors on
6	Fulton?
7	MR. CAPOBIANCO: Just submit them as
8	evidence.
9	CHAIRMAN KEILSON: The ones of Fulton?
10	MR. CAPOBIANCO: The ones on Fulton are
11	on this list as well, but everyone on Fulton
12	is in agreement, and all the properties that
13	touch this property are all totally in
14	agreement. So they are on the list, and their
15	addresses are on the list.
16	CHAIRMAN KEILSON: Fine.
17	MR. CAPOBIANCO: I would like to submit
18	this as evidence.
19	CHAIRMAN KEILSON: Fine.
20	Okay, please.
21	MR. CAPOBIANCO: So what we are
22	proposing is a one-story addition to the rear
23	of the one-story addition existing
24	one-story that's there now that's being used
25	as a Shul already. So we are presenting to

1 Fuchs - 1/17/2024

2	make this into a synagogue and make it a
3	synagogue presence that would conform to the
4	code and the state code and the construction
5	code. So the addition to the existing would
6	allow for approximately 123 people, and that
7	was based on a code requirement of 15 15
8	square feet per person. So you divide the 15
9	square feet into the area of what the size of
10	the synagogue would be, which would be 1,837,
11	you would get 123 people. 122.2. Then the
12	issue which is the third variance because we
13	need a variance for lot coverage as well.
14	Because the lot coverage variance that we are
15	seeking exceeded the allowable by
16	approximately 1,400 square feet. I have it
17	right here. Section 212.12.1.
18	MEMBER GOTTLIEB: Lot coverage or
19	building coverage?
20	MR. CAPOBIANCO: Building coverage.
21	It's building coverage. So the building
22	coverage that is allowed for this size lot of
23	46,897 square feet is 7,190 square feet of
24	actual footprint of building that you see, you
25	know, flying over it, the footprint of the

1	Fuchs - 1/17/2024
2	property of the building, not the total square
3	footage of the building. So the actual
4	construction we are asking for is 886.04,
5	which is an increase, which is approximately
6	19 I guess 1,400 1,414 square feet over
, 7	the allowable which is 19.6 percent over on
8	that particular variance. The second
9	variance
10	MEMBER GOTTLIEB: Before you continue,
11	just for clarity, the additional over what's
12	existing is 960 feet and 12 and a half
13	percent, and I say that because it just should
14	be referenced that you are already over. So
15	you are not really asking for 20 percent
16	increase over what's existing. You are only
17	asking for 12 and a half of what's existing.
18	MR. CAPOBIANCO: Okay. Because that was
19	in the denial letter.
20	MEMBER GOTTLIEB: I hate to correct
21	you
22	CHAIRMAN KEILSON: Working to your
23	benefit.
24	MR. CAPOBIANCO: It's to our benefit,
25	yes. I guess you are right.

T	Fuchs - 1/1//2024
2	MEMBER GOTTLIEB: But you presented it
3	the way you had to.
4	MR. CAPOBIANCO: Thank you. I
5	appreciate that. So with that addition of 886
6	square feet, right, that it would bring it
7	into a nice-sized room, and it would work well
8	as a synagogue. However, to achieve that, we
9	have to project into the required rear yard
10	and required rear yard as being 30. We are
11	asking for an 18.8
12	MR. VACCHIO: It's a side yard.
13	MR. CAPOBIANCO: It's the side yard.
14	I'm sorry. It's a corner lot. I keep
15	forgetting. It's a side yard.
16	CHAIRMAN KEILSON: But in effect it's
17	really a backyard.
18	MR. CAPOBIANCO: Well, that affects the
19	neighbor mostly in the rear which is on
20	Central Avenue, Wieder.
21	CHAIRMAN KEILSON: Who approved it.
22	MR. CAPOBIANCO: And he wrote that very
23	nice beautiful letter and can't be more
24	pleased.
25	MEMBER GOTTLIEB: He wholeheartedly and

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1	Fuchs - 1/17/2024
2	enthusiastically approved it.
3	CHAIRMAN KEILSON: That's really nice.
4	Even has stationery.
5	MR. CAPOBIANCO: The third variance
6	because it's a public assembly and it is a
7	synagogue that the required parking would be
8	one per five people. When you divide that
9	into the 123, it becomes a little over
10	24.something. So it requires 25 parking
11	spaces which we actually provide none, but
12	most of the people are walking into the
13	synagogue anyway, and you know, most
14	synagogues such as Gruber in Lawrence, they
15	don't have any parking whatsoever and seems to
16	work. Only because the restrictions that
17	would be put on this variance if granted
18	wouldn't have any additional activity,
19	catering facilities, or things like that,
20	which would warrant parking spaces, you know,
21	but the property, the circular driveway, if
22	anyone needed to, has so much room, if anyone
23	needed to park there who is in a wheelchair
24	MR. FUCHS: Bernard Fuchs. I am the

husband of Hannah Fuchs. The house is in her

1	Fuchs - 1/17/2024
2	name. She owns the house. There is room
3	between 10 to 15 cars just in the circular
4	driveway.
5	MR. CAPOBIANCO: If needed.
6	CHAIRMAN KEILSON: However, most
7	importantly, I think you have to indicate for
8	the record that the synagogue has been in
9	operation for several years.
10	MR. FUCHS: It's in operation for the
11	last three years.
12	CHAIRMAN KEILSON: And that people have
13	been parking on Central Avenue and have
14	adopted a no parking on Fulton on their own
15	right, on their own initiative. They don't
16	park on Fulton in order to placate any
17	neighbor's concerns, so that would be
18	continuing even with the expansion.
19	MR. FUCHS: Correct.
20	CHAIRMAN KEILSON: In fact, in one of
21	the proposed restrictive covenants, we are
22	asking that there be no parking allowed on
23	Fulton during the time that there are services
24	or attending classes, so that we are taking
25	all that into consideration. And I think most

1,	Fuchs - 1/17/2024
2	importantly is that for three years, it's
3	operated and in the village to my knowledge
4	Mr. Vacchio can confirm there were no
5	objections ever entered to the village.
6	MR. VACCHIO: None at all, Chairman.
7	CHAIRMAN KEILSON: None at all. So we
8	have peace and harmony on that front.
9	Hopefully it will endure.
10	MR. CAPOBIANCO: Well, I think all the
11	items that we read on that list, I think we
12	are in agreement with on the restrictive
13	covenants if approved. So I guess the parking
14	situation would be you know
15	CHAIRMAN KEILSON: ameliorated by
16	having that. I think it would be very
17	important normally we can ask the village
18	to actually put no marking parking signs on
19	Fulton now as to accommodate. The village has
20	been dilatory doing these kind of things, so I
21	think it would be very important that the
22	synagogue make it clear to the membership that
23	it's not acceptable to park on Fulton, to
24	drive it home to them. I think it's really
25	very important for the harmonious relations of

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1		Fuchs - 1/17/2024
2		neighbors. Now
3		MR. CAPOBIANCO: Yes. This synagogue or
4		at the time wasn't officially a synagogue was
5		being used for davening for since Sandy since
6		since the COVID breakout, which is, you
7		know, a while and it's been successful and the
8		crowd has gotten larger and it's a good
9		meeting place and it's a good place for
10		everyone to come to because of its proximity
11		to everyone and it seemed to demand this
12		expansion which they took under their belt to
13		do and it's a wonderful thing that they are
14		doing so that the people can enjoy the
15		synagogue and pray properly.
16		MEMBER GOTTLIEB: John, will sprinklers
17	18 m.	be required for this assembly?
18		MR. CAPOBIANCO: There is a gray line
19		there. We are talking with the fire marshal,
20		but certainly smoke and fire will be but if
21		sprinklers are something that they would
22		waiver, it's something we will work out with
23		them because we are going to need their

approval anyway in order to occupy the space.

MEMBER GOTTLIEB: There is no hard code.

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1	Fuchs - 1/17/2024
2	When you have over X number of people, you are
3	required to have sprinklers?
4	MR. CAPOBIANCO: Right.
5	MEMBER KERSTEIN: There is one of the
6	things that is sort of blank. The location
7	will be X number of seats at the maximum. Do
8	you have an estimate?
9	MR. CAPOBIANCO: I didn't get the
10	question.
11	CHAIRMAN KEILSON: How many seats will
12	the synagogue have? 123 I think you said.
13	MR. KOLODNY: J. Lawrence Kolodny, 10
14	Boxwood Lane. That's the code, the code
15	requirement. We probably will end up having
16	somewhere around 160 on that's how many
17	seats we can fit in there based on our current
18	configuration.
19	MEMBER GOTTLIEB: How do we get from 123
20	to 160? Are these permanent seats?
21	MR. KOLODNY: No. They are folding
22	chairs with tables. Folding tables.
23	MEMBER HILLER: Can I interrupt you
24	because you are doing a disservice to the
25	people you are trying to defend. So I

1	Fuchs - 1/17/2024
2	MR. KOLODNY: I'm sorry.
3	MEMBER HILLER: I am too. I wanted to
4	ask you how many people currently are there on
5	a Shabbos and on a weekday?
6	MR. FUCHS: So on a Shabbos an average
7	of 60 people.
8	MEMBER HILLER: And weekday?
9	MR. FUCHS: Thirty.
10	MEMBER HILLER: And the reason that you
11	feel you want to have 123 seats is
12	MR. FUCHS: Because they are all men.
13	The women want to come also to pray, so for 60
14	people, there are 60 women that want to come
15	every Shabbos to pray but they can't come
16	because they have to sit in our dining room in
17	order to pray and they are uncomfortable.
18	MEMBER HILLER: Off the record.
19	(Discussion off the record.)
20	CHAIRMAN KEILSON: You are restricted to
21	that number. Otherwise, the fire marshal can
22	get involved and we don't want to have
23	MR. FUCHS: It won't be a problem.
24	MEMBER KERSTEIN: That was left blank.
25	MEMBER GOTTLIEB: Do we need to change

1	Fuchs - 1/17/2024
2	that number to 123?
3	MR. FUCHS: 123 is fine.
4	MEMBER HILLER: Please confine yourself
5	to the legality of the structure.
6	MR. FUCHS: I don't think we will have
7	123 that often anyway. Maybe we will have it
8	once or twice during the holidays.
9	MEMBER HILLER: I understand but please
10	accept it as a responsibility. When you get a
11	variance, there is a reason for it and we are
12	trying to work with you and we don't want to
13	have an incident.
14	MR. FUCHS: I understand. I appreciate
15	it. Thank you.
16	CHAIRMAN KEILSON: Now, let's just
17	anything further you want to add before I go
18	to the covenants?
19	MR. CAPOBIANCO: Just the architectural
20	aesthetics of it.
21	CHAIRMAN KEILSON: We are not
22	interested. Anybody interested? Anybody
23	interested in the architectural aspect?
24	MR. CAPOBIANCO: The architectural
25	appearance is going to be in fitting with the

1	Fuchs - 1/17/2024
2	original house. It's going to take on the
3	same look aesthetically with the same
4	materials, so that it will pull the whole
5	thing together like it belongs onto the house.
6	That's all I want to say.
7	CHAIRMAN KEILSON: The architect is
8	always interested in his signature on a
9	certain edifice.
10	Yes, counsel?
11	(Discussion off the record.)
12	CHAIRMAN KEILSON: We provided to the
13	applicant a list of suggested restrictive
14	covenants that are consistent with other house
15	synagogues that have appeared before us.
16	House and otherwise. Please review them and
17	see if there is anything that is unclear. I
18	think
19	MR. CAPOBIANCO: I think I handed them
20	to you the covenants.
21	MR. PRESTON: Chairman, while they are
22	removing the proposed covenants, can we mark
23	the letters as an exhibit as well as the
24	proposed covenants as an exhibit?
25	(Exhibit A, Letters of support, marked

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2	for identification, as of this date.)
3	(Exhibit B, Restrictive covenants,
4	marked for identification, as of this date.)
5	CHAIRMAN KEILSON: Okay. You wanted to
6	comment?
7	MR. KOLODNY: So on restrictive covenant
8	number 5 where it says one morning Minyan
9	Sunday through Friday with attendance classes,
10	we actually have two.
11	CHAIRMAN KEILSON: Okay.
12	MR. CAPOBIANCO: So
13	MR. KOLODNY: So we just want
14	CHAIRMAN KEILSON: We will note that on
15	one second.
16	MR. KOLODNY: That's number 5.
17	CHAIRMAN KEILSON: I understand.
18	MEMBER KERSTEIN: Is that every day?
19	MR. KOLODNY: Every day. Two Minyanim.
20	MEMBER GOTTLIEB: What time is the first
21	one?
22	MR. KOLODNY: Sunday it's 8:00 and on
23	the weekdays it's 6:00.
24	CHAIRMAN KEILSON: The classes begin at
25	what time?

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2	MR. KOLODNY: On Sunday, 6:00 a.m.
3	During the week
4	CHAIRMAN KEILSON: So 6:00 a.m. covers
5	everything, correct?
6	MR. KOLODNY: Yes.
7	CHAIRMAN KEILSON: Two morning Minyans.
8	Okay, what else?
9	MR. KOLODNY: And then number 10 which
10	discusses onsite garbage, right now the onsite
11	garbage which has always been able to handle
12	it is if you look if you see the driveway,
13	it's to the left of the driveway. It's
14	CHAIRMAN KEILSON: How is it stored.
15	MR. KOLODNY: It's in garbage cans
16	surrounded by tall trees. Not visible from
17	the street.
18	MEMBER HILLER: I don't think it's so
19	much about the visibility. Visibility is part
20	of the story. It's also that it's since
21	it's for a lot of people, it should be covered
22	in some kind of shed. I don't think it's a
23	hardship.
24	MEMBER KERSTEIN: It's to prevent rodent
25	infestation.

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2	MR. KOLODNY: So all the garbage cans
3	are the Toter garbage cans which close, and
4	you can come there any time. If you find
5	rodents there, we can shed it, but the area is
6	enclosed.
7	MEMBER HILLER: Why is there a hardship
8	to put a shed in? Why are you resisting that?
9	MR. KOLODNY: Why am I resisting putting
10	a shed?
11	CHAIRMAN KEILSON: The reason it comes
12	up is because we have a history of with these
13	house synagogues where there is overflowing
14	garbage especially after a Shabbos, and so as
15	a result of that, we incorporated that. I
16	don't mind dropping the words "in a shed" and
17	leaving it as "onsite garbage shall be covered
18	and stored".
19	MR. KOLODNY: Okay. If it becomes an
20	issue I
21	MEMBER KERSTEIN: Stored in secured
22	containers.
23	CHAIRMAN KEILSON: I want to change the
24	one that's going to be for the record. Shall

be covered and stored, Mr. Kerstein.

1	Fuchs - 1/17/2024
2	MEMBER KERSTEIN: In secured containers.
3	Uncovered garbage.
4	CHAIRMAN KEILSON: Is that it?
5	MR. KOLODNY: Yes, that's it.
6	MR. PRESTON: I have followed along, and
7	I will prepare a proposed findings of fact
8	that the Board requested that comply with the
9	conversation that just happened.
10	CHAIRMAN KEILSON: Any further questions
11	from the Board? Any comments from the Board?
12	Anyone from the audience want to speak to the
13	matter? All right. Taking into consideration
14	the benefit to the applicant as opposed to any
15	detriment to the community and you want to
16	review?
17	MR. PRESTON: I would suggest that the
18	Board not vote at this time and that I be
19	directed to prepare a proposed findings of
20	fact in line with the Board's sentiment which
21	will be presented and set on the agenda for
22	the next meeting for adoption and I can
23	circulate.
24	CHAIRMAN KEILSON: You want to hold them
25	for another month?

1	Fuchs - 1/17/2024
2	MR. PRESTON: You are certainly welcome
3	to adopt if the Board wants to move to
4	approve.
5	CHAIRMAN KEILSON: I think so.
6	MEMBER KERSTEIN: Subject to
7	MR. PRESTON: The approval can be
8	subject to the modification the restrictive
9	covenants as modified herein with a letter
10	from the Building Department to follow
11	memorializing the particulars.
12	MEMBER KERSTEIN: Okay.
13	MR. PRESTON: And that can go out more
14	quickly because it doesn't require another
15	meeting.
16	CHAIRMAN KEILSON: Okay. Sounds
17	reasonable. Okay. Ms. Diamond?
18	MEMBER DIAMOND: For.
19	CHAIRMAN KEILSON: Mr. Gottlieb?
20	MEMBER GOTTLIEB: For.
21	CHAIRMAN KEILSON: Mr. Hiller?
22	MEMBER HILLER: For.
23	CHAIRMAN KEILSON: Mr. Kerstein?
24	MEMBER KERSTEIN: For.
25	CHAIRMAN KEILSON: And I certainly vote

1	Fuchs - 1/17/2024
2	for, and we will give you two years. You
3	don't have to use it.
4	MEMBER HILLER: I suggest two years and
5	a month for a shed.
6	(Whereupon the hearing concluded at 8:30
7	p.m.)
8	**************
9	Certified that the foregoing is a true and accurate
10	transcript of the original stenographic minutes in
11	this case.
12	M_m
13	YAFFA KAPLAN
14	Court Reporter
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1	Fuchs - 1/17/2024		
2		EXHIBITS	
3	EXHIBIT		FOR ID.
4	Exhibit A	Letters of support	5 4
5	Exhibit B	Restrictive covenants	55
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1	L & L P	osedian Realty - 1/17/2024		
2	INCORPORATED VILLAGE OF LAWRENCE			
3	BOARD OF APPEALS			
4				
5	Village Hall 196 Central Avenue			
6		Lawrence, New York		
7		January 17, 2024 8:31 p.m.		
8	APPLICATION:	L & L Posedian Realty 147 Washington Avenue Lawrence, New York		
9				
10	PRESENT:			
11				
12		MR. EDWARD GOTTLIEB		
13	Member			
14		MR. PHILIP KERSTEIN Member		
15		MR. DANIEL HILLER		
16	Member MS. SYMA DIAMOND Member			
17				
18		MR. ANDREW K. PRESTON, ESQ.		
19		Village Attorney		
20	MR. DANNY VACCHIO Building Department			
21		Yaffa Kaplan		
22		Court Reporter		
23				
24				
25		Mary III		

1	L & L Posedian Realty - 1/17/2024
2	CHAIRMAN KEILSON: For the record, the
3	matter of L & L Posedian Realty, 147
4	Washington Avenue is adjourned.
5	(Whereupon the hearing concluded at 8:30
6	p.m.)
7	*************
8	Certified that the foregoing is a true and accurate
9	transcript of the original stenographic minutes in
10	this case.
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12	YAFFA KAPLAN
1 3	Court Reporter
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