

1 INCORPORATED VILLAGE OF LAWRENCE

2 PLANNING BOARD

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

6 October 31, 2016
7 7:53 p.m.

8 APPLICATION:

Schwartz
12 & 16 Margaret Avenue
Lawrence, New York

9
10 P R E S E N T:

11 MR. MORDY SOHN
12 Chairman

13 MS. JACQUELINE B. HANDEL
14 Member

15 MR. BENJAMIN LOPATA
16 Member

17 MR. MICHAEL PINTER
18 Member

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

21 MR. GERALDO CASTRO
22 Building Department

23 MS. DANA GARRAPUTA
24 Building Department

25 Mary Benci, RPR
Court Reporter

1 CHAIRMAN SOHN: 12 and 16 Margaret Avenue. This is
2 with regard to 12 and 16 Margaret Avenue where the applicant
3 proposes (A), an adjustment of the property line to widen the
4 16 property.

5 MR. CASTRO: Correct.

6 CHAIRMAN SOHN: And take it from the 12 property.

7 MR. CASTRO: Correct.

8 CHAIRMAN SOHN: The applicant did bring us in some
9 pictures of what the land will look like after the change is
10 made, and the Board should vote on whether we're going to
11 approve it or not.

12 Is that correct, Counselor, at this time?

13 MR. PRESTON: It is.

14 CHAIRMAN SOHN: Are we ready to vote on this
15 matter?

16 MEMBER LOPATA: Yeah.

17 MEMBER PINTER: Yes. I vote in favor of the
18 proposed subdivision.

19 MEMBER LOPATA: In favor.

20 CHAIRMAN SOHN: In favor.

21 MEMBER HANDEL: Against.

22 CHAIRMAN SOHN: Against?

23 MEMBER HANDEL: Against.

24 CHAIRMAN SOHN: Against. It looks like it carried.

25 We have one against. Do you want to abstain maybe? Or do

1 you want to vote again?

2 MEMBER HANDEL: No, I want to vote against because
3 I do not approve of the beauty of what the existing property
4 will look like.

5 CHAIRMAN SOHN: Can we make one request as to the
6 height of the shrubs that will be going in? Does anybody
7 know the height of the shrubs that will be going in?

8 MR. BROWNE: Christian Browne, B-R-O-W-N-E,
9 333 Earle Ovington Boulevard, Suite 601, Uniondale, for the
10 applicant.

11 These will be emerald green arborvitaes. They grow
12 to about six to eight feet.

13 CHAIRMAN SOHN: What size will the ones going in
14 be?

15 MR. BROWNE: Well, I think when you get them --

16 MR. CAPOBIANCO: About five, six feet.

17 MR. BROWNE: Five, six feet, and they grow really
18 as tall as you let them.

19 CHAIRMAN SOHN: What is there existing -- are they
20 arborvitae also the ones that are existing?

21 MR. BROWNE: I don't know. These will be all new
22 plantings.

23 CHAIRMAN SOHN: What are existing?

24 MR. CAPOBIANCO: They're not emerald green
25 arborvitae. Emerald green arborvitae will grow in a tighter

1 location, taller, straighter and stay green, and because of
2 the exposure to the sunlight they'll do very well, but they
3 won't encompass sideways. They won't grow too much sideways
4 which will encroach into the driveways on both sides. So
5 they stay straight and that's why they're changing them. The
6 ones that are there now, they're the old standard arborvitaes
7 some of them, and some are trees that are there too that are
8 not doing too well.

9 CHAIRMAN SOHN: Can you specify that they'll be a
10 minimum of five to six feet?

11 MR. BROWNE: Yes, we can.

12 And that was John Capobianco, the applicant's
13 architect.

14 MEMBER HANDEL: When they took down the pole here
15 they took down half a fence, the gate. We have to tell them
16 to remove this gate because it's not -- it's of no value
17 without the other half closing.

18 CHAIRMAN SOHN: There's a half a gate that will
19 remain. Will that be removed?

20 MR. BROWNE: The half a gate on 12?

21 CHAIRMAN SOHN: The half a gate on the 12 property,
22 will that be removed?

23 MR. CAPOBIANCO: Yes, that will be removed, but the
24 pier will remain.

25 CHAIRMAN SOHN: In other words, to match the right

1 so we don't see a half a gate on the left side.

2 MR. CAPOBIANCO: Exactly.

3 CHAIRMAN SOHN: Thank you.

4 MEMBER HANDEL: You're welcome.

5 MR. CASTRO: And just to confirm, I believe last
6 time and it looks like from the landscape plan that the
7 bushes will be located on 16 Margaret Avenue.

8 MR. BROWNE: Correct. They will be on the 16 side,
9 which is the larger side, to leave maximum space on the
10 12 driveway.

11 MR. CAPOBIANCO: That's correct.

12 MEMBER LOPATA: It looks like in the rendering that
13 I guess the right side was going to be brick and the left
14 side -- the new part of the driveway was going to be gravel.
15 Is there any reason for that?

16 MR. CAPOBIANCO: For an impervious/pervious
17 situation, for drainage. They wanted that to stay more of a
18 drainage issue so that it wouldn't run continuously off. So
19 partially it's gravel and stone, or pebbles, and then the
20 other part is brick pavers that exist.

21 MR. BROWNE: Because, as you know, the Village
22 has --

23 CHAIRMAN SOHN: Gerry, can we object to the gravel?
24 Because that gravel is going to be all over the -- all over
25 the place. I didn't realize it was gravel. Thank you. Or

1 thank Jackie.

2 MR. CASTRO: Are there plans to redo the driveway,
3 make it more uniform?

4 MR. BROWNE: I think the --

5 CHAIRMAN SOHN: Gerry, that gravel is going to be
6 all over the street, all over the driveway, all over
7 everything.

8 MR. CAPOBIANCO: We're not in favor of it at all.

9 CHAIRMAN SOHN: Pardon me?

10 MR. CAPOBIANCO: We don't like it. Architecturally
11 we don't like it, and as the site plan design goes we don't
12 like it either. We can do a turf stone, which is a paver
13 which has grass growing in between it, if the Board of Zoning
14 was okay with it, or I'd just be happy putting all brick
15 pavers back to match the old driveway.

16 MEMBER PINTER: So why did they choose gravel?

17 CHAIRMAN SOHN: Pavers should look a lot better
18 than the gravel.

19 MR. BROWNE: The issue is that, as you know, the
20 Village Code has these rather extensive pervious surface
21 calculations and requirements. So the idea was in an effort
22 to comply with that surface coverage issue to make it
23 pervious. But as Mr. Capobianco states, it's not that the
24 applicant is wedded to doing this.

25 CHAIRMAN SOHN: In other words, the applicant would

1 prefer pavers?

2 MR. BROWNE: Yes.

3 CHAIRMAN SOHN: Gerry.

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

5 MR. CAPOBIANCO: I think to match what they have,
6 rather than have to rip up everything they already have, I
7 could do the first half of the driveway in that, so the front
8 of it going in, and the element of loose stone and gravel
9 wouldn't, you know, exist. If you allow them to just match
10 the existing driveway up to the first front of the house, and
11 then from the front of the house back stay with some kind of
12 pervious paver. Something that will allow, you know, water
13 to penetrate, which a good one is turf stone which is half
14 paver, half grass. I'm not actually excited about the way
15 that looks either, and I think it could be a maintenance
16 headache; like you said, stone and gravel would be over
17 everything.

18 MEMBER HANDEL: With stone and blowing stone.

19 MR. CASTRO: Plows.

20 CHAIRMAN SOHN: The first time they shovel the
21 driveway in the first snow all of that gravel is going to be
22 in the street.

23 MR. BROWNE: We don't have a problem if it's still
24 compliant, which I guess maybe it would be if we, as
25 Mr. Capobianco said, we could do brick up to the building

1 line of the house and then pervious pavers in the back.

2 CHAIRMAN SOHN: Yeah, I think that change should be
3 made, Gerry.

4 MR. CASTRO: So with the -- just to clarify, would
5 the -- you'd have brick up to the front of the house. The
6 pervious pavers, would you redo the whole driveway in
7 pervious pavers after the front wall of the house?

8 MR. CAPOBIANCO: Well, at least the part that's not
9 done at all we would do in that, but I'll find out from the
10 homeowner.

11 MR. CASTRO: I mean, aesthetically, it would be --

12 CHAIRMAN SOHN: Gerry, just to match this, and what
13 they do further back with pervious pavers, or whatever they
14 want to call them, no problem, but at least this should match
15 certainly the first 30 feet, 40 feet, or till the house.

16 MR. CASTRO: Thirty feet.

17 MR. BROWNE: How about to the front building line
18 of the house?

19 CHAIRMAN SOHN: Pardon me?

20 MR. BROWNE: How about to the front building line
21 of the house?

22 CHAIRMAN SOHN: At least, and then after that,
23 pavers. Pervious pavers, is that what you call it?

24 MR. CASTRO: Any type of pervious materials.

25 MR. BROWNE: That would be acceptable.

1 MR. CASTRO: Since we're going to have more hard
2 scape in the front then, can we get a dry well to pick up the
3 water from the front?

4 MR. CAPOBIANCO: I think those houses have
5 basements, right?

6 MR. CASTRO: Yes, I believe so.

7 MR. CAPOBIANCO: I have no problem putting a dry
8 well in, and that will take up any other drainage that runs
9 out into the street for the driveway and put a trench drain,
10 cut a trench drain in to grab all that, because now it's
11 wider. The whole purpose of this is to park two cars side by
12 side, so they're not blocking anybody in.

13 MR. CASTRO: I'm content if you put a dry well to
14 catch that water in the front.

15 MR. CAPOBIANCO: That's something we would
16 certainly agree to do, Gerry.

17 MR. CASTRO: Okay.

18 MR. BROWNE: So we would accept all those
19 conditions, yes, sir.

20 CHAIRMAN SOHN: Fine, no objection, I think with
21 the exception of the young lady.

22 MR. CASTRO: Do we just want to reiterate the
23 conditions?

24 CHAIRMAN SOHN: Do we know what the conditions are
25 then? Five- to six-foot arborvitae.

1 MR. CASTRO: Correct.

2 CHAIRMAN SOHN: The super arborvitae.

3 MR. CAPOBIANCO: Emerald green arborvitae.

4 CHAIRMAN SOHN: Pavers certainly in the front until

5 the building line.

6 MR. CASTRO: And the half gate.

7 MEMBER HANDEL: Brick up to the building line.

8 CHAIRMAN SOHN: And remove the other half of the

9 gate.

10 MR. BROWNE: Sounds good.

11 MR. CAPOBIANCO: Thank you.

12 CHAIRMAN SOHN: Do we have anything else on the

13 agenda? I make a motion to close the meeting. Do I have a

14 motion?

15 MEMBER PINTER: I make a motion.

16 (Continued on the following page.)

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CHAIRMAN SOHN: The meeting is closed.

Gentlemen, thank you.

MR. CAPOBIANCO: Thank you.

MR. BROWNE: Thank you.

(Whereupon, the hearing concluded at 8:05 p.m.)

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

Mary Benci
MARY BENCI, RPR
Official Court Reporter