

Katz - 6/22/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

June 22, 2023
7:32 p.m.

APPLICATION:

Katz
194 Harborview North
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

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Katz - 6/22/2023

CHAIRMAN KEILSON: Good evening, ladies
and gentlemen. Welcome to the Lawrence Board
of Zoning Appeals. Please turn off your
phones. And if there is a need for
conversations, please take it into the hall.

Proof of posting, Mr. Vacchio?

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

CHAIRMAN KEILSON: Thank you very much.
Very good. We have a request for a variance
extension, Frieda Katz, 194 Harborview North.
I thought they were finished, but I guess they
are not. Looking for another few months.

Let's say six months. Any objection, people?

MEMBER KERSTEIN: None.

MEMBER GOTTLIEB: Fine.

CHAIRMAN KEILSON: Very good.

(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

Abittan - 6/22/2023

INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

June 22, 2023
7:33 p.m.

APPLICATION:

Abittan
81 Sealy 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

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Abittan - 6/22/2023

CHAIRMAN KEILSON: Okay. On tonight's

calendar we have an adjournment on Abittan at
81 Sealy Drive. That will be adjourned I
guess to the next available date.

(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

WG Woodmere LLC - 6/22/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

June 22, 2023
7:33 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

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

WG Woodmere LLC - 6/22/2023

CHAIRMAN KEILSON: And then on the WG Woodmere LLC, counsel, you want to comment on that or counsel -- we have counsel here for the applicant here as well.

MR. PRESTON: Thank you, Chairman. This Woodmere matter should be adjourned because it must be referred to the Nassau County Planning Commission before this Board can issue a determination. I can -- as Mr. Browne is here, I can assist in coordinating the submission to NCPC, and I recommend the Board adjourn on those grounds.

CHAIRMAN KEILSON: Mr. Browne, any comment?

MR. BROWNE: Just -- Christian Browne, McLaughlin & Stern, 1122 Franklin Avenue, Garden City. I discussed the matter with Mr. Preston. I know there is the Planning Commission issue and the concern about accommodating any kind of a crowd that may want to be heard. Mr. Preston is aware of my client's desire to have the hearing as soon as possible given the summer schedule you might say.

1 WG Woodmere LLC - 6/22/2023

2 CHAIRMAN KEILSON: We have no summer
3 schedule.

4 MR. BROWNE: Well, that's good.

5 CHAIRMAN KEILSON: We work 12 months a
6 year.

7 MR. BROWNE: If there is any possibility
8 that the Board could consider adjourning to,
9 you know, a special meeting within the next
10 two weeks, that would be very appreciated.

11 CHAIRMAN KEILSON: Any meeting that we
12 have your presence is a special meeting.

13 MR. BROWNE: I am sure this one will be
14 extra special.

15 CHAIRMAN KEILSON: We will see what we
16 could do to accommodate. Any objections to
17 the adjournment?

18 MEMBER MOSKOWITZ: No.

19 MEMBER GOTTLIEB: In favor.

20 CHAIRMAN KEILSON: Okay.

21 (Whereupon the hearing concluded at 7:35
22 p.m.)
23 *****
24 Certified that the foregoing is a true and accurate
25 transcript of the original stenographic minutes in
this case.

YAFFA KAPLAN
Court Reporter

1 Wolff - 6/22/2023

2 INCORPORATED VILLAGE OF LAWRENCE
3 BOARD OF APPEALS

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

7 June 22, 2023
8 7:35 p.m.

9 APPLICATION:

10 Wolff
11 15 Beechwood Drive
12 Lawrence, New York

13 P R E S E N T:

14 MR. LLOYD KEILSON
15 Chairman

16 MR. EDWARD GOTTLIEB
17 Member

18 MR. PHILIP KERSTEIN
19 Member

20 MR. DANIEL HILLER
21 Member

22 MR. ELLIOT MOSKOWITZ
23 Member

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

 MR. DANNY VACCHIO
 Building Department

 Yaffa Kaplan
 Court Reporter

Wolff - 6/22/2023

1
2 CHAIRMAN KEILSON: Matter of Wolff of 15
3 Beechwood Drive yet again.

4 MR. BRAUM: Good evening, Mr. Chairman.
5 Good evening, gentlemen and lady. My name is
6 Andrew Braum, B-R-A-U-M, 1924 Bellmore Avenue,
7 Bellmore, New York 11710. I am an engineer.
8 I am representing the applicants. This
9 evening Mr. And Mrs. Wolff are here in the
10 audience.

11 CHAIRMAN KEILSON: Really? Is that your
12 client back there? Okay. We have been
13 looking forward.

14 MR. BRAUM: So they are able to answer
15 any questions or provide any input that you
16 might have. So --

17 CHAIRMAN KEILSON: Okay.

18 MR. BRAUM: Okay. So this is a
19 continuation from last month's hearing where I
20 elected to adjourn because the Board was not
21 looking favorably on a fifth -- 12-foot-wide
22 pool and since then I have had a chance to
23 discuss and redesign with the clients and we
24 have now before you a 9-foot-by-30-foot pool
25 which has 15 feet on one side and 15 foot 7 on

1
2. the other side.

3 I just want to remind the Board from the
4 previous hearing without exhausting all the
5 time tonight that the pool meets and exceeds
6 all of the standard code of New York State and
7 the village, and we are seeking a variance of
8 15 feet where 20 feet is required. And on the
9 side yard with the equipment, 9 foot where 15
10 feet is required. If you have a chance to
11 look at the survey, the area where the
12 equipment is, there is a garage directly next
13 to that as well as in my professional opinion
14 adequate screening of existing green trees
15 there, and we went through the last meeting
16 the fact that the location of the pool
17 although it's 15 or 20 is required from the
18 one property behind it, it doesn't affect that
19 house at all, and the other property where it
20 affects, there is an existing garage there.
21 So you get good screening from that garage as
22 well as the property -- I think it's currently
23 listed as the Selengut residence -- is not
24 affected by it in a direct line. So --

25 CHAIRMAN KEILSON: The neighbor to the

Wolff - 6/22/2023

1
2 rear is Stahler, and they have a house. It's
3 a rental and they also have their main home
4 directly behind and he called me before he
5 travelled to Israel this past week. He wanted
6 to get an update, he hadn't seen the proposal.
7 I filled him in on the new proposal, and he
8 expressed his support for it under the current
9 circumstances. And/or proposed circumstances.

10 MR. BRAUM: Thank you.

11 CHAIRMAN KEILSON: Okay. So now, Mr.
12 Gottlieb, you were the last one who spoke to
13 this matter last time. How do you feel about
14 it now?

15 MEMBER GOTTLIEB: Can I take the Fifth?
16 Is that a possibility? I have no comments. I
17 have seen the application. I see you have
18 certainly accommodated a 15-foot setback from
19 side and rear. And the pool equipment is
20 facing the garage or not facing, but it's
21 adjacent to. I have no comment.

22 CHAIRMAN KEILSON: Okay. You are
23 blessed. Any other questions from the Board?
24 Again --

25 MEMBER GOTTLIEB: I do reserve judgment

1
2 to comment some more. The wires that are
3 dangling, they are not all electrical wires.
4 Are they going to be tightened up by anyone?

5 MR. BRAUM: So we do have phone calls in
6 to PSE & G and Verizon. The pool meets the
7 requirements from a safety standpoint. When
8 we design a pool, we are not worried about the
9 wire itself falling down. We are always
10 worried about the skimmer pole and a person
11 cleaning it touching the pole. So that's why
12 they either do a 10-foot measurement or they
13 do what's called a hot stick measurement, and
14 this meets and exceeds those clearances but
15 from an aesthetic -- and I am going to use the
16 word homeowner standpoint, we do have a call
17 in and an official request for them to clean
18 up their wires, yes.

19 MEMBER GOTTLIEB: Thank you.

20 MR. BRAUM: But it meets the state and
21 your Building Department will handle that when
22 they -- should this Board vote favorably.

23 CHAIRMAN KEILSON: I just want to
24 emphasize normally we have a 20-foot
25 requirement to the rear. We understand that

Wolff - 6/22/2023

1
2 pools may no longer be elective in a sense and
3 it's very important to have your own pool, so
4 we have gone as far as giving down to 15 feet.
5 You have now accommodated that. The neighbor
6 has no objection. The equipment will be
7 screened plus next to the garage. So anyone
8 from the audience want to speak to it?
9 Nobody?

10 So taking into account the benefit to
11 the applicant as opposed to any detriment to
12 the community, we will take a vote. Mr.
13 Moskowitz?

14 MEMBER MOSKOWITZ: For.

15 CHAIRMAN KEILSON: Mr. Gottlieb?

16 MEMBER GOTTLIEB: For.

17 CHAIRMAN KEILSON: Mr. Hiller?

18 MEMBER HILLER: For.

19 CHAIRMAN KEILSON: Mr. Kerstein?

20 MEMBER KERSTEIN: For.

21 CHAIRMAN KEILSON: I vote for as well.

22 A year?

23 MR. BRAUM: Sure. One year is more than
24 enough. Thank you very much for your
25 continued --

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1
2 CHAIRMAN KEILSON: A pleasure to meet
3 the Wolffs finally.

4 MR. BRAUM: Thank you.

5 (Whereupon the hearing concluded at 7:41

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.

11 mm

12 YAFFA KAPLAN

13 Court Reporter
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Wolfson - 6/22/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

June 22, 2023
7:41 p.m.

APPLICATION:

Wolfson
57 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

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Wolfson - 6/22/2023

1
2 CHAIRMAN KEILSON: Okay. Next matter
3 will be Wolfson, 57 Harborview West. They or
4 their representative.

5 MRS. ADLER: Good evening, gentlemen of
6 the Board and chairman. My name is Esther
7 Adler. I am here representing Mr. And
8 Mrs. Zach Wolfson, 57 Harborview West. The
9 came here tonight seeking four variances to
10 construct a pool and a deck. You should have
11 revised plans in front of you that I dropped
12 off earlier because after a conversation with
13 Mr. Vacchio -- thank you, Danny --

14 MR. VACCCHIO: You are welcome.

15 MRS. ADLER: -- and notes from the
16 chairman, we have eliminated one variance. So
17 we will start with that one. We were
18 originally seeking a variance for the deck
19 that encroached into the side yard. We were
20 seeking a 4-and-a-half-foot variance that was
21 very close to what was there previously by the
22 previous homeowners. My client has agreed to
23 lower the height of the deck so that when you
24 step out from the deck, there will be another
25 step down on to the actual deck. Once the

Wolfson - 6/22/2023

deck is under 36 inches, it's permitted to encroach 10 feet into the required side yard. The required side yard is 15 feet, so therefore it would be permitted to encroach up to 5 feet from the property line.

The other three variances that we are seeking is as follows: One is for the side yard. It's important to note that the side yard for the pool itself we are complying with. It's just for the equipment. And the previous homeowners actually did have a pool there, and they do have pool equipment on the same side already. It's slightly further forward, so it might be maybe 13 feet. We are seeking 11 feet. The homeowners next door have no issue with that, so we are hoping that should be -- that should not be a problem.

CHAIRMAN KEILSON: Who is the homeowner at that position? I am just asking you.

MRS. ADLER: I don't know the name. I forgot. It's on the map on the --

CHAIRMAN KEILSON: On the radius map.

MRS. ADLER: The Barons. Mindy and

Steven Baron.

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CHAIRMAN KEILSON: Okay. Very good.
Continue. So that was the equipment we are
speaking of as far as the side yard?

MRS. ADLER: Equipment, right, for 11
feet and again there is already pool equipment
there. The third variance was for the rear
yard for the pool. Now we are seeking a
6-foot variance which sounds egregious.

However, Harborview West is on the water, and
there are no neighbors there. It shouldn't
really be bothering anyone. So we are again
hoping that that one shouldn't be an issue.
And the last variance is surface coverage.

Now, again if you looked at what the previous
homeowners had previously before Mr. Wolfson
bought the property, the entire backyard was
covered in decking. I would say almost 100
percent. Probably 95 percent of the backyard.

Mr. Wolfson does want to restore a significant
amount of grass. So he is seeking, you know,
basically half -- he is restoring half of it
to grass and then some decking and the pool
itself would still put us over the allowable.
But please note that previously the existing

Wolfson - 6/22/2023

1
2 surface coverage was 6 -- almost 7,000 square
3 feet at 66 percent of the lot coverage. We
4 are reducing about almost 1,800 square feet to
5 45 percent is allowed. We are asking for 49
6 percent.

7 CHAIRMAN KEILSON: Unprecedented.

8 MRS. ADLER: It's not a 49 percent over.
9 It's a 49 percent.

10 CHAIRMAN KEILSON: We understand. We
11 are just commenting on such a positive change.
12 Normally the people who come in and they are
13 requesting egregious increases.

14 MRS. ADLER: He wants grass. Who
15 doesn't want some grass?

16 MEMBER KERSTEIN: Excuse me. Does he
17 want any trees?

18 MRS. ADLER: Definitely. There are
19 currently --

20 MEMBER KERSTEIN: Ed, trees.

21 MRS. ADLER: There is vegetation along
22 the side. I think it needs to be cleaned up.
23 Mr. Wolfson can speak, but I think we are
24 going to plant trees along the sides.

25 MR. WOLFSON: Gentlemen, chairman of the

Wolfson - 6/22/2023

1
2 Board, I am Zach Wolfson. Nice to meet you.
3 I would love to have trees in my yard.

4 CHAIRMAN KEILSON: We would like nothing
5 better for you to put screening on both sides.

6 MR. WOLFSON: There is bamboo along one
7 side.

8 CHAIRMAN KEILSON: A little sparse.

9 Speak to your father and please have trees put
10 in.

11 MR. WOLFSON: You got it.

12 CHAIRMAN KEILSON: Maybe the neighbor
13 also wants the trees. Questions from the
14 Board before Mr. Wolfson disappears? We will
15 let you speak. Don't worry.

16 MEMBER GOTTLIEB: Just -- so we are
17 reducing the coverage by 1,744 square feet?

18 MRS. ADLER: Yes.

19 MEMBER GOTTLIEB: Just to be clear, we
20 are still about 10 percent over on surface.

21 MRS. ADLER: Yes.

22 MEMBER GOTTLIEB: But it's certainly
23 considerably better than where it was. Just
24 want to be clear on the overage being 10
25 percent, but the benefit is obviously 30

Wolfson - 6/22/2023

1
2 percent less than what it was.

3 CHAIRMAN KEILSON: Any other questions
4 from the Board?

5 MEMBER KERSTEIN: Just one question.

6 The pool equipment -- and I noted what you
7 said, is there any particular reason that the
8 equipment is on the side of the house that
9 it's currently on?

10 MRS. ADLER: Honestly just because
11 that's where it is currently, so we thought it
12 might be easier for the pool --

13 MEMBER KERSTEIN: I would just ask
14 because the other side seems to be -- there is
15 more room to put it there I think, and I think
16 you have less of an issue.

17 MRS. ADLER: I think we would have a
18 bigger variance on that side also because we
19 are 10 feet from the property line there, the
20 house, so if you put a --

21 MEMBER KERSTEIN: Oh, you lowered the
22 deck. I apologize. I thought it could go
23 under. Forget it. I withdraw the question.

24 MEMBER GOTTLIEB: Continuing on with
25 your comment, could that pool equipment be --

Wolfson - 6/22/2023

1
2 heating, and the electric is kind of shot.

3 MR. WOLFSON: Okay.

4 CHAIRMAN KEILSON: Okay. Anybody in the
5 audience want to speak to the matter? I saw a
6 hand a moment ago. Please step up.

7 MS. PINCOW: I am Galina Pincow, their
8 next-door neighbor. I am 61 Harborview West.

9 CHAIRMAN KEILSON: You are to the right
10 or the left?

11 MS. PINCOW: If you are facing the
12 house, I am to the left. So my only concern
13 is because I haven't met them, this is the
14 first time I am seeing my future neighbors and
15 I didn't know about the plans for the pool.

16 CHAIRMAN KEILSON: It's still early.
17 They can take you out to dinner.

18 MS. PINCOW: Of course. So my only
19 concern is where they are placing the pool.
20 It's really close to my property, and that's
21 really all I wanted to say. I wanted to
22 understand what is going to be there in order
23 to, you know, protect my privacy and so on and
24 so forth. And the only trees that you see
25 along that line are my trees anyway, so if

Wolfson - 6/22/2023

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2 there is a very close proximity to the pool
3 water and splashes and so on and so forth,
4 there is even a situation with the trees that
5 were planted there sometime ago. So if I
6 could just understand the plans better, I
7 won't have an objection, but as it stands
8 right now, I don't know enough to say that it
9 may be a problem for me or not. So I would
10 like to get some clarification.

11 CHAIRMAN KEILSON: Maybe just Esther --

12 MRS. ADLER: It actually does comply
13 with the side yard setback so but --

14 CHAIRMAN KEILSON: What she is saying is
15 that the placement of the pool by law is
16 correct. Is appropriate.

17 MRS. ADLER: It has to be --

18 CHAIRMAN KEILSON: He has committed to
19 put additional trees in addition to your
20 trees.

21 MEMBER GOTTLIEB: Lovely trees.

22 CHAIRMAN KEILSON: Thank you for coming
23 down. Anyone else on the matter? Okay.

24 Taking into account the benefit to the
25 applicant as opposed to any detriment to the

Wolfson - 6/22/2023

1
2 community, we are going to start with Mr.
3 Kerstein. You are going to vote on it.

4 MEMBER KERSTEIN: For.

5 CHAIRMAN KEILSON: Mr. Hiller?

6 MEMBER HILLER: For.

7 CHAIRMAN KEILSON: Mr. Gottlieb?

8 MEMBER GOTTLIEB: For.

9 CHAIRMAN KEILSON: Mr. Moskowitz?

10 MEMBER MOSKOWITZ: For.

11 CHAIRMAN KEILSON: I vote for as well.

12 And the house is really under construction for
13 a while looks like, so we give you you two
14 years just to make sure.

15 MRS. ADLER: Thank you so much.

16 MR. PRESTON: Is there a screening
17 condition?

18 CHAIRMAN KEILSON: Yes. Expect to have
19 screening on both sides. So you will
20 incorporate that into the --

21 MR. VACCHIO: I got it.

22 CHAIRMAN KEILSON: Mr. Vacchio, you will
23 enforce that?

24 MR. VACCHIO: Yes, sir.

25 CHAIRMAN KEILSON: Excellent.

Wolfson - 6/22/2023

MRS. ADLER: Thank you so much.

CHAIRMAN KEILSON: Have a good evening.

(Whereupon the hearing concluded at 7:51

p.m.)

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



YAFFA KAPLAN

Court Reporter

Begun - 6/22/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

June 22, 2023
7:51 p.m.

APPLICATION:

Begun
364 Mulry 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

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Begun - 6/22/2023

CHAIRMAN KEILSON: Begun the Begun. 364

Mulry.

MR. BEGUN: Good evening, members of the Board. Ari Begun on behalf of 364 Mulry Lane. Tonight we are here to request a variance for Sections 212-22.C and G. Requirements are minimal lot area of 6,000 square feet and 60-foot frontage. Requested is 4,880 square feet and 40-foot street frontage. We purchased the property at a difficult time in the market when prices and rates were very high. Unfortunately, after purchasing the property, we discovered unforeseen repairs that were not apparent during the inspection. These repairs resulted in significant financial losses and unsustainable maintenance expenses for the existing house.

So in order to mitigate our losses and financial burden, we proposed to subdivide the property. This would allow us to either sell one of the resulting properties and use the proceeds to pay for the existing house or potentially provide room for our growing family as we may choose to construct a new

Begun - 6/22/2023

home on the subdivided property with lower maintenance.

Being able to afford and remain in this area is something very important to us as we have multiple family members in very close vicinity and allowing the subdivision of the property would not only benefit us, it would also benefit potentially by providing additional housing opportunities for others and shortage of housing options in the area. We have done an analysis of the entire Residence F district which consists of 35 one- or two-family lots, and if you look at the analysis that was presented and submitted to the Board, you find that of those lots, a combined 60 percent of them are nonconforming with respect to the sections we are requesting a variance from. And furthermore, when you look at the two-family lots similar to our subject property, you find that 70 percent of them are not conforming with respect to the sections under discussion.

CHAIRMAN KEILSON: As serious as not conforming as you propose? Are there those

Begun - 6/22/2023

1
2 that are comparable?

3 MR. BEGUN: There are those that are
4 comparable, correct.

5 MEMBER KERSTEIN: When those -- do you
6 have -- do you have when those were
7 constructed and what the rules were at the
8 time they were constructed?

9 MR. BEGUN: I don't have the exact date.

10 MEMBER KERSTEIN: Because these homes
11 could have been grandfathered.

12 MR. BEGUN: A hundred percent.

13 MEMBER KERSTEIN: So saying they are not
14 conforming under current rules, if they are
15 grandfathered, they are grandfathered.

16 MR. BEGUN: Yes but just I guess we find
17 that the sections in the code is -- it's not
18 reasonable I would say to expect property
19 owners to comply with a requirement that such
20 a significant majority of property owners in
21 the similar nature are not complying.

22 MEMBER MOSKOWITZ: Are you saying
23 because so many of the homes are nonconforming
24 already that this won't look out of character
25 compared to those?

Begun - 6/22/2023

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MR. BEGUN: Exactly.

2

CHAIRMAN KEILSON: I think a visual --
did you see the drawing?

3

4

MEMBER MOSKOWITZ: No. I don't have it
in front of me.

5

6

CHAIRMAN KEILSON: I think you can
understand it much better by looking at the
layout of the property.

7

8

9

MR. BEGUN: So I guess we are asking the
Board to please grant relief and to help
mitigate the financial burden as -- like the
member has mentioned, it's in line with the
current state as at least a majority of the
Residence F district.

10

11

12

13

14

15

MEMBER HILLER: Mr. Begun, you are an
architect I believe.

16

17

18

MEMBER HILLER: Correct, yes.

19

MEMBER HILLER: Did you not have an
engineer check out the properties before you
moved in to see if there would be substantial
need for repairs?

20

21

22

MR. BEGUN: We did. We had an
inspection done, and they told us on certain
items, for example, the roof, that we would

23

24

25

Begun - 6/22/2023

1
2 have at least a few years, let's say five to
3 ten years where that wasn't actually the case.
4 So we did have an inspection, but it just
5 wasn't as we were told or thought.

6 MEMBER HILLER: Have you approached the
7 neighbor to your -- facing your house to the
8 left to ask what their thoughts were?

9 MR. BEGUN: I -- we were -- we planned
10 on going. I was waiting to go with my wife
11 but we haven't had a chance yet to go but we
12 do have support of other neighbor and
13 neighbors.

14 MEMBER HILLER: That's the most
15 important neighbor. That's the most affected
16 neighbor.

17 MR. BEGUN: So in regard to being
18 affected, the requirement for the side yard is
19 5 feet. So technically the property as it is
20 there can be a building 5 feet in that 5 feet
21 closest to that neighbor. There is nothing --
22 if technically this property or this building
23 wasn't situated in that spot or if it was
24 knocked down, there could be a building that
25 would be 5 feet from that property line. So

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1
2 technically, there would be nothing
3 necessarily that can't be done now that would
4 be able to be done later on.

5 MEMBER HILLER: Except that you are
6 asking to subdivide a plot, make it smaller
7 than required, and then put the house there.

8 MR. BEGUN: But in regard to the actual
9 -- the side yard setback, it's the same. It's
10 going to be 5 feet whether --

11 MEMBER HILLER: Yes but it does not
12 exist now. It couldn't exist without a
13 variance.

14 MR. BEGUN: But it could exist because
15 the requirement is 5 feet, so that 5 feet
16 remains the same.

17 MEMBER HILLER: I think you know what I
18 am saying.

19 MR. BEGUN: I'm sorry. I am not sure
20 exactly.

21 MEMBER HILLER: Perhaps you don't know
22 what I am saying.

23 MR. BEGUN: I just want to be clear.

24 CHAIRMAN KEILSON: Presently your house
25 exists where it exists. You are asking for a

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1
2 variance to subdivide your property which
3 requires a variance. Therefore, you can't
4 assume that you are building a house 5 feet
5 from the neighbor on that side. That's -- I
6 am very disappointed that you did not go to
7 that neighbor. I personally feel that that
8 should have been one of your first steps you
9 took.

10 MEMBER KERSTEIN: Where there is
11 currently no house? Is that what you are
12 saying?

13 MEMBER HILLER: The neighbor to the left
14 as you face your house.

15 MR. BEGUN: If we were to do an
16 extension on this current house, we could
17 technically go 5 feet closest to that property
18 line.

19 MEMBER KERSTEIN: Except for lot
20 coverage but that's --

21 MR. BEGUN: Well, within the lot
22 coverage regulation, yes.

23 MEMBER HILLER: Okay.

24 CHAIRMAN KEILSON: Mr. Gottlieb?

25 MEMBER GOTTLIEB: I don't really have

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any comments or questions that are going to help the applicant.

CHAIRMAN KEILSON: We are not here to help the applicant. We are here to seek justice.

MEMBER GOTTLIEB: Look, Mulry is a very unique street. It's District F, Residence F. It's a very tight street. We went to visit the property and met the applicant who is a very fine gentleman and I am sure an accomplished architect. For me it's difficult to improve or find a reason to increase the housing stock. You know, as you mentioned, I just have a hard time with 40-foot frontage. Even on Mulry. It's such a nice lot that's there now. And I for one would like to hear of any neighbors that are available to speak to this.

CHAIRMAN KEILSON: Okay. Mr. Moskowitz, any comment?

MEMBER MOSKOWITZ: Just how many other -- I guess I could try to tell from your submission. How many other houses on Mulry currently have 40-foot street frontage? It

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sounds like there are a few of them.

MR. BEGUN: Yes. There is definitely a few of them. I will count exactly. If I am not mistaken, 40 or less would be 11.

MR. VACCHIO: Twelve.

MR. BEGUN: Twelve, correct.

MR. VACCHIO: Well, you got 45.

MEMBER MOSKOWITZ: Fair enough. Maybe we should hear --

CHAIRMAN KEILSON: -- from the neighbor.

Okay. You can sit.

MR. BEGUN: Thank you.

MR. HYAMS: My name is Richard Hyams, H-Y-A-M-S. I live at 376 Mulry Lane, two houses down from the house in question.

CHAIRMAN KEILSON: To the left or to the right?

MR. HYAMS: I am to the right.

CHAIRMAN KEILSON: Okay.

MR. HYAMS: And just hearing what my neighbor has said that, you know, we didn't really expect what we had in finances due to the house, and you know, I am here 32 years and I am still, you know, fixing things and

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1 things like that. I believe in, you know
2 caveat emptor. Let the buyer beware, not, you
3 know, let the buyer use this as an excuse.
4 Also I believe also that the house -- if a
5 house was built and like Mr. Gottlieb said
6 that Mulry Lane is almost like a special zone
7 or a difficult zone, there is -- the goal of
8 Mulry Lane is to let people get off of it.
9 People don't want to be on Mulry Lane. They
10 don't want to be at the end of the street
11 because Washington Avenue is like a dead zone.
12 You know, you can't get out of it, so Mulry
13 Lane is just to drive through it. That's all.
14 It's one way, it's narrow. I know my
15 neighbors. They are nice people. I know they
16 have a relative on my side. Very nice people.
17 But I am thinking maybe it just won't fit in.
18 But I am open to, you know, maybe more, you
19 know, hearing about my neighbor, the neighbor
20 that's between us. I don't know if you -- can
21 I address him?
22

23 CHAIRMAN KEILSON: Ask the question. He
24 will probably hear.

25 MR. HYAMS: Okay, very good. Thanks.

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1
2 So have you talked to Manfreek, the neighbor
3 next door? That's her first name. She is
4 between the two of us, and you know, I have
5 spoken to her, and you know, the neighbors are
6 pretty casual, you know, just -- but you know,
7 and also saying that while a lot of the
8 houses, you know, 30, 40, 50, 70 years ago
9 were built that way, I don't think should --
10 you know, we should, you know, stand on the
11 shoulders of that. I think we should just set
12 regular zoning rules and obey them, enforce
13 them. Or else it's just going to turn into
14 something that's very, you know -- you know,
15 zoning that's very old and everybody can
16 always find something, you know.

17 CHAIRMAN KEILSON: And put us out of
18 business.

19 MR. HYAMS: I enjoy coming here
20 actually.

21 MEMBER GOTTLIEB: You have been here
22 before?

23 MR. HYAMS: Mulry Lane? Probably most
24 famously with the yeshiva on the corner.

25 CHAIRMAN KEILSON: Yes.

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MR. HYAMS: But that's it.

MEMBER GOTTLIEB: I confess that I think we made some mistakes there.

CHAIRMAN KEILSON: Speak for yourself.

MEMBER GOTTLIEB: God forbid.

MR. HYAMS: We are still waiting for the invite to play basketball there. They said any time use the gym. So that's it. I would like to find out a little more about it. I am not trying to be negative right now, but I would just like to find out any information because no one said boo to me about it, and I am between the two families or the same family. Things like that.

CHAIRMAN KEILSON: Thank you very much.

MR. HYAMS: Okay. You are welcome.

CHAIRMAN KEILSON: All right. Anyone else want to speak on the matter? Mr. Begun. Front and center. I think the biggest issue we have besides from some of the technical issues is that you didn't bother to go to the neighbors. You are not a neophyte.

MR. BEGUN: At this time we just moved in. We are still getting acquainted with the

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1
2 neighbors right now.

3 CHAIRMAN KEILSON: Mr. Begun, you should
4 just say you are right; I made a mistake; we
5 should go to the neighbor.

6 MEMBER GOTTLIEB: I believe that on the
7 application it suggests that you get letters
8 of support from your neighbors. It's still on
9 there?

10 MR. VACCHIO: Yes.

11 MEMBER HILLER: How long did you move
12 in?

13 MR. BEGUN: We moved in September --
14 sorry. We moved in a few weeks ago. Sorry.
15 Actually we bought the house in September.

16 CHAIRMAN KEILSON: Why don't you ask his
17 wife? She probably knows better.

18 MR. BEGUN: She is more on top.

19 MEMBER HILLER: What was the length of
20 time? What was the reason?

21 MR. BEGUN: We were locked into a lease
22 that we weren't able to get out which we tried
23 very much, so that was definitely not helpful
24 for the situation.

25 MEMBER HILLER: The gentleman before you

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1
2 asked about the neighbor to the right. I
3 asked about the left because he would be most
4 affected. Did you speak to the neighbor on
5 the right?

6 MR. BEGUN: We didn't get a chance to
7 speak with the neighbor, but just that
8 property itself is the same size as what we
9 are looking to propose. It's 40.

10 MEMBER HILLER: It's grandfathered in.

11 MR. BEGUN: A hundred percent. I won't
12 argue that. If it pleases the Board to, you
13 know, have us speak to the neighbors, then I
14 am --

15 MEMBER HILLER: I was going to advise
16 that.

17 MR. BEGUN: I am for it.

18 MEMBER KERSTEIN: At a minimum I think
19 that I would suggest that. I am not going to
20 suggest that resolves all the issues, but
21 that's a bare minimum what we need to see.

22 MR. BEGUN: More than happy to work with
23 the Board obviously and the neighbors. We are
24 not looking to, you know, do something that's
25 out of the character of the neighborhood and

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we respect it.

CHAIRMAN KEILSON: We try to make every effort to support applicants. You know. You have been involved with matters before us. So we would like nothing better than to assist you under your circumstances, but you have to give us the ammunition. Okay, we actually have for the record -- there is a letter of objection, right, Mr. Vacchio?

MR. PRESTON: Yes, Chairman.

CHAIRMAN KEILSON: I think we should make sure the record will reflect that.

MR. PRESTON: Correspondence from Ms. Mantovani, June 20th. For the record should it be marked?

CHAIRMAN KEILSON: It should be marked and also the address.

MR. PRESTON: Ms. Mantovani of 379 Mulry Lane.

CHAIRMAN KEILSON: What does it say?

MR. PRESTON: "This letter is to let you know that I, Gregory Mantovani, as executor of the estate of Gene and Elizabeth Mantovani of 379 Mulry Lane, Lawrence, New York, strongly

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oppose the variance the parties are requesting for the address of 364 Mulry Lane, Lawrence, New York. I believe that the road frontage and lot size is not suitable to accommodate another home on this property."

CHAIRMAN KEILSON: Okay.

MEMBER HILLER: On a positive note, the neighbor, the gentleman before you, Mr. Richard Hyams who spoke before you said he was open to hearing from you. So you have neighbors who haven't heard from you. You do yourself a big favor and introduce yourself and show them your plans. They may be more of assistance to you than you believe.

MR. BEGUN: Got it. So I guess for the record, totally I understand that there is certain properties that are grandfathered in. 379 as well. It's an existing nonconforming on the street frontage.

MEMBER HILLER: Okay.

CHAIRMAN KEILSON: Okay. So we will adjourn the matter. Okay. I think that's the best right now.

(Exhibit A, Letter of objection, marked

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for identification, as of this date.)

(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

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----- EXHIBITS -----

EXHIBIT

FOR ID.

A Letter of objection

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INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

June 22, 2023
8:08 p.m.

APPLICATION:

Moret LLC
210 Beach 2nd Street
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

MR. ELLIOT MOSKOWITZ
Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. DANNY VACCCHIO
Building Department

Yaffa Kaplan
Court Reporter

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CHAIRMAN KEILSON: Okay. Moret LLC.

MR. BROWNE: All right. Good evening,
Chairman, members. Christian Browne,
McLaughlin & Stern, 1122 Franklin Avenue,
Garden City for the applicant. This is an
application that's coming back to you after a
few years.

CHAIRMAN KEILSON: That's what happened
tonight. Everyone is coming back.

MR. BROWNE: We are back. Round 2. The
application is slightly changed from what had
been proposed before, but the goal of this
application is to develop this vacant property
at 210 Beach 2nd Street which is right on the
Queens border in the Residence K district with
four new attached single-family homes. They
will be individually sold, new lots would be
created if you approve the variances, then we
will go on to the Planning Board. So new lots
would be created, and the homes would be
individually owned. They will be
single-family homes and they would be
constructed on this now vacant lot, which has
sort of been a problem for the village for

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some time as you are probably aware.

CHAIRMAN KEILSON: Well, this is really a redo of the 2018.

MR. BROWNE: It's a redo. To cut to the chase, before it's six units. Now it's four units. There were some engineering problems that was encountered before because there is no sewer connection. You couldn't connect to the Nassau County sewer, you couldn't connect to the New York City sewer. Mr. Vilardi, who is here representing the applicant, was able to correct those problems. He did speak to the neighbor in the back who originally you may recall was opposed to it. They have --

CHAIRMAN KEILSON: He acquired some property?

MR. BROWNE: He acquired some property from that gentleman, so that issue is resolved. So what we are really asking you to do tonight is reapprove the setbacks in the rear and on the side. Where in the rear you are required 15 feet, we have 10 feet to the building and 6 feet to the raised deck. And there is one side yard variance at the very

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1 north end of the building line. You know,
2 it's an odd-shaped lot, so we only have 6 feet
3 there where 10 is required. And then the
4 final bit of relief is there is that odd
5 provision in the Residence K that you are
6 required to have a minimum of 50 units.
7 Instead of a maximum, there is a minimum. So
8 we unfortunately can't build 50 units here.
9 So we are proposing four, so technically we
10 need to vary down to a much lower density than
11 the district contemplates.

12
13 CHAIRMAN KEILSON: Are they the same
14 variances as last time?

15 MR. BROWNE: I believe they are exactly
16 the same.

17 MR. VACCHIO: Yes.

18 MR. BROWNE: It's a weird-shaped lot.
19 It's only 50 feet deep. That's why the rear
20 yard lot variance is necessitated. Then there
21 is the part to the north that forms a triangle
22 as you go towards the water. That's not a
23 buildable area. That will be used for
24 drainage.

25 CHAIRMAN KEILSON: So technically this

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2 would be a use variance? We had this
3 discussion back in 2018. You finally acceded
4 to that.

5 MR. BROWNE: I will accede again to it
6 if you wish. I think it's a strangely worded
7 code. I don't understand having a minimum
8 density. Everybody is usually coming asking
9 for more, but in the end you are getting four
10 single-family homes. The previous application
11 you did grant was also granted by the Planning
12 Board, but then it got stymied by these
13 engineering problems which Mr. Vilardi has now
14 been able to resolve. So if the Board
15 reapproves the variances, we will go back to
16 the Planning Board, hopefully have their
17 resolution updated, and then move forward with
18 the project.

19 CHAIRMAN KEILSON: Can we get
20 clarification who actually owns the property?
21 Mr. Weitzman has been --

22 MR. BROWNE: Mr. Weitzman. Moret, he
23 controls the LLC that owns the property.

24 CHAIRMAN KEILSON: The other question is
25 the property has been marketed as a package

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2 with approved plans, is that the old one, or
3 are we pressing into talking about tonight to
4 vote?

5 MR. BROWNE: I think that this will be
6 -- this will be -- if you approve this, this
7 will be the plan. Four lots and I believe --

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

10 MR. VILARDI: James J. Vilardi, 85
11 Harris Avenue, Hewlett, New York 11557.

12 And --

13 CHAIRMAN KEILSON: Before we get to the
14 substance, when is E-ZPass coming?

15 MR. VILARDI: Well, Mr. Chairman, I
16 should really say for the record that I am not
17 on the Bridge Authority anymore, and I left
18 before the toll increases occurred. Just for
19 the record.

20 We are probably going to end up building
21 it ourselves.

22 CHAIRMAN KEILSON: Really? Should I
23 call Mr. Gutman and tell him that?

24 MR. VILARDI: I don't know who that is.

25 CHAIRMAN KEILSON: He is the one who

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1
2 came to see the plans.

3 MR. VILARDI: Okay. It's possible.

4 MR. BROWNE: But this will be the plan,
5 not the six units.

6 MEMBER HILLER: So you were just being
7 prophetic when you submitted it for sale as if
8 plans were already approved?

9 MR. VILARDI: You know --

10 CHAIRMAN KEILSON: Optimistic.

11 MR. VILARDI: If we got a decent price,
12 we might sell it, but internally I think we
13 are thinking that we are going to build it.

14 MEMBER KERSTEIN: I think the question
15 is it was being put out as having approved
16 plans when they were not yet approved plans.

17 MR. VILARDI: It wasn't put out as
18 having approved plans. It was put out being
19 subject to approval.

20 MEMBER GOTTLIEB: So you are on five
21 websites as this is available for sale with
22 approved plans for four townhouses, and the
23 problem I have is you can do what you want but
24 I don't serve on this board to make developers
25 wealthy. It's like not something that I take

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great homage.

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3 MR. VILLARDI: I didn't put it on any
4 websites.

5

6 MEMBER GOTTLIEB: Someone put it up for
7 sale. It's with Redfin. I mean, I stopped
8 after five websites. Just put in the address
9 210 Beach 2nd, boom, boom, they all come up.
10 Would you like to know how much you have it
11 for sale for?

12 MR. VILLARDI: Listen, Mr. Weitzman, it's

13 possible he is out trying to solicit bids on

14 the property. So we have a development

15 agreement, so we are probably going to develop

16 it but I can't stop someone from -- he is

17 technically the owner.

18 MEMBER GOTTLIEB: You just have to see
19 the way we look at it, and I don't think I
20 have ever approved a site subject to a
21 developer. We all have homeowners come before
22 us asking for approvals. I am not going to
23 overspeak this. As I have been told, I am a
24 bit loquacious on certain matters.

25 CHAIRMAN KEILSON: So how much is it
marketed for?

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MEMBER GOTTLIEB: One million 250, which
is an okay return considering you probably
paid less than 100 for it.

CHAIRMAN KEILSON: We are digressing.

MR. BROWNE: I can only say that I agree
with you that is not appropriate. I didn't
know that was going on. I am not sure Mr.
Vilardi knew what was going on.

CHAIRMAN KEILSON: We will speak to Mr.
Weitzman about that.

MR. PRESTON: Chairman, may I?

CHAIRMAN KEILSON: Rein him in a little
bit.

MR. PRESTON: On the prior application,
did you appear before BBD and the Planning
Board?

MR. BROWNE: We went to the Planning
Board. I don't believe we went to the BBD.

MR. PRESTON: Did you receive approval
to subdivide?

MR. BROWNE: We did. We were approved
here and at the Planning Board as far as I
recall. I know we went to both. I believe we
received approval.

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MR. PRESTON: Did you receive a local determination from the Planning Commission?

MR. BROWNE: Well, I don't think it's within the jurisdiction of the Planning Commission but it was because it was at that point six lots, it was within the jurisdiction of the Nassau County DPW.

MR. PRESTON: As a minor subdivision application?

MR. BROWNE: It was a major subdivision application at that point; isn't that right, Mr. Vilardi?

MR. VILARDI: We have a waiver from the Planning Commission. Now there is no jurisdiction. It's just the Board of Zoning Appeals and the village Planning Board.

MR. PRESTON: You have a local determination letter from the Planning Commission for the four-unit subdivision?

MR. BROWNE: Let me be clear because everybody confuses it. Not local determination. The Planning Commission does not have jurisdiction over the subdivision itself. It doesn't have substantive

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2 jurisdiction because it's within the village,
3 and they have given you a letter of
4 nonjurisdiction, correct?

5 MR. VILARDI: Correct, yes.

6 MR. BROWNE: As local determination
7 meaning their recommendation, I don't know if
8 that's been -- if they reviewed it for their
9 recommendation to this Board.

10 MR. PRESTON: How does this Board --
11 assuming the Board wants to grant, how does
12 the Board grant without that?

13 MR. BROWNE: We can't vote on it. You
14 are not to vote on it until the Planning
15 Commission recommendation comes down.

16 MR. PRESTON: So are you requesting a
17 decision or referral?

18 MR. BROWNE: I don't know. Has it been
19 referred to the Planning Commission?

20 MR. PRESTON: As far as I know, this is
21 the first time this Board has heard this.

22 MEMBER HILLER: Can we make a decision
23 based on -- subject to the --

24 MR. PRESTON: It's permissible, yes.

25 MR. BROWNE: I mean, we can send it over

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1
2 there if the village -- it should be sent over
3 in the course of the application. If it
4 hasn't been, I can facilitate that, and you
5 can make a decision subject to if the Planning
6 Commission were to recommend disapproval,
7 which is highly unlikely, the case could be
8 brought back before you.

9 MEMBER GOTTLIEB: When you say Planning
10 Commission, this is Nassau County?

11 MR. BROWNE: Nassau County.

12 MEMBER GOTTLIEB: Not village of
13 Lawrence?

14 MR. BROWNE: Not village of Lawrence.

15 CHAIRMAN KEILSON: If the Planning
16 Commission declined, isn't that the type of
17 vote that we need at that point?

18 MR. PRESTON: If they decline, you need
19 a supermajority followed by a notice to the
20 Planning Commission or DPW even for the
21 reasons why the Board didn't accept the
22 recommendation.

23 MR. BROWNE: Yes. That's a
24 recommendation to you.

25 CHAIRMAN KEILSON: No. We have had this

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2 before.

3 MR. BROWNE: So my view is, you can vote
4 subject to receiving -- if they were to
5 recommend disapproval, which I think in a case
6 like this is highly unlikely where the case
7 could be brought back before you if you wish.

8 MR. PRESTON: I agree and I agree.

9 CHAIRMAN KEILSON: And I agree.

10 MEMBER GOTTLIEB: So I will ask about
11 the short environmental assessment. Is it
12 appropriate for short or the long form given
13 that this is a subdivision, and are you
14 connecting to city sewers or county sewers?
15 Which has no bearing. Just curious.

16 MR. VILARDI: New York City and that was
17 the major problem with this property. There
18 is no sewer access in front of the property,
19 which was a nightmare, so we had to go through
20 the process of applying to New York City DEP
21 which then caused us to purchase the house
22 rear adjacent because we needed easement to
23 get to the New York City sewer system. This
24 was quite an ordeal to develop the property.

25 MEMBER GOTTLIEB: So what did you do

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with the house behind you?

MR. VILARDI: I'm sorry?

MEMBER GOTTLIEB: The house that you had to purchase to get to the sewer.

MR. VILARDI: It's still there. We are just going to install the sewer line and then fix it and resell it.

MR. BROWNE: And the answer I think to your question, Mr. Gottlieb, this is a minor subdivision and only four lots, so a Planning Board can waive further review. There is just no --

MEMBER GOTTLIEB: I just don't know when it's a long form or short form.

MR. BROWNE: I can certainly say on a minor subdivision, a short form is certainly appropriate.

CHAIRMAN KEILSON: Any further questions from the Board? Anyone from the audience want to ask questions? Comments? Offer some humorous anecdote?

MS. TUCCIO: Good evening. Fran Tuccio, 163 Beach 3rd Street, Far Rockaway, New York. I first would like to say I am not opposed to

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2 the building at all because the piece of
3 property which was most of my life an active
4 marina boatyard --

5 CHAIRMAN KEILSON: Eddy's.

6 MS. TUCCIO: -- Eddy's Marine has become
7 a dumping ground and a bus yard which has been
8 closed up right now. The buses are gone but
9 it's been like a year of buses, revving up and
10 coming and going and garbage. So I am not
11 opposed at all. I was okay with the six
12 townhouses. I am definitely okay with four
13 townhouses. The one issue I do have because
14 the property behind it adjacent that you had
15 to purchase is New York City where it's being
16 hooked up to our sewers, which are not really
17 great to begin with. So the property behind
18 where there are two bungalows and a garage
19 now -- can I just back up a little bit because
20 my family has been there since the 1930s.

21 CHAIRMAN KEILSON: Please.

22 MS. TUCCIO: So when my grandfather
23 bought the property on the corner, which is
24 now Beach 2nd, which used to be old Doughty
25 Boulevard, Seagirt Avenue, he had a garage and

1
2 business there, built the house. When he
3 finished building the house in 1938, it was
4 now the village of Lawrence, so the C of O on
5 that corner when it was -- originally it was
6 all part of New York City. So that's why
7 there are no sewers for Nassau County or the
8 village of Lawrence because even Beach 2nd
9 Street, they all became -- 1930-something
10 became -- the line came through and made
11 Lawrence and Far Rockaway and all of Beach 2nd
12 Street is attached to the DEP sewers which run
13 down Seagirt Avenue. So this LLC bought the
14 property behind, which actually is two
15 bungalows and a garage, which is all New York
16 City property. So one is empty I believe.
17 The other family has been told they have to
18 move out by August, am I correct? The Cohens?
19 And then there is a garage there. So this is
20 a total flood zone there right now. Water
21 comes up the street into those people's houses
22 while they sleep. I know them personally and
23 I have lived there my whole life, so I know
24 where the water goes. My only concern is that
25 our sewers since 1970-whatever, when they

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2 started building the 711 building, which used
3 to be Roy Reuther Building, we have had our
4 sewers done over and repaired three major
5 times since 1970 or so. I am just a little
6 concerned that the quality of our sewers right
7 now are not great to begin with. And this is
8 going to be just an added burden to us. I
9 just want to make sure that the homeowners and
10 the people who have lived there previously are
11 not going to be put into a horrible situation
12 because the flooding and all is already
13 terrible.

14 MEMBER GOTTLIEB: Can I ask a question?
15 When you say "sewers", typically there are two
16 types of sewers? One is stormwater and the
17 other is sanitary.

18 MS. TUCCIO: We have both.

19 MEMBER GOTTLIEB: Is it the sanitary
20 sewers are backing up into people's home?

21 MS. TUCCIO: So the flood -- basically
22 the sewer backups only comes when there is a
23 huge storm and the drains get backed up but
24 the streets itself are flooded on a high tide.
25 The end of the dead end where those bungalows

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1 and the garage -- listen, this is all
2 wonderful stuff that's coming, so I am not
3 being negative to the new development, but as
4 is now, the street is crumbling in front of
5 the bungalows, and the garage where the sewers
6 I assume is coming from Eddy's Marine towards
7 Beach 3rd Street to hook up to our existing
8 sewers on Beach 3rd Street and into Seagirt
9 Avenue and everyone on Beach 2nd Street in
10 Lawrence is hooked up to the same DEP sewer
11 system that I am hooked up to.

12 MEMBER GOTTLIEB: So I think counsel or
13 Mr. Vilardi can answer the question because
14 the sanitary sewer is what's hooked up to DEP.
15 The street sewer is probably still Nassau
16 County, so I don't know this --

17 MS. TUCCIO: No. It's all New York
18 City.

19 MR. VILARDI: There are no combined
20 sewers on that street. Let me just put your
21 mind at ease. So here is what's happening --

22 MEMBER GOTTLIEB: Can you stand up so
23 our court reporter --
24

25 MR. VILARDI: Every homeowner on Beach

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1
2 2nd Street in Lawrence on the southbound side
3 closer to the water is hooked up to one sewer
4 system. DEP did an upgrade and their sewer
5 line, that sewer line which we would have
6 hooked up to, right on the circle where the
7 bridge is. But they installed the wrong size
8 pipe so that line is over capacity. That's
9 why we had to go through that property to
10 Beach 3rd because that line is under capacity.
11 So there is no need to worry about
12 overcapacity of sewers. So before DEP
13 approved our application to connect to the
14 sewer, they do what is called a hydraulic test
15 where they test the capacity of the sewer
16 system and that line on Beach 3rd Street has
17 plenty of capacity, so it would have been much
18 easier for us and cheaper because I wouldn't
19 have to buy the house adjacent if we had gone
20 to the traffic circle and connected right
21 there. That line unfortunately for us is over
22 capacity.

23 MEMBER GOTTLIEB: That is for the
24 sanitary, not the stormwater?

25 MR. VILARDI: Correct.

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1
2 MEMBER GOTTLIEB: And the stormwater,
3 that just goes out into Reynolds Channel?

4 MR. VILLARDI: No. There is a separate
5 stormwater system in New York City as well as
6 the village of Lawrence, and in that area of
7 Queens, there are no combined sewers. There
8 are in other parts of Queens but not in that
9 part.

10 CHAIRMAN KEILSON: Thank you very much.

11 MS. TUCCIO: And I have other concerns.
12 The house, the bungalows and all, I have known
13 people that lived in there already. So if
14 it's going to be resold or rebuilt or whatever
15 is going to happen after the sewers are
16 connected, those houses need to be really
17 lifted. They are not inhabitable the way they
18 are now because I have been in the houses
19 where the people wake up in the morning or
20 they call me on Shabbos because their
21 electricity is under water. The water
22 literally comes up in high tide into the
23 Cohens' house and the bungalow in the back
24 that's now empty, so I am just concerned about
25 the condition. That street is a dump yard now

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1
2 also with the other boatyard that -- Tubby's
3 Marina that's not operating anymore and that's
4 now just trucks and equipment building
5 equipment and all. I am just concerned about
6 the neighborhood is turning -- it's not a home
7 where people want to live and be in a beach
8 community anymore.

9 CHAIRMAN KEILSON: I would imagine if
10 they are going to put in four new homes, would
11 like to put in four new homes, they have to do
12 something about the environs to make it
13 more --

14 MS. TUCCIO: So with the houses behind
15 that they purchased because of the sewer, are
16 they going to be abandoned after this property
17 or are they going to be knocked down or are
18 they going to be rebuilt for new homes?

19 MR. BROWNE: First of all, the homes
20 that we are proposing will be built to the --

21 MS. TUCCIO: No, not the new floor.

22 MR. BROWNE: They will be built to the
23 standard for flood construction that's
24 required today. The part that's in the
25 triangle to the north will be an open area for

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1
2 drainage so that water doesn't -- the goal is
3 not to have water go into these storm drains.
4 Just to be drained, contained on your own
5 property, and I believe they will -- if the
6 developer does renovate anything on the Queens
7 side, those renovations will also have to
8 comply with modern flood standards. You
9 wouldn't be able to substantially rebuild
10 anything in that area unless you complied with
11 the federal regulations for raising the houses
12 out of the flood plane.

13 MS. TUCCIO: Okay. I saw your new
14 plans. I like them.

15 CHAIRMAN KEILSON: Thank you very much.

16 MEMBER GOTTLIEB: Thank you for your
17 historical perspective.

18 CHAIRMAN KEILSON: Anyone else want to
19 speak to the matter?

20 MR. BRENKE: Erick Brenke, 200 Beach 2nd
21 Street. How are you, Mr. Vacchio? I am for
22 this project because you know, that property
23 adjourn (sic) to the side of our home has been
24 a little whacky. You know, just due -- not
25 because of the owner. Just that Roy Reuther

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1 Building that they are -- that Mrs. Tuccio is
2 speaking about, you know, there is no parking
3 over there. So you know, the people that live
4 over there in the Rockaways are parking down
5 by us in the Lawrence section. So some of
6 them are contractors. They come with their
7 like U-Haul truck, and when they come at
8 night, nobody is there, and they are just
9 dumping onto the Atlantic Beach, the bridge
10 side. So you know, I wish we could have like
11 a village of Lawrence sticker for everybody
12 over there so we couldn't have these guys from
13 the Rockaways dumping in there, but I feel
14 like when these condos are built, you know,
15 there would be more sense of a community in
16 that section because my parents live down in
17 Virginia, but when they were there, my dad
18 kind of like regulated the block. He made
19 sure nobody dumped, nobody, but you know, he
20 hasn't been there for a few years now so -- I
21 would hope that these condos, you know, bring
22 some more streetlights to the neighborhood.
23

24 CHAIRMAN KEILSON: Mr. Vacchio, you
25 heard that?

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1
2 MR. BRENKE: It's pretty dark through
3 down there and those guys pick up the ladies
4 of the night and they come down there and they
5 are down on that block.

6 MEMBER GOTTLIEB: In our village?

7 MR. BRENKE: I grew up there my whole
8 life. I will be 48 on Saturday, so my entire
9 life I have lived there and I love that
10 neighborhood. But you know that it's been a
11 very Debbie Downer lately since there hasn't
12 been really anything over there.

13 CHAIRMAN KEILSON: I think the only
14 regret is have you brought this to the
15 attention of the village?

16 MR. BRENKE: Everybody has, you know, so
17 it's just --

18 MR. VACCHIO: I haven't heard it. I
19 never heard it.

20 MEMBER GOTTLIEB: We have a denial.

21 MR. BRENKE: I never spoke to you or
22 anything, but I made phone calls.

23 MR. VACCHIO: Get things done.

24 CHAIRMAN KEILSON: Phone calls are worth
25 nothing. You have to send a letter so a

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record is created, and then there is
accountability. You send it to Mr. Vacchio's
attention and you copy me.

MR. VACCIO: Absolutely.

MR. BRENKE: All right.

MEMBER HILLER: Get a bunch of
signatures.

MR. BRENKE: The whole block will sign.

MEMBER KERSTEIN: Or have everybody send
a separate letter.

MR. BRENKE: But I appreciate it. I am
all in favor of the 210 project. Thank you.

CHAIRMAN KEILSON: Thank you. You are
here. You might as well.

DR. COHEN: They took a lot of my
thunder. Meir Cohen, 205 Seagirt Avenue,
Lawrence, New York. I want to reiterate what
Erick and Fran said earlier. My concern is
flooding. A few months ago during the winter
there was some really bad flooding over there,
so if they are going to be put up, if more
buildings are going to be put up, that's
something I would be very concerned about,
make sure it wouldn't happen.

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1
2 CHAIRMAN KEILSON: Where do you live?

3 DR. COHEN: I live on Seagirt Avenue on
4 the second-to-last house on the right.

5 CHAIRMAN KEILSON: So you are around the
6 corner from this project?

7 DR. COHEN: Really straight down. I see
8 it. I am on the corner of Beach 2 and Seagirt
9 Avenue.

10 CHAIRMAN KEILSON: You own the house?

11 DR. COHEN: I own the house.

12 CHAIRMAN KEILSON: Where is the empty
13 lot, the one proposed for the --

14 DR. COHEN: For the Mikvah? Across the
15 street from my house. I missed that. I
16 wasn't able to come to that meeting.

17 CHAIRMAN KEILSON: Okay. I'm sorry.
18 Continue.

19 DR. COHEN: So my concern is for the
20 flooding, make sure that stuff is going -- if
21 there is going to be construction that
22 flooding will be prevented and parking is a
23 real issue. Because people from the building,
24 the 711 building, they all park there, dump a
25 lot of trucks there, and it's been getting

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worse and worse. People hang out and Erick said earlier, people hanging out there at night. I have cameras. More than happy to show what's going on, but between the littering, between people hanging out and playing music, if there is -- you know, again, if there is going to be construction, there should be increased lights or increased -- if there could be a way for this to be avoided.

CHAIRMAN KEILSON: The answer is it's unfortunate that you needed this type of hearing to bring this out.

DR. COHEN: Okay.

CHAIRMAN KEILSON: But the village is responsive. I found over the years especially if enough people make noise about it so you shouldn't live with a condition that's an untenable situation. Okay? You have to make noise in the village, all right, and the noise comes from numbers. If you have a number of people who are of the same mind, you make an appointment. We can go see the administrator Mr. Goldman or even the mayor. They will be responsive, and then they will call the police

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1
2 on a regular basis to figure that out. I
3 mean, I used to hang there as a teenager.

4 DR. COHEN: It was a different time. I
5 imagine a different crowd.

6 CHAIRMAN KEILSON: Somewhat of a
7 different crowd.

8 DR. COHEN: Just the parking -- I
9 haven't seen the plans. I don't know what is
10 being done about parking but just want to
11 bring that up because if there is going to be
12 four to eight new cars there, that adds up.

13 MEMBER KERSTEIN: I think the plans --
14 do you have parking?

15 MR. BROWNE: It complies with the
16 village's parking requirement. There will be
17 interior garages in each unit that could fit
18 two cars and a parking pad for each unit that
19 also fits two cars.

20 MEMBER GOTTLIEB: So you are saying each
21 unit can hold four cars off the street?

22 MR. BROWNE: It could yes.

23 MEMBER GOTTLIEB: Because sometimes the
24 code requires one but having the ability to
25 park four cars will put your mind at ease

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1
2 regarding parking.

3 DR. COHEN: Again, I haven't seen the
4 plan, so I just want to make sure.

5 MEMBER KERSTEIN: The parking rules for
6 Lawrence still apply here, right?

7 DR. COHEN: It's not enforced.

8 MEMBER KERSTEIN: If you call --

9 MEMBER GOTTLIEB: I think Beach 2nd has
10 a different --

11 MR. VACCHIO: It's the same but nobody
12 goes at night.

13 CHAIRMAN KEILSON: Okay. Thank you very
14 much. Thank you.

15 Anyone else?

16 MS. TUCCIO: Can I just say one thing
17 about the parking situation? In the past in
18 Lawrence you were not allowed to leave a car
19 on the street overnight ever. Now it's the
20 people on Beach 2nd Street, South Beach 2nd
21 Street from the street to Seagirt have gotten
22 permission to park on their street in front of
23 their house, but near the bridge approach up
24 to the other side, which has nothing to do
25 with their property, trucks, cars, garbage are

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1
2 left all night. They get ticketed, the
3 village of Lawrence. I speak to Ron Goldman
4 directly. I come in here to speak with the
5 garbage that's going on over there. Trucks
6 are left. Flatbeds are left. There is a
7 piece of a sauna building that's been there
8 six to eight months right next to his father's
9 house in front of the property. It's not
10 enforced. When we do get the police, they
11 write tickets. They stay there for weeks and
12 months on end overnight. They don't get
13 moved. They just stay there and dump garbage
14 and other stuff that's going on. I have gone
15 personally to speak about it.

16 MEMBER GOTTLIEB: Danny, I want a
17 commitment on behalf of this Board you are
18 going to do something.

19 MS. TUCCIO: We will see you tomorrow,
20 Danny.

21 MEMBER GOTTLIEB: Danny is getting a lot
22 of letters this week.

23 MEMBER MOSKOWITZ: Are we going to vote
24 now?

25 CHAIRMAN KEILSON: Taking into account

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the benefit to the applicant as opposed to any detriment to the community, and I think in light of the fact that it's really been approved already, and if anything, it's going to be an improvement over the improved, the four houses, Mr. Kerstein.

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: I am voting for mostly in part because of the support of the neighbors who want to clean up the area. Otherwise I was not so in favor of this prior to that. I want to make that clear.

CHAIRMAN KEILSON: Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: And I am for as well.

MR. PRESTON: Condition --

CHAIRMAN KEILSON: Subject to --

MR. PRESTON: Conditional upon county approval.

CHAIRMAN KEILSON: Three years?

MR. VILLARDI: That's fine.

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2 MR. BROWNE: The receipt of Nassau
3 County Planning Commission recommendation.

4 MR. PRESTON: Fine. And you have BBD
5 and Planning Board?

6 MR. BROWNE: Correct.
7 (Whereupon the hearing concluded at 8:39

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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