

Mendel - 2/21/2024

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
7:32 p.m.

APPLICATION: Mendel
213 Juniper Circle South
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. PHILIP KERSTEIN
Member

MR. DANIEL HILLER
Member

MS. SYMA DIAMOND
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

MR. GERRY CASTRO
Deputy Village Administrator

Yaffa Kaplan
Court Reporter

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Mendel - 2/21/2024

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CHAIRMAN KEILSON: Good evening, ladies and gentlemen. Welcome to the Lawrence Board of Zoning Appeals. Please turn off your cellphones. And if you need to converse, please step out into the lobby.

Mr. Vacchio, proof of posting?

MR. VACCHIO: Mr. Chairman, I offer proof of posting and publication.

CHAIRMAN KEILSON: Thank you very, very much. Okay. The matter of Mendel at 213 Juniper Circle South has been adjourned. All right. Let the record reflect that. Okay.

(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.



YAFFA KAPLAN

Court Reporter

Leifer - 2/21/2024

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INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
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. PHILIP KERSTEIN
Member
- MR. DANIEL HILLER
Member
- MS. SYMA DIAMOND
Member
- MR. ANDREW K. PRESTON, ESQ.
Village Attorney
- MR. DANNY VACCHIO
Building Department
- MR. GERRY CASTRO
Deputy Village Administrator
- Yaffa Kaplan
Court Reporter

Leifer - 2/21/2024

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CHAIRMAN KEILSON: First matter this evening is the Woodmere Country Club. They or their representative please step forward. Mr. Browne, just hold off. There is a request for an extension from Leifer at 1 Amberly Road, Lawrence. The variance expires 2/21. Wow. And where is it up to if you know.

MR. VACCHIO: They started. They need more time.

MEMBER GOTTLIEB: I don't think they started.

MEMBER KERSTEIN: Have they started?

MEMBER GOTTLIEB: You may recall, this was a second extension.

MR. VACCHIO: No, they haven't started.

CHAIRMAN KEILSON: They haven't started and want another extension. So let's give them three years because otherwise we will be back to this. All right? Three years? Okay.

(Whereupon the hearing concluded at 7:34 p.m.)

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



YAFFA KAPLAN
Court Reporter

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WG Woodmere LLC - 2/21/2024

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
7:34 p.m.

APPLICATION: WG Woodmere LLC
99 Meadow Drive
Lawrence, New York

P R E S E N T:

- MR. LLOYD KEILSON
Chairman
- MR. EDWARD GOTTLIEB
Member
- MR. PHILIP KERSTEIN
Member
- MR. DANIEL HILLER
Member
- MS. SYMA DIAMOND
Member
- MR. ANDREW K. PRESTON, ESQ.
Village Attorney
- MR. DANNY VACCHIO
Building Department
- MR. GERRY CASTRO
Deputy Village Administrator
- Yaffa Kaplan
Court Reporter

1 WG Woodmere LLC - 2/21/2024

2 CHAIRMAN KEILSON: Ms. Diamond.

3 MEMBER DIAMOND: I am just going to be
4 recusing myself on this matter as I was a
5 trustee in this matter when this matter was
6 brought before.

7 CHAIRMAN KEILSON: Okay. Mr. Browne,
8 before you begin, I just want to mention a
9 couple of things for the purposes of the
10 people who joined us tonight. At our last
11 hearing on this matter, we adjourned in
12 contemplation of the three municipalities
13 having a joint hearing. Woodsburgh and the
14 Town of Hempstead demurred. At our last
15 hearing, a full record was created.
16 Petitioner through his legal counsel ably
17 presented a comprehensive presentation. The
18 public, in turn, was accorded the opportunity
19 to share their perspective. We had quite a
20 number of people express their position. From
21 the Board's perspective, we do not see the
22 necessity for further discussion unless
23 counsel for petitioner seeks to amplify or
24 augment the previous record.

25 MR. BROWNE: Good evening, chairman,

1 WG Woodmere LLC - 2/21/2024

2 members. Christian Browne, McLaughlin &
3 Stern, 1122 Franklin Avenue, Garden City for
4 the petitioner.

5 We join in your assessment. We would
6 rest on our record. We have nothing further
7 to add at this time unless the Board has
8 questions.

9 CHAIRMAN KEILSON: We had many people
10 from the public who commented at that time
11 what made clear their position on it. I think
12 they were thoroughly responded to and listened
13 to and they are on the record. So unless
14 there is some compelling need for a public
15 discussion, we would at this time want to
16 close the public discussion and actually
17 reserve decision. Counsel?

18 MR. PRESTON: Is there any public
19 comment for or against?

20 MR. LIEBER: I would comment against if
21 I can. Jason Lieber, 28 Auerbach Lane,
22 Brooklyn, New York. It feels like Brooklyn
23 already. I mean, I can't make a left turn out
24 of my street, but yeah, I am actually in
25 Lawrence.

1 WG Woodmere LLC - 2/21/2024

2 This is a picture from the Woodmere Golf
3 Club. Random rainstorm. Last year. And you
4 know, I am not sure what exactly the process
5 is of this, you know, but you know, I know
6 they are trying to make a negotiation with the
7 lame-duck mayor here but I -- you know, we are
8 not approached. Usually when there is a
9 zoning hearing, they go and speak to the
10 neighbors and try to work something out. We
11 are all very open to that, but nobody contacts
12 us and we just come.

13 We have no idea what they are even
14 trying to do here. I have no clue, and none
15 of us really know what this really is. So
16 anyway, I would appreciate if they would be
17 further in touch with us. There is a lot of
18 issues between traffic, the birds, a whole
19 host of things, as well as the fact that
20 nobody could even sell a house here as it is.
21 So I don't know why they think they are going
22 to sell 50, 90, or 180 houses when the houses
23 that are for sale here are stuck and not even
24 moving. So anyway, that's my -- that's all I
25 have to say.

1 WG Woodmere LLC - 2/21/2024

2 CHAIRMAN KEILSON: Thank you, Mr.

3 Lieber.

4 MR. PRESTON: Are those photos marked
5 for the record, or are you keeping them?

6 MR. LIEBER: I would keep them at this
7 time. For the next meeting.

8 CHAIRMAN KEILSON: Or you can frame
9 them.

10 MR. LIEBER: I will frame them for the
11 next meeting.

12 MR. NARDONE: My name is Enrico Nardone.
13 I am the director of the Seatuck Environmental
14 Association. We are based in Islip, New York,
15 but we work across Long Island from the very
16 east end all the way across Nassau and Queens.
17 I live in Baldwin myself. I confess I don't
18 know a lot of the details about this plan, and
19 I am new to this debate, which I understand
20 has been going on for a while, but I am not
21 new to the property and to the area. Our
22 organization, which works to protect Long
23 Island wildlife, does a lot of surveying of
24 birds, diamondback terrapins, and other
25 wildlife in and around this property.

1 WG Woodmere LLC - 2/21/2024

2 We are very familiar with lots of other
3 open space in Nassau County, and we think
4 about sort of the incredible density of
5 development and every little piece of open
6 space left in that Nassau County is incredibly
7 valuable for wildlife. We think about from
8 our perspective, Jones Beach, Hempstead Lake
9 State Park, the Greentree Estate. Cunningham
10 Park, Jamaica Bay. These really rare
11 open-space pieces in this arc, and in the
12 middle of that arc I see this property.
13 Incredibly valuable piece in its current
14 state. I mean, just -- we have seen it since
15 it's stopping the golf course.

16 We have seen really tremendous amount of
17 birds there in our passings by the property
18 throughout the year. The potential there not
19 just to let it be but to do some restoration,
20 grow some forest, restore some native
21 grasslands is really quite high. We have
22 worked with the Greentree property in
23 Manhasset, which was a small golf course, a
24 private golf course there and of course some
25 pastures. We took a 20-acre parcel pasture

1 WG Woodmere LLC - 2/21/2024

2 and converted it to a native grassland, and
3 that 20 acres has become one of the birdiest
4 places in Nassau County, attracting tremendous
5 populations of birds for breeding, and even
6 more importantly, birds stopping by on their
7 migrations north and south through Long
8 Island. Like we do when we take road trips,
9 birds need to stop and rest and refuel. This
10 property that you are sitting on, have control
11 over, I just want to impart to you how
12 tremendously valuable it can be as a wildlife
13 resource.

14 CHAIRMAN KEILSON: Thank you very much.
15 Thank you.

16 MR. DONOVAN: Hi. My name is Michael
17 Donovan. I live at 546 Atlantic Avenue --
18 Brooklyn, New York is where I came from, but I
19 live in Lawrence now also. I figured I would
20 throw that out. I am not sure what it is that
21 they are proposing because as you said, I
22 haven't been given any notification, but I
23 don't know what happened. The last time that
24 I received anything formal was to go to the
25 Woodmere Club to see a proposal where they

WG Woodmere LLC - 2/21/2024

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2 wanted to build low-rise 55-and-over housing,
3 and most of the golf course would remain free
4 property, would go into a land trust and maybe
5 the clubhouse and the pool would go to some
6 civic center. What happened to that?

7 And I don't know what they are proposing
8 currently, but I do know that in my backyard,
9 just this past fall and into the winter when
10 we had some of these storms and the
11 Nor'easters and stuff that a good portion of
12 it, at least in back of my house, is
13 completely flooded. So I don't know what they
14 are going -- if they are trying to build more
15 houses, raise the grade, what's going to
16 happen with the drainage and stuff such like
17 that, whatever happened to that. I just
18 wanted to ask that. Thank you.

19 CHAIRMAN KEILSON: Counsel, do you want
20 to discuss what you discussed previously?

21 MR. BROWNE: We would be happy to --
22 it's not part of tonight's presentation.

23 CHAIRMAN KEILSON: Okay. Really not the
24 purview for tonight. We have a very narrow
25 question tonight.

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WG Woodmere LLC - 2/21/2024

MR. DONOVAN: Well, again, I don't know what the actual agenda is, so that's why I am asking.

CHAIRMAN KEILSON: I understand. Okay. So as I have explained, at this point we are going to close the discussion, and we are going to reserve decision so there would be no further discussion on it tonight. Anyone who came for that matter, we are moving on to the rest of the calendar. Thank you for joining us.

MR. BROWNE: Thank you, chairman.

CHAIRMAN KEILSON: Gentlemen, please allow us to continue. Thank you.

(Whereupon the hearing concluded at 7:43 p.m.)

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



YAFFA KAPLAN

Court Reporter

Kamenetsky - 2/21/2024

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INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
7:43 p.m.

APPLICATION: Kamenetsky
4 Dogwood Lane
Lawrence, New York

P R E S E N T:

- MR. LLOYD KEILSON
Chairman
- MR. EDWARD GOTTLIEB
Member
- MR. PHILIP KERSTEIN
Member
- MR. DANIEL HILLER
Member
- MS. SYMA DIAMOND
Member
- MR. ANDREW K. PRESTON, ESQ.
Village Attorney
- MR. DANNY VACCHIO
Building Department
- MR. GERRY CASTRO
Deputy Village Administrator
- Yaffa Kaplan
Court Reporter

1 Kamenetsky - 2/21/2024

2 CHAIRMAN KEILSON: Okay. Next matter is
3 Kamenetsky at 4 Dogwood. They or their
4 representative, please.

5 MR. FLAUM: Good evening, chairman,
6 members of the Board. I am here on behalf of
7 of the owners of 4 Dogwood Lane this evening,
8 seeking a relief or a variance related to an
9 alteration addition proposed at the existing
10 single-family dwelling. The clients are
11 seeking to do a mudroom extension on the
12 driveway side of the house, which is a side
13 yard, which unfortunately has a designation of
14 rear yard based on the zoning terminology in
15 the village of Lawrence.

16 CHAIRMAN KEILSON: Not unfortunately.
17 It just happens to be designated.

18 MR. FLAUM: It's unfortunate that we
19 have to be in front of you to ask for the
20 relief.

21 CHAIRMAN KEILSON: Oh, you look forward
22 to seeing us.

23 MR. FLAUM: That being said, we are
24 seeking relief for specific articles of the
25 zoning, specifically Section 212-12.1, minimum

Kamenetsky - 2/21/2024

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2 rear yard setback. Where you are permitted or
3 required to have 50 feet as a minimum rear
4 yard, the existing is currently 45.4 feet.
5 The proposed would be 48.2 feet, an overage of
6 11 feet, 6 inches, from what is allowed and
7 then other variance due to the same extension
8 on the garage side would be 212-12.1 maximum
9 rear yard height setback ratio where you are
10 permitted or required to have 0.44 as a ratio.
11 The existing is 0.61. The proposed would be
12 0.77, an overage of negative 0.33. If you
13 take a look at the drawings that have been
14 provided, you will see there is an existing
15 dwelling. We are looking to do an interior
16 alteration of relatively minor nature, but
17 part of that alteration requires the addition
18 of installing an elevator as well as a mudroom
19 at the first floor.

20 CHAIRMAN KEILSON: Make clear the
21 hardship. We understand. We understand. No
22 need to elaborate.

23 MR. FLAUM: Got it.

24 CHAIRMAN KEILSON: We all visited the
25 site, so I think -- are there any questions

Kamenetsky - 2/21/2024

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from the Board?

MEMBER GOTTLIEB: I just have a question on the garage. It's a two-car garage, and you are maintaining a two-car garage or is it going to be a one-car garage?

MR. FLAUM: Well, I would call it a one-and-a-half-car garage. It's an existing -- it's because obviously look, putting the foyer there, we are not going to have access to the full two cars.

MEMBER GOTTLIEB: I thought you were going to make the garage entrance from the front instead of from the side. And only one-car garage is required by code, so this way you don't come back.

MR. FLAUM: No. They are keeping the garage where it is.

MEMBER HILLER: You assure us there will be a garage?

MR. FLAUM: Yes.

MEMBER GOTTLIEB: We have your assurance it will be a garage.

CHAIRMAN KEILSON: Any further questions?

Kamenetsky - 2/21/2024

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MEMBER KERSTEIN: No.

CHAIRMAN KEILSON: Anyone from the audience want to speak to the matter? If not, taking into consideration the benefit to the applicant as opposed to any detriment, we will ask for a vote. Ms. Diamond?

MEMBER DIAMOND: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

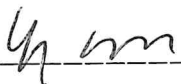
CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: And I vote for. Two years just for the heck of it? Okay.

(Whereupon the hearing concluded at 7:47 p.m.)

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



YAFFA KAPLAN

Court Reporter

Steinberg - 2/21/2024

INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
7:47 p.m.

APPLICATION: Steinberg
16 Lakeside Drive West
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. PHILIP KERSTEIN
Member

MR. DANIEL HILLER
Member

MS. SYMA DIAMOND
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

MR. GERRY CASTRO
Deputy Village Administrator

Yaffa Kaplan
Court Reporter

1 Steinberg - 2/21/2024

2 CHAIRMAN KEILSON: Next matter,
3 Steinberg, while you are up there. 16
4 Lakeside Drive West.

5 MR. FLAUM: Good evening, chairman,
6 members of the Board. Here on behalf of the
7 owners, 16 Lakeside Drive West. Currently
8 reside in the house. We are here seeking
9 variances with regard to a new second-story
10 extension over an existing one-story garage.
11 The existing house currently has noncomplying
12 side yard to the east side of the dwelling.
13 As such, any extension over the existing
14 footprint would trigger a variance for
15 building directly over the existing structure.

16 The specific variance sections we are
17 seeking relief from is Section 212 --

18 CHAIRMAN KEILSON: You need not read it.
19 We have the templates in front of us.

20 MR. FLAUM: You don't want me to read
21 it?

22 CHAIRMAN KEILSON: No. Everybody is
23 capable of reading it.

24 MR. FLAUM: Okay. So it's minimum side
25 yard setback and side yard height setback

Steinberg - 2/21/2024

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2 ratio. If you have the drawings in front of
3 you, can you see that we are simply looking to
4 build a second story over the existing
5 one-story portion that funds the dwelling
6 trying to mimic the roof pitch in aesthetic so
7 it look like it's always there and doesn't
8 seem like a sore thumb to those who would
9 perhaps drive down to that property and see it
10 since it is at the end of the road.

11 CHAIRMAN KEILSON: Is your client here
12 tonight?

13 MR. FLAUM: He is unfortunately not here
14 tonight. He called me to tell me. He is not
15 at Bingo. He is actually at an anniversary
16 dinner with his wife. It's their 40th
17 anniversary.

18 CHAIRMAN KEILSON: That's a priority
19 over this?

20 MR. FLAUM: He thought the Board might
21 understand.

22 MEMBER HILLER: His wife told me he
23 would be here.

24 CHAIRMAN KEILSON: It's my anniversary;
25 I am here tonight.

1 Steinberg - 2/21/2024

2 MR. FLAUM: Okay.

3 CHAIRMAN KEILSON: Do we have any
4 neighbors supporting it?

5 MEMBER HILLER: I want to ask you about
6 a garage. That garage that you are building
7 over, is it a garage?

8 MR. FLAUM: It's a good question.

9 MEMBER GOTTLIEB: What I think Mr.
10 Hiller means is it used as a garage?

11 MR. FLAUM: I think it's probably used
12 as storage. I don't think it's used as a
13 garage per se. Meaning they don't park in it.

14 CHAIRMAN KEILSON: If I would pick up
15 the garage door, what would I see?

16 MR. FLAUM: I don't know. Depends on
17 the day.

18 MEMBER HILLER: Do you really not know?

19 CHAIRMAN KEILSON: Any other questions
20 from the Board?

21 MEMBER GOTTLIEB: Any letters from the
22 neighbors?

23 MEMBER DIAMOND: Was a variance ever
24 requested for this property?

25 CHAIRMAN KEILSON: Yes, there was. Mr.

Steinberg - 2/21/2024

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Vacchio, you have the record there. Was there a variance for that?

MR. VACCHIO: 2015.

MR. CASTRO: I think it was the one-story addition.

MR. FLAUM: There is a little tiny thing in the back.

MEMBER GOTTLIEB: It's actually part of your application. It's on the survey in your application.

MEMBER KERSTEIN: It says new one-story.

MEMBER GOTTLIEB: That was approved a couple of years ago.

MR. CASTRO: May 26th of '21.

MR. FLAUM: I don't have it on my application.

MEMBER GOTTLIEB: It's on the survey.

CHAIRMAN KEILSON: Prior history. This is a very astute board here. It's not material so what's the difference? It's an interesting piece of trivia.

MEMBER DIAMOND: I think it should have been put into the petition, but there was at one point prior --

1 Steinberg - 2/21/2024

2 CHAIRMAN KEILSON: I think what we do is
3 we ask them to put on it on their application;
4 is that correct, Mr. Castro?

5 MR. CASTRO: That's correct.

6 CHAIRMAN KEILSON: We don't necessarily
7 ask that it be put on the petition, but if you
8 want us to change it, we will change it.
9 Whatever you want.

10 MEMBER GOTTLIEB: It should always be
11 noted.

12 CHAIRMAN KEILSON: Anyone from the
13 audience want to comment? Or if not, let's
14 take a vote.

15 Mr. Kerstein?

16 MEMBER KERSTEIN: For.

17 CHAIRMAN KEILSON: Mr. Hiller?

18 MEMBER HILLER: For.

19 CHAIRMAN KEILSON: Mr. Gottlieb?

20 MEMBER GOTTLIEB: For.

21 CHAIRMAN KEILSON: Ms. Diamond?

22 MEMBER DIAMOND: For.

23 CHAIRMAN KEILSON: And I vote for. Two
24 years? You need BBD on this?

25 MR. FLAUM: Yes. There will be because

Steinberg - 2/21/2024

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it faces the street.

MEMBER GOTTLIEB: You are going to use the same bricks?

MR. FLAUM: No. We will probably do a stone so it looks a little bit nicer. It's the front. Contrast.

CHAIRMAN KEILSON: Wish him happy anniversary. Two years we said. Make it two and a half, Mr. Flaum, because you have to go to BBD.

MR. FLAUM: Okay. It's not that long. Thank you.

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

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



YAFFA KAPLAN

Court Reporter

1 Deutsch - 2/21/2024

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INCORPORATED VILLAGE OF LAWRENCE

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BOARD OF APPEALS

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Lawrence Country Club
101 Causeway
Lawrence, New York

7

8

February 21, 2024
7:52 p.m.

9

10 APPLICATION: Deutsch
43 Auerbach Lane
Lawrence, New York

11

P R E S E N T:

12

MR. LLOYD KEILSON
Chairman

13

MR. EDWARD GOTTLIEB
Member

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MR. PHILIP KERSTEIN
Member

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MR. DANIEL HILLER
Member

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MS. SYMA DIAMOND
Member

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MR. ANDREW K. PRESTON, ESQ.
Village Attorney

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MR. DANNY VACCHIO
Building Department

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MR. GERRY CASTRO
Deputy Village Administrator

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Yaffa Kaplan
Court Reporter

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1 Deutsch - 2/21/2024

2 CHAIRMAN KEILSON: Okay. Next matter is
3 Deutsch on Auerbach Lane.

4 CHAIRMAN KEILSON: For the record,
5 please introduce yourself.

6 MR. DEUTSCH: David Deutsch, 43 Auerbach
7 Lane, Lawrence, New York. Chairman, Board,
8 requesting relief for Section 212.12.1. The
9 schedule of dimensional regulation states the
10 minimum front yard setback for lot size of
11 26,770 square feet is 35 feet. Requested
12 front yard setback is 32.88 feet.

13 Section 212-12.1 of the schedule
14 dimensional regulations states that the
15 maximum building coverage for a lot of 26,770
16 square feet in the area is 4,687 square feet.
17 Requested building coverage is 4,773.6 square
18 feet, an excess of 86.5 square feet or 1.8
19 percent. I am asking relief --

20 MEMBER HILLER: That's not correct. You
21 just gave existing. The proposed is more.
22 It's 3.4 percent. At least according to your
23 own figures.

24 MR. DEUTSCH: Okay.

25 MEMBER HILLER: You gave the existing,

Deutsch - 2/21/2024

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so the proposed is 4,848 with 3.4 percent.

MR. DEUTSCH: Got it.

CHAIRMAN KEILSON: Can you just quickly explain the need?

MR. DEUTSCH: It's a -- it's presently a dining room, and thank God I have a lot of children and grandchildren that we need to extend -- it's in line with the front of the house, and all we are short of is about 24, 25 inches to what we can add on. That's basically it.

MEMBER HILLER: I would like to ask you something about -- I don't know if this will be relevant or not, but about the history of the house. Did you put in the second structure or it was there when you bought the house?

MR. DEUTSCH: Everything was there when I bought the house.

MEMBER HILLER: The two-story structure was there when you bought the house?

MR. DEUTSCH: Correct.

MEMBER HILLER: What year did you buy the house?

Deutsch - 2/21/2024

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MR. DEUTSCH: Just about 1999, that area.

MEMBER HILLER: And that second structure was there?

MR. DEUTSCH: Correct.

MEMBER HILLER: The garage that's there is a garage?

MR. DEUTSCH: Correct. No cars but there is storage inside.

MEMBER HILLER: It's storage?

MEMBER KERSTEIN: It's useable as a garage?

MR. DEUTSCH: Both doors open and both.

MEMBER HILLER: You had come before us before. This is not your first variance on the house. I recall we received a variance.

MR. DEUTSCH: For a pool and -- yes. It was for a pool.

MEMBER HILLER: I have a request. And your only -- you are expanding 161 square feet which is minimal and somewhat understandable, even though your house, thank God, looks very substantial. Looks like you could fit the people you had to into it and you have the

Deutsch - 2/21/2024

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second structure, which is a house unto itself on the property.

MR. DEUTSCH: Correct.

MEMBER HILLER: So it's almost like having two homes but you bought it like that, and it was grandfathered in so it's fine. You have a lot of coverage on the back around the pool. Your driveway is very extensive at the end. It's widened substantially. I would ask -- and this is not from the Board. Just myself, if there is a way for you to reduce your coverage on the lot mainly from the driveway, which does allow for water to be -- to seep into the ground, if you could find your way to lessening the size of that by the amount that you are asking us to by 161 square feet. That's just my personal request. So that somehow we balance out the fact that it's your second request for a variance. It's a variance upon a variance and the groundwater would be reserved. Could you try to reduce somewhat the coverage that you have now?

MR. DEUTSCH: I will try but it's very difficult to turn the cars around without

Deutsch - 2/21/2024

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2 getting hit in the back. There was an
3 accident two doors away from me because people
4 backed out. I make a point of driving head
5 first out of the driveway, and if you have no
6 excess space, you can't do it if you have two
7 cars.

8 MEMBER HILLER: But you do not put the
9 cars into the garage. You put them into --

10 MR. DEUTSCH: Into the driveway.

11 MEMBER HILLER: If they were in the
12 garage, they would be easier to turn.

13 MR. DEUTSCH: Not really. I have tried
14 both, but I will certainly take your advice --

15 MEMBER HILLER: Under advisement.

16 MR. DEUTSCH: -- under advisement.

17 MEMBER HILLER: You sound like my wife.

18 MR. DEUTSCH: It's 43 years that I am
19 married.

20 MEMBER KERSTEIN: Question. I think
21 what Mr. Hiller was getting towards is the
22 coverage. You are toward the upper part of
23 Auerbach, and the water would run down from
24 yours. Is there some way to mitigate?

25 MR. DEUTSCH: We have -- what's the

Deutsch - 2/21/2024

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thing? Three giant dry wells.

MEMBER GOTTLIEB: So can I make a suggestion?

MR. DEUTSCH: Sure.

MEMBER GOTTLIEB: This is -- your request is not substantial, and we have met earlier today. You have 2,900 foot of blacktop driveway. Can you put a drip drain at the bottom so that all the water coming off your driveway doesn't filter onto Auerbach? You are at the top of the Auerbach hill so it doesn't go down to the rest of the street, so a drip drain is just a strip that takes the water in. And you can connect it to your dry wells if the village permits, Danny?

MR. VACCHIO: That's fine.

MEMBER HILLER: That would make me happier. It's a very minimal request.

MR. DEUTSCH: But again, I will --

MEMBER HILLER: Will you do your best?

MR. DEUTSCH: I will do my best.

MEMBER GOTTLIEB: It's not a big expense, but it takes off 3,000 square feet of rainwater off the street.

Deutsch - 2/21/2024

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MR. DEUTSCH: Okay.

MEMBER HILLER: We are relying on your word, Mr. Deutsch.

CHAIRMAN KEILSON: He is only doing his best. How about let's ask him to do it.

MEMBER GOTTLIEB: We will make that a condition.

MEMBER HILLER: Do we have your assurance?

MR. DEUTSCH: Yes.

MEMBER HILLER: Thank you.

CHAIRMAN KEILSON: Any comment from the audience?

MR. PRESTON: Chairman, the record should indicate letters of support from the owners of 41 and 45 Auerbach Lane.

CHAIRMAN KEILSON: Very good. Thank you very much. Okay. Seems there is no comment, so we are going to take into consideration the benefit to Mr. Deutsch as opposed to any detriment to the community, and Mr. Deutsch is very thankful to the Building Department for processing and accelerating your application, correct?

Deutsch - 2/21/2024

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MR. DEUTSCH: Correct.

CHAIRMAN KEILSON: I speak on your behalf.

Ms. Diamond?

MEMBER DIAMOND: For.

MEMBER GOTTLIEB: I would just like to be sure we are getting our drip drain.

CHAIRMAN KEILSON: Absolutely.

MEMBER GOTTLIEB: Then I am for this.

CHAIRMAN KEILSON: Okay. Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: And I am for as well. Two years just for the heck of it?

MR. VACCHIO: Board of Building Design.

CHAIRMAN KEILSON: Board of Building Design. That's going to slow you down.

(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.



YAFFA KAPLAN
Court Reporter

Mandelbaum - 2/21/2024

INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
8:00 p.m.

APPLICATION: Mandelbaum
94 Harborview West
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. PHILIP KERSTEIN
Member

MR. DANIEL HILLER
Member

MS. SYMA DIAMOND
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

MR. GERRY CASTRO
Deputy Village Administrator

Yaffa Kaplan
Court Reporter

1 Mandelbaum - 2/21/2024

2 CHAIRMAN KEILSON: Next matter is
3 Mandelbaum, 94 Harborview.

4 MR. NEUWIRTH: Good evening. My name is
5 Samuel Neuwirth. I am here representing Mr.
6 And Mrs. Elliot Mandelbaum, owners of 94
7 Harborview West. We are requesting a need for
8 a variance for side yard setbacks, rear yard
9 setback aggregate. Height setback ratios with
10 a side yard and the rear yard. We are --

11 CHAIRMAN KEILSON: Don't read them all.
12 We will accept that the template totally
13 represents what you are requesting.

14 MR. NEUWIRTH: We are requesting -- the
15 Mandelbaums would like to --

16 CHAIRMAN KEILSON: Side yard setback,
17 rear yard setback, side yard ratio, rear yard
18 setback, side yard ratio, rear yard ratio,
19 okay.

20 MEMBER GOTTLIEB: While it sounds like a
21 lot, I think you are just building over the
22 existing and putting a second floor over
23 existing, and those reliefs are pretty much
24 already in place.

25 MR. NEUWIRTH: Yes.

1 Mandelbaum - 2/21/2024

2 CHAIRMAN KEILSON: How many years are
3 you in the house?

4 MR. MANDELBAUM: We bought it October of
5 '12.

6 MRS. MANDELBAUM: Sandy was our move
7 date.

8 MEMBER GOTTLIEB: The week before.
9 Well, that was a nice welcome.

10 MR. MANDELBAUM: So what is that?
11 Twelve years, 11, a little bit over 11.

12 CHAIRMAN KEILSON: Is that the Bunim
13 house?

14 MRS. MANDELBAUM: Yes.

15 CHAIRMAN KEILSON: Very important house.

16 MR. NEUWIRTH: They are a young growing
17 family.

18 CHAIRMAN KEILSON: Growing.

19 MR. NEUWIRTH: Thank God they are
20 expecting and they need more bedrooms and this
21 will have two more bedrooms and two more
22 bathrooms.

23 CHAIRMAN KEILSON: Okay. Any questions
24 from the Board?

25 MEMBER HILLER: You have a letter of

Mandelbaum - 2/21/2024

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support from your neighbor most affected?

MR. MANDELBAUM: I spoke to them. I could -- I didn't think it was necessary.

CHAIRMAN KEILSON: Who is the neighbor directly behind you?

MR. MANDELBAUM: So on the side or behind? On the behind side is Katz. Just built a house. Pinny Katz's son-in-law and the other side is Klaus.

MRS. MANDELBAUM: Behind us where it would affect is Rauch, and we spoke to him and he said that whatever you need to do, go. Don't worry, go ahead, but we didn't get it in writing.

MR. MANDELBAUM: People -- basically we are just straightening out.

CHAIRMAN KEILSON: It can be satisfied as long as it gets done before Rosenzweig. You will report to him that I raised it to the Building Department, and I told him it's contingent on Rosenzzweig

MR. MANDELBAUM: No. I can't have my job be contingent. We are about to have a baby.

Mandelbaum - 2/21/2024

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2 MEMBER HILLER: You assured us the
3 neighbor was in compliance with what you
4 wanted?

5 MR. MANDELBAUM: That I can assure you.

6 MRS. MANDELBAUM: We had a conversation
7 with him, but we can get a letter if you need.

8 CHAIRMAN KEILSON: He is a very sweet
9 guy. His father delivered my children, so he
10 is a sweet guy.

11 MR. MANDELBAUM: We are not doing
12 anything outside. It's just we are building
13 on the first floor slope, so we are just
14 straightening it out.

15 CHAIRMAN KEILSON: By today's type of
16 requests we get, it's really de minimis
17 almost.

18 MR. MANDELBAUM: That's what we are
19 hoping.

20 CHAIRMAN KEILSON: Okay. Anyone from
21 the audience want to comment? Wake up. Come
22 on, wake up. Okay. We are going to vote
23 taking into consideration the benefit to the
24 applicant as opposed to any detriment to the
25 community, et cetera.

Mandelbaum - 2/21/2024

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Mr. Kerstein?

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Ms. Diamond?

MEMBER DIAMOND: For.

CHAIRMAN KEILSON: I vote for. Normally
we give two and a half years but you can't
wait.

(Whereupon the hearing concluded at 8:04
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

Sicklick - 2/21/2024

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INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
8:05 p.m.

APPLICATION: Sicklick
1 Stuyvesant Place
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. PHILIP KERSTEIN
Member

MR. DANIEL HILLER
Member

MS. SYMA DIAMOND
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

MR. GERRY CASTRO
Deputy Village Administrator

Yaffa Kaplan
Court Reporter

1 Sicklick - 2/21/2024

2 CHAIRMAN KEILSON: Next matter is
3 Sicklick. They or their representative.

4 MR. SCHEER: Good evening. Andrew
5 Scheer, 391 Garfield Avenue, West Hempstead,
6 New York 11552.

7 CHAIRMAN KEILSON: We haven't seen you
8 in a long time. Welcome back.

9 MR. SCHEER: It's been a while. Thank
10 you. So based on what you have been saying,
11 you have your code relief and --

12 CHAIRMAN KEILSON: Give a quick
13 overview.

14 MR. SCHEER: Give you a quick overview.
15 There is a current porch in the back that
16 occupies a small little patio, raised patio,
17 and they are looking to put -- Sicklick are
18 looking to put an extension for a kitchen.
19 Just the one story to extend their kitchen out
20 about 9 inches. Exceeds the code by square
21 footage by 42 square feet.

22 CHAIRMAN KEILSON: Oh, my God.

23 MR. SCHEER: I tried cutting it down.

24 MEMBER GOTTLIEB: So do we know what
25 they are going to be using it for?

Sicklick - 2/21/2024

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MR. SCHEER: It's a kitchen. It's an extension of a kitchen only.

CHAIRMAN KEILSON: I never saw anybody go 42 feet. What else are you doing? Is it all related to that kitchen?

MR. SCHEER: It's all related to that kitchen. That is the whole --

CHAIRMAN KEILSON: Okay. The army travels on its belly. Questions?

MEMBER GOTTLIEB: So Mrs. Sicklick, the mother-in-law/mother said to me years ago everyone should live by the code. I will just pretend I didn't hear it when it comes to her son.

MR. SCHEER: There are a lot of Sicklicks.

CHAIRMAN KEILSON: Is that a question, or was that a statement?

MEMBER GOTTLIEB: No, just a statement. It was a commentary.

CHAIRMAN KEILSON: Any other questions? Statements?

MEMBER HILLER: Why aren't the Sicklicks here?

Sicklick - 2/21/2024

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MR. SCHEER: The Sicklicks are -- they would like to be here. They are attending their son's final -- what they think is their final hockey game for their son in the senior year. So that is the honest truth, and they feel that this is the last game. Even though they are in the playoffs, they don't believe it's going any further for them tonight.

MEMBER HILLER: We question their priorities.

MEMBER GOTTLIEB: People have a lot of priorities outside of us being here.

CHAIRMAN KEILSON: Okay. Anyone from the audience want to comment? I guess not. So taking into consideration the benefit to Mr. Sicklick and his family, yes, Ms. Diamond?

MEMBER DIAMOND: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: I say for. So two

Sicklick - 2/21/2024

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years we say? Three years?

MR. SCHEER: Thank you very much.

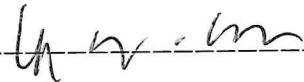
CHAIRMAN KEILSON: Okay, very good.

Good evening.

(Whereupon the hearing concluded at 8:08

p.m.)

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



YAFFA KAPLAN

Court Reporter

Cohen - 2/21/2024

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INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Lawrence Country Club
101 Causeway
Lawrence, New York

February 21, 2024
8:08 p.m.

APPLICATION: Cohen
105 Ocean Avenue
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. PHILIP KERSTEIN
Member

MR. DANIEL HILLER
Member

MS. SYMA DIAMOND
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

MR. GERRY CASTRO
Deputy Village Administrator

Yaffa Kaplan
Court Reporter

Cohen - 2/21/2024

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2 CHAIRMAN KEILSON: All right. The last
3 matter on the calendar tonight is Cohen, 105
4 Ocean Avenue.

5 MR. BEGUN: Good evening, members of the
6 Board. Ari Begun on behalf of my clients, 105
7 Ocean Avenue, Mr. And Mrs. Cohen.

8 CHAIRMAN KEILSON: If you would like to
9 sit, you can feel comfortable.

10 MR. BEGUN: So the property under
11 discussion is a corner lot in the residence of
12 AA district, and the property starts off with
13 crown of the road is 15 going down to 5 feet.
14 These conditions -- they create a hardship for
15 my client's property because specifically in a
16 residence AA district it's required on the
17 corner property to have two front yards. It's
18 a regulation and rule that's not required in
19 any other district. And that's one. Then the
20 crown of road going from 15 down to 5 feet, it
21 creates the base plane for my client's
22 property for the house. Something which is
23 typically lower than that which is found in
24 other properties. So essentially the request
25 of my client is asking that the front yard be

Cohen - 2/21/2024

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2 considered Ocean Avenue and the crown of road
3 be taken from Ocean Avenue and all the other
4 regulations be looked at in that perspective
5 and Sage Avenue be looked as a side yard,
6 which has been done in recent history within
7 the same district. So that's one request.

8 And taking that perspective that Sage
9 Avenue would be our side yard, we are really
10 left with one variance that we are looking at
11 with regard to the pool height, the pool house
12 building height. The pool house is located in
13 a FEMA flood zone regulation zone and is
14 required to be elevated above the flood zone.
15 So that point the grade is about 7 feet at
16 that point. The flood zone requires the
17 building itself to be raised already 5 feet,
18 so it made sense to put the pool house on top
19 of the garage. One because of the FEMA rules
20 and regulations, it needs to be raised.
21 Second, it's going to minimize the building
22 coverage which is always beneficial for all
23 properties. And 3, it's going to be something
24 which is more efficient and economical and
25 just it makes sense because it already is

Cohen - 2/21/2024

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required to be raised above the grade.

So taking this into account -- also the client, we are proposing surface coverage, which is half of that which is permitted. So taking that also into account and letters of support from adjacent neighbors that are most affected not only of support but actually of excitement to see the project move forward the way it is now. So we are asking relief from the Board for --

CHAIRMAN KEILSON: You would have us believe the neighbors are supportive of or the advocacy is for that very egregious building that you are attempting to --

MR. COHEN: I can get them on the phone here.

CHAIRMAN KEILSON: That's not how it works.

MR. BEGUN: Can I --

CHAIRMAN KEILSON: Yes, of course.

MR. BEGUN: These are from 115 Ocean Avenue and 170 Sage Avenue.

CHAIRMAN KEILSON: We have an issue with the habitable space, right, counsel?

Cohen - 2/21/2024

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2 MR. PRESTON: So chairman, in looking at
3 the request under 212.24-F for habitable space
4 in the accessory structure, I think this
5 triggers a use variance request because it's
6 seeking an unpermitted use in the area. Do
7 you have an opinion on that on what criteria
8 the Board should use in analyzing just with
9 respect to that particular request?

10 MR. BEGUN: I guess I am trying to
11 understand that the -- to say the village
12 doesn't allow for a pool house or cabana.

13 MR. PRESTON: So your -- the applicable
14 section of code states accessory buildings
15 located within a required setback shall not
16 contain habitable space.

17 MR. BEGUN: Yes.

18 MR. PRESTON: I think that your request
19 to put habitable space in an accessory
20 building within the required setback is not a
21 dimensional variance but rather a use
22 variance. And your application thus far isn't
23 based on the request for a use variance.

24 MR. BEGUN: So the application -- I
25 guess what we are seeking to be granted from

Cohen - 2/21/2024

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2 the Board is to sort of consider Sage Avenue
3 as our side yard, and essentially creating
4 Sage Avenue as our side yard, the required
5 accessory structure is a 15-foot setback. So
6 having our accessory structure right outside
7 that required setback technically would fall
8 within -- it wouldn't fall under that
9 regulation.

10 MR. PRESTON: But you are seeking not
11 only a dimensional variance on the setback but
12 also a change in the use of the purpose of the
13 structure under the code. You are not --

14 MR. BEGUN: So which one code would that
15 be under?

16 MR. PRESTON: 24-F, habitable space
17 within the setback in an accessory structure.

18 MR. BEGUN: We are seeking that. The
19 denial letter gave us a variance 24-F.

20 MR. PRESTON: So the burden,
21 petitioner's burden and this Board's
22 discretion in deciding a use variance, if in
23 fact what this is, is substantially higher
24 than a dimensional variance, and among other
25 things it requires financial evidence,

Cohen - 2/21/2024

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showings of hardship, showings that the property in question --

MR. COHEN: It's a pool house.

CHAIRMAN KEILSON: Don't interrupt, please. You will have an opportunity to respond.

MR. PRESTON: You are seeking to use this property in a way that's not permitted by code. And your burden in showing -- in creating a record for this Board to approve that is much more burdensome than seeking a dimensional variance.

MR. BEGUN: So essentially, once we make Sage a side yard, which has been done in the history of the Board, then we wouldn't require that variance. Essentially that's the goal.

MR. PRESTON: But that's not a request before this Board. The request before this Board is a variance under that section of code to inhabit space which is not habitable. So I started this as a question, and it is a question. Do you think that this is a use variance or an area variance?

MR. BEGUN: The request from the Board

Cohen - 2/21/2024

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2 would technically be a use variance, yes.

3 MR. PRESTON: Okay. So in order to meet
4 the burden for requesting a use variance, you
5 have to show that you can't use the property
6 in the way that you would like to use it in
7 that zone. Not just your particular property
8 but the zone and that your plight is unique to
9 this particular property for conditions on
10 this property and together with financial
11 evidence showing that the property cannot be
12 used in any way if this variance is not
13 granted with respect to the secondary
14 structure. I don't think you have done that.

15 CHAIRMAN KEILSON: It's depicted as
16 habitable space.

17 MR. PRESTON: The notice of meeting
18 shows that it's habitable space and the code
19 section contains a prohibition, so use
20 variances are defined as one which permits the
21 use of land which is prescribed by zoning
22 regulations. Thus a variance which permits
23 commercial use in a residential district which
24 permits multiple dwelling in a district
25 limited to single family or which permits

Cohen - 2/21/2024

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2 industrial in a district limited to commercial
3 uses is a use variance.

4 MR. COHEN: We don't want a use
5 variance. We want a pool house.

6 MR. PRESTON: Use variance is the
7 authorization by the Zoning Board for the use
8 of land for a purpose which is otherwise not
9 allowed or prohibited by applicable zoning
10 regulations. You are not seeking a greater
11 setback or a smaller number than what is
12 prescribed by code for a use that's not
13 permitted by code.

14 MR. COHEN: Change it to the other.

15 MR. BEGUN: We are seeking to have a
16 setback required of 15 feet, accessory
17 structure.

18 MR. PRESTON: If that were all that you
19 are seeking, this may not apply. You are
20 seeking habitable space in that structure.

21 MR. BEGUN: So according to the code,
22 the code requires the habitable space within
23 the required setback. Once we determine that
24 the setback would be 15 feet, we are outside
25 that 15 feet, then we wouldn't be going for

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that.

MR. PRESTON: If 212.24-F didn't say what it said, you would be right I think because the other variances that are contemplated here would satisfy that burden, but I don't know how -- I don't know how you make an argument that a dimensional variance is created by the request under 24-F. You have a separate variance for accessory structure in the side and the rear and the front height setback ratio, the ratio is a number that's a dimensional variance. You are seeking to change nonhabitable space to habitable space.

MR. BEGUN: Yes, it would be.

MR. CASTRO: Your configuration -- the fact that it's habitable space on the second floor is what's triggering 212.24-F. So even if this structure as it is was set back properly, you would still be requesting 212-24-F. It's just the nature of how you are depicting it, how you drew it up. If it were to be split and you didn't have that setup of one on top of the other, I believe at that

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point you would not be asking for that use
variance.

MR. BEGUN: So at that point.

CHAIRMAN KEILSON: I am finding this
colloquy very interesting, but that's not what
we are here for tonight. So okay. So he
explained to you what it should have been,
what it's not. Any other questions from the
Board?

MEMBER KERSTEIN: No.

CHAIRMAN KEILSON: Before we go to a
vote, Mr. Hiller, Mr. Gottlieb?

MEMBER GOTTLIEB: There are some issues
that I guess I have.

CHAIRMAN KEILSON: Please.

MEMBER GOTTLIEB: You are permitted 40
feet and you are building 40 feet, the height.

CHAIRMAN KEILSON: On the main
structure.

MR. BEGUN: We are building 38 feet.

CHAIRMAN KEILSON: You are saying
because the road slopes, you want more than 40
feet.

MR. BEGUN: No. The eave height is the

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one in question. The building height is 2 feet in compliance. A foot and change.

MEMBER GOTTLIEB: So we are talking about just if we go to the first one, the front height setback ratio, you were complaining that you are penalized because you are in the double A zone.

MR. BEGUN: Double A zone looking at both front yards, correct.

MEMBER GOTTLIEB: Yet you have about 105,000 square feet of property in Lawrence. It's one of the largest properties in Lawrence. I cannot fathom as how you cannot build this as of right with 105,000 square feet without coming to us. I used to know the Odowitzes. I guess you bought the house from them, and I understand the house doesn't work for you. Do you have a large family?

MRS. COHEN: Yes.

MR. COHEN: Of course and my family is in the production business. My kids --

MEMBER GOTTLIEB: In the production business. That's a unique -- I see.

MR. COHEN: They are constantly

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producing grandchildren.

MEMBER GOTTLIEB: This is virtually an 18,000-square-foot house, and I can't imagine why this can't be done as of right. You know, you move -- you have a garage that's, I don't know, 200 feet from the house. You don't -- you don't want to have the garage inside the house?

MR. BEGUN: Well, the garage comes into play with the pool house because we want the pool house to be over there so we have to elevate it.

MEMBER HILLER: Mr. Cohen, we see pool houses very often.

MEMBER GOTTLIEB: It's just -- you have the tennis court. You have the pond is on your property. You have an incredibly large area. You can put that pool house anywhere else on grade level without having a two-story structure of 15 feet off of Sage Avenue.

MR. COHEN: Then it's going to disturb our view. This is the whole idea of this property, particular property is the view.

MEMBER GOTTLIEB: Very interesting that

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you say that. What about the view of your neighbor that's across the street that's been there, and there has never been an obstructed view of the pond?

MR. COHEN: All my neighbors are not just -- not just that they -- three of them, the most affected, not just -- they give us letters of support. And are willing to come here and willing to speak.

MEMBER GOTTLIEB: I received the two letters.

MRS. COHEN: I have a text, right?

MR. COHEN: We have a Goodman letter here that is not just supporting. He is willing to come here and to --

MRS. COHEN: He was away so he called us this morning and he said I just read the letter and he said -- sent me a text. He said "I'm sorry I don't have time to write a letter, but I will write a letter". I will show you.

CHAIRMAN KEILSON: We take your word for that. Again, we would have to ask him, question him as to whether he understands the

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height of this house.

MEMBER GOTTLIEB: This is a beautiful property and you can build so much here as of right. I just can't understand why you come before us and complain that the road slopes down on Sage Avenue. This is just such an unbelievably pristine property.

MR. COHEN: And we want to keep it that way, and if we build not the way we are building now, then we are going to destroy the property.

CHAIRMAN KEILSON: Why is that?

MR. COHEN: Because Ocean Avenue -- okay. The property should be -- the house should be on Ocean, and from Ocean the back windows opens to all the beautiful property. If we are going to start to play with -- move the pool house to there, move the pool house to there, take the pool house from the garage and put it in a different area, it's going to look horrible, it's going to look terrible. It's going to destroy the whole property, and also there is a way to build to make it like a same house to continue -- to continue with the

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hallway or something. It's going to look horrible.

CHAIRMAN KEILSON: We are not in the design business.

MEMBER KERSTEIN: We are not architects.

MR. COHEN: But you have the vote.

CHAIRMAN KEILSON: You are not responding to his point. A property this size, why can't you build a house that conforms to the rule?

MEMBER KERSTEIN: I am just trying to understand something. I understand that you want the garage. Where you have put it, it's in a flood zone. If you were to attach the garage -- forget the pool house for a moment -- to the house and you have room to do that easily on that property and you build the pool house instead, you have to raise it but you only have to raise it what, 5 feet if I heard correctly? So you don't have somebody coming out of the pool and having to walk up 12, 13 steps. They walk up, I don't know, eight steps, five steps. It's a little easier coming out of the pool. The garage is now in

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your property, and you don't have the issues that have been raised now. So what is it going to do? You are doing the same --

MR. COHEN: Then it's going to ruin the pool area, the swimming pool area that we want to do.

MEMBER KERSTEIN: Okay. I am not here to design it for you, but I just am suggesting that you have the garage attached to the house in some form and the pool house, wherever you decide to do it, it would make more sense from our -- at least my perspective. I can't speak for the rest of the committee.

MRS. COHEN: What we want to do is put the pool a little closer to the house. So in other words, if you then put a garage and then the pool house beyond it, it's going to be too far from like where the pool is. That's the whole point if you look at the plans.

MEMBER HILLER: Mr. Cohen, there are a few issues and I understand what your feelings are, but when there is new construction, we usually think that the person, especially with 2.7, maybe 2 and a half acres, can find the

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place to build within the confines of the

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rules of the village. Mr. Cohen, wait a

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second. I listened to you.

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To have the garage so many feet from the

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road with a pool house, which is unheard of

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not to be at ground level on top of the

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garage, leads one to question the usage of the

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garage itself. Are you going to honestly

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drive your car 400 feet to park in the garage

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and then expect people to walk up a flight of

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stairs from the pool? That's unheard of.

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Its not our problem. It's a problem

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that you don't want to solve in the proper

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way. Go back with your architect and comply

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with the village code and make something that

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is sensible. It's not going to destroy your

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view because, thank God, you have a beautiful

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wide expansion and you will not destroy your

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view. This plan as submitted is not in

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compliance, and it's also asking too much of

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us to give it -- in my opinion to give a

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variance for it.

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MR. COHEN: You guys are giving variance

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for La Guardia Airport right next to me. You

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guys are giving variance for 10, 15 million dollars building that just finished with --

CHAIRMAN KEILSON: Mr. Cohen, address the matter at hand.

MR. COHEN: This is the matter.

CHAIRMAN KEILSON: Speak to your matter.

MR. COHEN: Three-story garage. Okay attached to the house. And you are telling me that --

CHAIRMAN KEILSON: We find it egregious, okay? As far as we are concerned, we will take a vote now. Okay. Anyone else in the audience want to speak to the matter?

MEMBER HILLER: Would you like to adjourn?

CHAIRMAN KEILSON: I am not offering that as an option. They had ample opportunity for that.

MEMBER HILLER: Okay.

CHAIRMAN KEILSON: Taking into consideration any benefit to the applicant as opposed to a detriment of the community, Ms. Diamond?

MEMBER DIAMOND: Against.

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CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: Against.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: Against.

CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: Against.

MR. PRESTON: Public comment?

MEMBER KERSTEIN: Any public comment

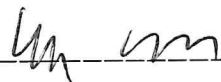
is --

MR. PRESTON: Sorry.

CHAIRMAN KEILSON: I asked. I vote
against as well. All right. We are
adjourned.

(Whereupon the hearing concluded at 8:29
p.m.)

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



YAFFA KAPLAN

Court Reporter