

Cukier - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
7:31 p.m.

APPLICATION:

Cukier
160 Wildacre Avenue
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Cukier - 4/27/2023

CHAIRMAN KEILSON: Okay, good evening, ladies and gentlemen. Welcome to the Lawrence Board of Zoning Appeals. Please turn off cellphones. If there is a need to converse, please go out into the hallway. And we have a full board tonight, including the alternate, Ms. Syma Diamond. Only the regular members will vote. The alternate will only vote in the event that one of the members want to recuse themselves or have to recuse themselves. Okay. First, we have posting.

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

CHAIRMAN KEILSON: Thank you very much. Then we have a request for an extension. Cukier, 160 Wildacre Avenue. The variance will expire on 10/23/23. Pool, coverage. Pool, yes, and in rear yard. They are not ready to install the pool. Any idea how much more time they wanted?

MR. VACCHIO: Didn't say but he is anxious to get started.

MEMBER GOTTLIEB: But that expiration is in six months.

Cukier - 4/27/2023

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CHAIRMAN KEILSON: Yes.

MEMBER GOTTLIEB: October is in six months. If he is anxious to get started, he could be completed. I don't mind giving an extension. You are going to miss the season.

MR. VACCHIO: He must have wrote that wrong.

MR. PRESTON: Any expiration would be from the date.

CHAIRMAN KEILSON: So it would be October of '24.

MR. PRESTON: For how long the Board chooses to grant it?

CHAIRMAN KEILSON: Let's just give him two years and be done with it.

MR. VACCHIO: Can I have that paper?

CHAIRMAN KEILSON: Yes, you can.

(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

1 Wolff - 4/27/2023

2 INCORPORATED VILLAGE OF LAWRENCE

3 BOARD OF APPEALS

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

8 April 27, 2023
9 7:33 p.m.

10 APPLICATION:

11 Wolff
12 15 Beechwood Drive
13 Lawrence, New York

14 P R E S E N T:

15 MR. LLOYD KEILSON
16 Chairman

17 MR. EDWARD GOTTLIEB
18 Member

19 MR. DANIEL HILLER
20 Member

21 MR. ELLIOT MOSKOWITZ
22 Member

23 MR. PHILIP KERSTEIN
24 Member

25 MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

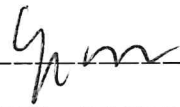
Yaffa Kaplan
Court Reporter

Wolff - 4/27/2023

CHAIRMAN KEILSON: Okay. Then there are
two matters that have requested adjournment.
We have Wolff at 15 Beechwood Drive.
Adjournment to the next hearing date or
however they will apply.

(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

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
7:34 p.m.

APPLICATION: Josephy
2 Meadow Lane
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Josephy - 4/27/2023

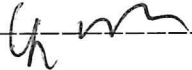
CHAIRMAN KEILSON: Josephy at 2 Meadow

Lane. Okay? That will help. All right.

(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

Singer - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
7:34 p.m.

APPLICATION:

Singer
63 Causeway
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Singer - 4/27/2023

CHAIRMAN KEILSON: Next matter is that of -- or the first matter is that of Singer, 63 Causeway. They or their representative.

MR. FLAUM: Good evening, chairman, members of the Board. My name is Shmuel Flaum, representing the owners, Mr. And Mrs. Singer this evening. I believe there is a continuance from a past hearing where the Singers came in front of the Board requesting an in-ground pool. They were asked to consider some changes, alterations to the location and size of the pool. So the code relief we are seeking is from Section 212-48.C, minimum rear yard setback for a pool. Where you are permitted to have a pool 20 feet from the rear yard, we are proposing 15 feet with an overage of 5 feet into the required rear yard. You should have site plans that were updated showing the newly resized pool. It's now 15 feet away from the rear yard. It's a 12-foot-wide by 32-foot-long pool centered along the back of the property. That is the only variance we are seeking for the installation of this pool.

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Does the Board have any questions?

MEMBER MOSKOWITZ: Do you have a perspective from the rear neighbor, a letter of support from the rear neighbor?

MR. FLAUM: I have letters of support. I have one from JJ and Miriam Taub and Reuvein and Chani Moskowitz. 71 Causeway and 59 Causeway.

CHAIRMAN KEILSON: I think he is asking about the rear neighbor.

MR. FLAUM: I know. I don't know if we have a letter, but I don't think they were against it either unless they were at the last hearing which I was not, so I am not sure who did or didn't attend at the last hearing from the adjoining neighbors.

MEMBER HILLER: Is there a reason why the Singers are not here?

MR. FLAUM: Why they are not here? I think they were at the first hearing. I am assuming they had a conflict.

MEMBER HILLER: They don't go to second hearings?

MR. FLAUM: I think they had a conflict.

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I think the person who tends to the matter
wouldn't be able to make it this evening.

MEMBER GOTTLIEB: Mr. Hiller, have you
ever seen Clark Kent and Superman in the same
room?

CHAIRMAN KEILSON: Are you making
reference to Mr. Flaum?

MEMBER GOTTLIEB: I don't know which one
he would be.

CHAIRMAN KEILSON: All right. So we
don't have a letter from the neighbor most
affected, and we don't have the applicant to
tell us whether he did or did not reach out to
the neighbor.

MEMBER GOTTLIEB: Maybe there is a
neighbor here that wishes to speak.

MEMBER MOSKOWITZ: Do you want to step
out and call your client and see if they have
a report on that?

MR. FLAUM: Maybe we should do the other
two and I will do that after.

CHAIRMAN KEILSON: Yes. That's a very
good idea to hold that in abeyance and go to
Rubin at 116 Harborview East.

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(Recess taken.)

CHAIRMAN KEILSON: Mr. Flaum? First with Singer.

MR. FLAUM: So plot twist. The Singers have two letters, and one of the letters is from a neighbor who owns two properties. So all the adjoining neighbors are in agreement with the pool. If you want to pull out the letter, one of the --

CHAIRMAN KEILSON: We will take your word for it so --

MR. FLAUM: So the neighbor to the rear is one of the neighbors on the side. They own two properties.

MEMBER GOTTLIEB: Herrick LLC is the neighbor; is that correct?

MR. FLAUM: Yes. I called him and she is like one of the neighbors is two properties and she wrote they own two properties and they are in agreement.

CHAIRMAN KEILSON: What other question do we have of him? That was the only -- that was the lingering question. And you want to know why they weren't here? Does it really

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matter to you? Okay. So let's take a vote.
On Singer.

Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: I wish him good
health. For.

CHAIRMAN KEILSON: Very good, yes, with
the pool. Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: I vote for as well.
Two years? Just to be sure. Okay. Next.

MR. VACCHIO: We are not modifying the
pool.

MR. FLAUM: It's a different
application.

CHAIRMAN KEILSON: Thank you.

(Whereupon the hearing concluded at 8:30
p.m.)

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

YAFFA KAPLAN

Court Reporter

Rubin - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
7:37 p.m.

APPLICATION:

Rubin
116 Harborview East
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

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MR. FLAUM: Good evening. Shmuel Flaum, residing at 194 Wasner, here on behalf of the homeowners who are for sure not coming due to travel limitations.

CHAIRMAN KEILSON: He indicated he was flying in.

MR. FLAUM: He was going to try to make it, but he is coming in a little bit after so it just didn't work out with his schedule.

CHAIRMAN KEILSON: Or we can adjourn until the next hearing date.

MR. FLAUM: Well, I have a letter from him, and we discussed it also. I think we are okay for this one.

For this application we are seeking variances relating to a swimming pool, in-ground as well. Same section, 212-48.B, minimum rear yard setback for a pool. Where you are permitted 20 feet, we are proposing 10 feet, an overage of 10 feet. As probably explained at the last hearing, the rear neighbor here in this particular property is a village property. It's the Lawrence Country Club, and therefore, there is almost no real

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effect to any adjoining neighbor in that sense of proximity. As such, we are seeking a variance for being 10 feet from the rear lot line, and we are holding the 15-foot requirement in the side yard for the proposed in-ground pool.

I have a letter of clarification from the homeowner because I know some things were brought up at the last hearing probably that I wasn't in attendance here for. I can read it out loud. It says, "To whom it may concern, my family and I have spent the past year overseas and we plan on coming back at the end of June at the end of the school year. Upon our return to the States, we will spend the summer in the Catskills.

Our house, located at 116 Harborview East in Lawrence is currently rented out. The tenants' rental lease expires at the end of the summer, and we will be moving back into our house permanently for the beginning of the school year. Due to the tenant occupying the house during the summer, I had to bring in topsoil to make the site usable for them. The

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2 proposed pool construction will commence only
3 once the tenants vacate the premises. Thank
4 you for your assistance in the matter. Jay
5 Rubin."

6 So he is planning on returning to the
7 United States, but because the tenant has the
8 lease until the summer even though the house
9 is ready, he can't easily throw someone out,
10 but as soon as the lease is terminated, he
11 plans to resume living in his own house.

12 MEMBER HILLER: I just want to point out
13 the last time when we spoke about the tenant's
14 lease, we were told the tenant was only
15 leasing it for three months.

16 MR. FLAUM: I wasn't here. I don't know
17 but I apologize. I got this from the
18 homeowner himself, signed by him and --

19 CHAIRMAN KEILSON: Have it submitted.

20 MEMBER GOTTLIEB: Where are you putting
21 the pool equipment?

22 MR. FLAUM: To be determined but it will
23 be compliant with whatever the requirements
24 need to be. I am assuming it will be at the
25 back left of the pool or near the patio.

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MEMBER GOTTLIEB: I thought I was missing it, but it just isn't there.

CHAIRMAN KEILSON: I think we should note that two variance requests were eliminated. We had the request for the circular driveway --

MR. FLAUM: Correct.

CHAIRMAN KEILSON: -- which had raised a lot of questions. That's resolved by the change in the zoning, and number 2 the side yard request was also resolved by them moving the pool.

MR. FLAUM: Correct.

CHAIRMAN KEILSON: Thank you to the applicant for understanding and working with us.

MEMBER GOTTLIEB: You think they will do some landscaping?

MR. FLAUM: I think they will do landscaping before and after.

CHAIRMAN KEILSON: Absolutely. As he said, they already had three truckloads of topsoil dropped on the site. Absolutely.

MEMBER GOTTLIEB: You know, that always

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begs the question is there a change of grade,
but we won't go there right now. Mr. Castro?

MR. CASTRO: No. No change of grade.

CHAIRMAN KEILSON: Okay. Good.

MEMBER GOTTLIEB: We just smoothed it
out.

CHAIRMAN KEILSON: Absolutely. Okay.
Any further questions from the Board? Anyone
in the audience have any questions or
comments? If not, we will weigh the benefit
to the applicant as opposed to any detriment
to the community, and we are going to take a
vote. We will start with Mr. Kerstein.

MEMBER KERSTEIN: I am in favor.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: Okay. And I am for
as well. How much time do you want?

MR. FLAUM: So he says he is not going
to start construction on the pool while the

Rubin - 4/27/2023

tenants are there.

MR. VACCHIO: Two years?

CHAIRMAN KEILSON: Two years.

MR. FLAUM: Two years. He will probably
put it in once he takes ownership.

(Exhibit A, Letter from applicant,
marked for identification, as of this date.)

(Exhibit B, Letter in support, marked
for identification, as of this date.)

(Exhibit C, Letter in support, marked
for identification, as of this date.)

(Whereupon the hearing concluded at 7:42
p.m.)

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


YAFFA KAPLAN

Court Reporter

Rubin - 4/27/2023

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----- EXHIBITS -----

| EXHIBIT | | FOR ID. |
|---------|-----------------------|---------|
| A | Letter from applicant | 20 |
| B | Letter in support | 20 |
| C | Letter in support | 20 |

Templeman - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
7:42 p.m.

APPLICATION:

Templeman
14 Wedgewood Lane
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Templeman - 4/27/2023

CHAIRMAN KEILSON: Okay. Templeman, 14
Wedgewood Lane.

MR. FLAUM: Good evening, members of the
Board, Chairman. I am here on behalf of the
homeowner who is actually in attendance this
evening with regard to the application for his
in-ground pool. We are seeking variances for
the pool installation specifically at the rear
yard, Section 212-48.B, minimum rear yard
setback of the pool. Where you are permitted
or required to have 20 feet, we are proposing
a 15-foot setback, an overage of 5 feet. With
regard to this pool application, I believe it
was submitted, and we made some changes after
some initial feedback. The lot is a little
askew at the rear lot line. It's also askew
at the front, so putting in a pool across the
back of the property, even though it would be
in compliance, it would create a weird
condition when laying out the adjacent paving,
so we are seeking a variance to be able to put
a pool parallel to the house in a straight
manner so we don't have an askewed pool
following the rear lot line.

Templeman - 4/27/2023

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2 So at the back left of the pool, which
3 is the south corner, southwest corner, the
4 pool would be in compliance with a 20-foot
5 setback, but on the far right side, 44 feet to
6 the north, you would have a 5-foot
7 encroachment at that area of the pool only.
8 Everything else in in compliance with regard
9 to side setbacks and lot coverages. So the
10 only variance we are seeking is not even for
11 the entire pool to encroach into the rear, but
12 only at that one portion at its most 5 feet
13 into the rear.

14 MEMBER GOTTLIEB: You are saying 5 feet,
15 but on the plan you are showing 13.10.

16 MR. FLAUM: Danny? There is a newly
17 submitted site plan that you all should have
18 been received.

19 MEMBER HILLER: Generally we give a
20 variance where there is an impossibility on
21 behalf of the applicant to comply fully. Here
22 if the patio which, by the way, will have to
23 be demolished anyway to make the pool and I
24 saw the condition of the patio, there is an
25 ability of the tenant, of the applicant to

Templeman - 4/27/2023

actually conform.

MR. FLAUM: Agreed.

MEMBER HILLER: Thank you.

MR. FLAUM: However, given the situation of the house, and all the paving, it would just visually be a little -- not abhorrent is the right word but displeasing to see a pool of such a large size to be angled against the back of the house in such a way.

MEMBER HILLER: It need not even be angled. It needn't be angled. It just has to be moved in 5 feet.

MR. FLAUM: However, the other issue is that you are creating a very tight space between the house and the pool.

MEMBER HILLER: How much is the space between the house and the pool?

MR. FLAUM: Currently it's 16.4, but if you push it back 5 more feet, it's 11-foot-4. But there are some other items on the site plan. You can see there is a window well that encroaches 3 feet into the tens so now it's only 7 feet so there is a bunch of other items going on in the rear. This allows them ample

Templeman - 4/27/2023

space. That is their primary patio space that's going to be utilized for the pool.

MEMBER MOSKOWITZ: How much of the 44 feet of length is actually not compliant? It looks to me like lots and lots of it is compliant and only I think it looks like half of it may be compliant; is that right if you you are measuring the 20 feet? Am I right about that?

MR. FLAUM: Can you repeat the question?

MEMBER MOSKOWITZ: If you are measuring the property line to the pool, you are supposed to have 20 feet?

MR. FLAUM: Correct.

MEMBER MOSKOWITZ: Looking at the left side of the pool, you are compliant; is that correct?

MR. FLAUM: Correct.

MEMBER MOSKOWITZ: If you start to move along the right, you are still compliant, still compliant. Where does it become not compliant?

MR. FLAUM: It's not compliant at the -- it starts off at the corner on the left and

Templeman - 4/27/2023

goes to 5 feet. It goes from zero to 5.

MEMBER HILLER: You have that line that you have.

MEMBER MOSKOWITZ: So looks to me like roughly a third of the pool is compliant?

MR. FLAUM: Talking about in area or talking about --

MEMBER MOSKOWITZ: I am talking about how much of the pool is already 20 feet away from the property line. It looks to me like a third of the pool is 20 feet away from the property line; is that not true?

MR. FLAUM: It's not true because at the corner it starts angling right there. Only at the point is it compliant.

MR. VACCHIO: Everything else is noncompliant. Ninety-nine percent of it is not compliant.

MR. FLAUM: In terms of the amount of the pool, I would say probably almost 90 percent of the pool is complying. It's maybe 10 percent at most is not compliant.

MR. CASTRO: Thirteen.

MR. FLAUM: You checked?

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MR. CASTRO: Yes.

MEMBER HILLER: Can you show me where you indicated there would only be a 7-foot extension from the house before the pool started if you moved it back 5 feet?

MR. FLAUM: I was just doing math. If you take a look at where it says "WW" stands for window well. It says 16.4 from the masonry house to the edge of the pool. So if you push it back 5 more feet, 16-foot-4 minus 5 is 11-foot-4.

MR. KERSTEIN: I don't see window well.

MR. FLAUM: It says "WW". Do you see --

MEMBER HILLER: Oh, the WW. I see it.

MR. FLAUM: So windows wells are typically 3 feet for egress and compliance, so if you subtract the 3 feet from 16-foot-4, you end up with 13-foot-4. Pushing back another 5 feet, it's 8-foot-4.

MR. KERSTEIN: But that's one little area of the house. Ninety-five percent or more of the house will be not -- you won't subtract that amount of space. It's only the window well.

Templeman - 4/27/2023

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2 MR. FLAUM: No, no, I know, but that
3 being said, when people lay out their patios,
4 they would like the area to be unobstructed
5 and to have a nice space you can utilize for
6 the purpose of setting out lounge chairs and
7 other miscellaneous line items they want to
8 lounge on. That being said, we are cutting
9 away other areas where there is currently
10 brick and patio to make it comply with lot
11 coverage. So we are not seeking any other
12 variances for lot coverage. We are keeping
13 it --

14 MEMBER GOTTLIEB: Mr. Flaum, I think
15 what you are hearing directly as well as
16 indirectly is that this could be done as of
17 right. You are choosing to keep a 40-foot
18 pool that if it was to be 16 or 18 and moved
19 in 2 feet, you could be in full compliance.
20 Whether you make it 40 feet --

21 MR. FLAUM: You said 2 feet or 5 feet?

22 MEMBER GOTTLIEB: If you reduce the pool
23 to 18 feet and then you moved it in 2 feet
24 instead of 5 feet, you still have a nice patio
25 and you would only be in by 1 foot. Of

Templeman - 4/27/2023

course, if you make the 44 foot pool 40 feet, if you make it, for example, 18 by 40 and move it in 2 feet, you are in full compliance. You don't have to be here.

MR. FLAUM: Correct.

MEMBER GOTTLIEB: Then, of course, you wouldn't be here.

MR. FLAUM: Exactly. All valid. We actually approached the neighbors here on the rear and the sides and we have letters of support. No one was against it. I believe there is one letter that we are missing. You want to come up and introduce yourselves? You can't talk until you introduce yourself.

MR. TEMPLEMAN: My name is Yaakov Templeman, the homeowner at 14 Wedgewood Lane. All my neighbors are aware. The ones that are impacted are the rear neighbors. One of them may be attending. He is supposed to be here after prayers. He was totally okay with it, and the other rear neighbor was also okay with it, which is Eli Tendler on 54 Lawrence Avenue.

CHAIRMAN KEILSON: Be mindful of the

Templeman - 4/27/2023

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2 fact we don't put a lot of weight on those
3 approving it as opposed to or disproving
4 simply because we recognize that the law of
5 reciprocity obtains in the village. So we are
6 not dismissing it but the weight --

7 MR. FLAUM: But what they are saying you
8 could reduce the size of the pool in width and
9 length and be in full compliance. So they are
10 trying to see what is the true hardship here
11 that you are asking for to do it.

12 MR. TEMPLEMAN: All of the neighbors,
13 not just the one in the rear, are aware and
14 okay with it.

15 CHAIRMAN KEILSON: But address the
16 point. Again, it's not a question of the
17 neighbor. It's a question that has been
18 propounded is it could be in compliance. So
19 if it's not going to be in compliance, you
20 have to understand the reason.

21 MR. FLAUM: They are saying if you make
22 the changes, you could get an equally sized
23 nice sized patio at the rear but obviously we
24 want a bigger patio. So they are saying that
25 they want to hear more of a substantial reason

Templeman - 4/27/2023

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2 why you need a larger pool and/or the greater
3 distance from the pool to the house.

4 MEMBER GOTTLIEB: Or you can simply make
5 the pool a little bit narrower. Use less
6 water.

7 MR. TEMPLEMAN: It's not a deep pool.

8 MEMBER MOSKOWITZ: I keep belaboring
9 this point, but just ask it in a different
10 way. The 15-foot setback, it gets better as
11 you go to the left; is that true?

12 MR. FLAUM: Correct. Meaning at it's
13 greatest, it's 15 feet. As you move further
14 along, it's a more minimal variance until it's
15 not a variance at all at the corner.

16 MEMBER MOSKOWITZ: What percentage of
17 the pool is the 15-foot setback?

18 MR. FLAUM: Thirteen percent as per Mr.
19 Castro.

20 MEMBER GOTTLIEB: That was fast.

21 MR. FLAUM: I paid attention.

22 MR. KERSTEIN: I think the question we
23 are asking is the pool as proposed is quite
24 large. Why do you need a pool of that size?
25 It's a very simple question. You can have a

Templeman - 4/27/2023

1
2 very substantial pool and be in full
3 compliance and not need to come for a variance
4 and we are trying to understand why.

5 MR. FLAUM: So you have a portion of the
6 pool that is a small shelf. That's about 10
7 feet.

8 MR. TEMPLEMAN: Give or take.

9 MR. FLAUM: I saw the pool drawing
10 itself. The first 10 feet I believe is a Baja
11 shelf or tanning shelf, which is not exactly a
12 swimming pool, just a low area where people
13 can sit and wade, and the remaining 34 feet is
14 the actual pool itself, so this allows a
15 larger group of his children to use the pool
16 in a safe manner.

17 MEMBER GOTTLIEB: Is the low area to the
18 left or right? Just curious as to how it's
19 laid out.

20 MR. FLAUM: I believe the low area is to
21 the left as per the pool drawing.

22 MEMBER HILLER: I would advise you to
23 reduce the width of the pool by 2 feet and we
24 will compromise. I would compromise a little
25 bit. I can't speak for the rest, and you will

Templeman - 4/27/2023

compromise a little bit.

MEMBER MOSKOWITZ: I would say not to make it too much of a bargaining, but if it was preferable to reduce the size of the pool in a different way and accomplish the same result.

MEMBER HILLER: Well, it has to be away from the fence.

MEMBER MOSKOWITZ: If the pool was shorter -- instead of 44 feet it was 42 feet or if the pool was instead of 20 feet it's 18 feet, which either way you are improving on the variance and I would leave that to the homeowner to decide what's best for the homeowner in terms of improving the application. In other words, if you are hearing the sense of the Board that the pool should be smaller, and you take that feedback, then at least to me it would not matter how you are improving the condition. Whether it's shrinking it one way or the other way. To me it shouldn't matter at all.

MR. KERSTEIN: If I can state it a different way. When we look at a variance or

Templeman - 4/27/2023

at least when I look at a variance, if there is substantial room in the yard to put in a reasonably sized pool without asking the Board for a variance for exception to the rules, I would prefer that happens.

This is a nice-sized yard. There is room to put in a nice-sized pool without requiring the variance. Which is why I am asking the questions.

MEMBER MOSKOWITZ: You have a couple of answers that you can give to this. How many children do you have?

MR. TEMPLEMAN: We have a family of four kids.

MEMBER MOSKOWITZ: And how old are your children?

MR. TEMPLEMAN: Ranging from 18 at the oldest and the youngest is at 6.

MEMBER MOSKOWITZ: Six years old. And the property as your architect said is an irregularly shaped property, correct?

MR. TEMPLEMAN: Correct.

MEMBER MOSKOWITZ: People may find that compelling or not but those are reasons.

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CHAIRMAN KEILSON: It might be an idea, since Mr. Flaum will be here for a while this evening, if you have to go out and discuss with the other client that perhaps you step out with him as well.

MR. FLAUM: I was about to suggest then that maybe I will go out and discuss with them what the --

CHAIRMAN KEILSON: Before you do that, if there is any neighbor that wants to speak. Let's hear from the neighbor.

DR. KAPPEL: Good evening. Dr. Simon Kappel, 404 Broadway, Lawrence, New York. I am a resident of this fine village for the last 39 years. Regarding Templeman's variance request, as a neighbor two doors away, there is a logic for me to oppose this request because of number one, construction equipment, dirt, dust, traffic noise. Should make sense but is it neighborly, magnanimous and well-wishing? No. I know of cases in Brooklyn when neighbors are fighting over inches resulting in neighborhoods like Flatbush that are committing slow suicide. If

Templeman - 4/27/2023

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2 we want Lawrence to stay as a premier
3 destination of families who are seeking a
4 beautiful, ideal, and quiet place to raise a
5 family, we must fagin each other to the full
6 possible use of their properties within
7 village ordinances. My wholehearted support
8 is given to this petition.

9 CHAIRMAN KEILSON: Thank you very much.
10 I appreciate it.

11 Anyone else want to comment? So you
12 will step out with your client and we will --

13 MR. FLAUM: We will reconvene after we
14 have a small collation outside.

15 CHAIRMAN KEILSON: Okay. Absolutely.

16 (Recess taken.)

17 (Exhibit A, Letter of support, marked
18 for identification, as of this date.)

19 (Exhibit B, Letter of support, marked
20 for identification, as of this date.)

21 (Recess taken.)

22 CHAIRMAN KEILSON: Templeman?

23 MR. FLAUM: I spoke with the homeowner.
24 He would like to speak, but I think we came to
25 some sort of proposition that we will go

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through.

CHAIRMAN KEILSON: Okay. Let's go.

So --

MR. FLAUM: So we took a look at the actual pool drawings and layout and such and so we were hoping that the Board would be amenable to us shrinking the pool 2 feet at the more egregious end so that the pool pulls into 42 feet instead of 44, which brings the pool into more than 90 percent compliance with that setback.

CHAIRMAN KEILSON: Mr. Moskowitz, good job.

MR. FLAUM: Yes.

MR. CASTRO: Should I fact-check that percentage?

MR. FLAUM: You could fact-check whatever you want. So from the right side, pull it back 2 feet.

MEMBER GOTTLIEB: So 20 by 42?

MR. FLAUM: Correct.

MEMBER GOTTLIEB: What's the new setback going to be?

MR. FLAUM: That I will have to

Templeman - 4/27/2023

determine, but I will give you the accurate number. It's definitely going to be more than 15 feet.

CHAIRMAN KEILSON: Is that something that you can compute this evening before you leave?

MR. FLAUM: I can probably come back from my office.

MEMBER GOTTLIEB: But we are going to guarantee it's no more than 15 feet?

MR. FLAUM: I can guarantee.

MEMBER GOTTLIEB: Or no less than 15 feet.

MR. FLAUM: It's no less than 15 feet. Obviously more than 15 feet.

CHAIRMAN KEILSON: So if you can come back.

MR. FLAUM: I will calculate for you.

CHAIRMAN KEILSON: And then we will vote at that point when you present.

MR. FLAUM: He has another neighbor in support that is at the rear if the Board wants to hear it.

CHAIRMAN KEILSON: No.

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MR. FLAUM: The Board has more on their agenda tonight.

CHAIRMAN KEILSON: If you feel frustrated, you want to express yourself. Step forward.

MR. REISMAN: I am the neighbor directly behind 52 Lawrence, and the name is Reisman.

CHAIRMAN KEILSON: That's the house under construction?

MR. REISMAN: Maybe. We are totally good with that. Whatever they want to do.

MR. FLAUM: You are in support of the proposed pool?

CHAIRMAN KEILSON: When are you moving in, Mr. Reisman? You are still in Inwood?

MR. REISMAN: Still in Inwood.

CHAIRMAN KEILSON: Okay, terrific. Wish you luck eventually. Even before that. So we will hear from Mr. Flaum later on.

(Recess taken.)

CHAIRMAN KEILSON: Mr. Flaum, you will have a drawing for us?

MR. FLAUM: I will give you the numbers now but drop off the drawings by the village

Templeman - 4/27/2023

tomorrow. Fifteen-foot-3 when you pull it back. Templeman, 14 Wedgewood. Fifteen-foot-3 at a 20-by-42-foot-long pool. Okay. Twenty-foot-by-42-foot-long pool results in a setback of 15-feet-3-inches from the rear lot line.

MR. PRESTON: With the difference from proposed being that the east side of the pool is pulled towards the west 2 feet.

MR. KERSTEIN: No. It's cut off. Instead of 44 it's --

MR. PRESTON: Right but it's coming off the east end.

MR. VACCHIO: So the smallest number is going to be at the setback 15-foot-3-inches.

CHAIRMAN KEILSON: What's the size of the pool?

MR. FLAUM: Twenty feet by 42 feet.

CHAIRMAN KEILSON: And the variance request?

MR. PRESTON: The variance request is a 15.3-inch rear yard setback.

CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: I need to think about

Templeman - 4/27/2023

it. Seriously.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: I am going to vote
for.

CHAIRMAN KEILSON: Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: I vote for as well.
And Mr. Kerstein?

MR. KERSTEIN: I will do what Mr.
Hiller. No.

CHAIRMAN KEILSON: Okay. Very good.

MR. VACCHIO: So Kerstein is a no.

CHAIRMAN KEILSON: And two years. Thank
you.

(Whereupon the hearing concluded at 8:52
p.m.)

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

YAFFA KAPLAN
Court Reporter

Templeman - 4/27/2023

----- EXHIBITS -----

EXHIBIT

FOR ID.

A Letter in support 37

B Letter in support 37

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INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
7:58 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. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

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CHAIRMAN KEILSON: Next will be Katz,
194 Harborview North.

MR. SAVALDI: Good evening to the Board.
Amiel Savaldi, 1 Meadow Drive in Woodsburgh,
New York. Thank you to the Board for hearing
us again. We were here a month ago. Since
then we deliberated, spoke to, consulted with
the Building Department, and we have proposed
modified plans that you have in front of you.

We have increased the rear setback of
the masonry deck from 19.8 to 22.8. Pushed it
back 3 feet. We have removed the fire pit and
basically request that the Board would grant
this modified plan.

CHAIRMAN KEILSON: You are also showing
screening around the perimeter, right?

MR. SAVALDI: That's right. That's
correct.

CHAIRMAN KEILSON: What size trees have
you proposed there? Did you give any thought
to that?

MR. SAVALDI: It's 6 feet around. Six
feet.

MEMBER GOTTLIEB: How elevated is the

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deck?

MR. SAVALDI: It's 3 feet.

MEMBER GOTTLIEB: So --

MR. SAVALDI: Again, the grade changes.

MEMBER GOTTLIEB: Closest to the house
it's 3 feet?

MR. SAVALDI: Yes. I can show you a
photograph that I took this afternoon. You
will see it. It's very little. You can see
it here at this point this -- it's at this
point it's -- I think it would be around 2
feet in the back.

MEMBER GOTTLIEB: I was referencing the
height of the shrubs.

MR. SAVALDI: The shrubs? Oh, that
would be 6 feet.

MEMBER GOTTLIEB: So they are 6.

MR. SAVALDI: I think it would be at
least 6 feet.

MEMBER HILLER: Why does the deck need
elevation at all?

MR. SAVALDI: We discussed at the
hearing because it would be a hardship for
Mrs. Katz to go down and up and down each time

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1
2 she goes to sit outside to sip coffee or to
3 have -- to enjoy her deck and going down 3
4 feet at that point would be difficult.

5 MEMBER HILLER: Going down 3 feet is a
6 hardship?

7 MR. SAVALDI: Well, if it's -- a deck
8 oftentimes we want to have it as close to the
9 level of the main floor so we don't have to
10 negotiate too many steps.

11 MEMBER HILLER: How many steps does she
12 have to take down to the pool?

13 MR. SAVALDI: To the pool it's 3 feet.

14 MEMBER HILLER: That's 3 feet.

15 MR. SAVALDI: To the pool she doesn't go
16 as often. You go to the pool but to the deck
17 you go all the time in and out.

18 MEMBER HILLER: You realize how funny
19 you sound? How ludicrous that is?

20 MR. SAVALDI: With all due respect, I --

21 MEMBER HILLER: This is a three-story
22 house in which I understand -- I was not at
23 the last meeting -- there is no elevator and
24 the bedroom is on the second floor.

25 MEMBER HILLER: True.

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2 MR. SAVALDI: It is true. To the
3 bedroom, oftentimes you go once a day down and
4 once a day up. Deck is you go in and out to
5 the kitchen and to sit and it makes a
6 difference.

7 MEMBER HILLER: Once again, it's within
8 your ability and the ability of the owner to
9 comply with the zoning restrictions by making
10 the deck at ground level. That would
11 eliminate all these problems that we have now.

12 MEMBER MOSKOWITZ: Can you comment on
13 how visible people on the deck will be as it's
14 proposed to the neighbors?

15 MR. SAVALDI: With the screen that we
16 are proposing, with the living screen, there
17 would not be -- I don't think it would be an
18 issue. Also, they comply with -- they are 20
19 feet away. That's not the variance. The
20 variance is really the rear yard and the side
21 yard that the neighbors on the east would be
22 concerned is in compliance. So really that's
23 not the variance. That's not the issue. The
24 issue is --

25 MEMBER GOTTLIEB: You see, we

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understand. The issue you are proposing is the distance to Rock Hall Road.

MR. SAVALDI: Correct.

MEMBER GOTTLIEB: But once you are here, you open the can of worms for comments of neighbors who are dissatisfied with other issues and wouldn't object to that if you would do that. Some people call it horse-trading.

MR. SAVALDI: If we lower it, there is no variance obviously.

MEMBER GOTTLIEB: Well, maybe you can lower it by --

MR. SAVALDI: By a foot.

MEMBER GOTTLIEB: Is there a compromise? Lower it by one step. The owners are welcome to comment.

MR. BLUMENKRANTZ: I am not the owner, but Aharon Blumenkrantz to answer. I don't know everyone's name here. To answer Mr. Hiller, with all due respect, nobody can question -- I don't think can question that there is a huge difference when you have a patio that's 3 feet down coming in and out of

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1
2 your kitchen to when it's -- I don't want to
3 call it extended living area but you can't
4 compare what your use of your deck would be if
5 it's 3 feet down versus if it's level with
6 your living space. So to me it's a
7 no-brainer.

8 We have been back and forth with the
9 Building Department and consulted with others.
10 And we -- this all started with the pool being
11 elevated as well. So you question the pool,
12 that she is going down to the pool. The
13 original request, we didn't want that either.
14 We wanted to keep the entire -- we wanted to
15 keep the entire thing at the elevated level,
16 but as requested by the Building Department
17 and the variance, we dropped the pool. That
18 wasn't enough. So we modified it by not
19 having such a massive deck to make it look
20 like we are congregating that many people and
21 noise. We were listening to the concerns of
22 whether the neighbor or the Building
23 Department. So we reduced it, we took the
24 fire pit off, and that's where we are today,
25 but there is no question that the deck becomes

Katz - 4/27/2023

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a much more usable deck and much more enjoyable deck when it's at the level of your home.

CHAIRMAN KEILSON: We have the neighbor here. Let's see if the neighbor -- I don't know if they have seen the drawings, but if he wants to comment. You want to just show him?

MR. KLAGSBRUN: Chaim Klagsbrun, the neighbor to the east.

(Discussion off the record.)

CHAIRMAN KEILSON: I think if we would recommend much taller trees, I think that would -- I understand the use of the deck, it's much more meaningful when it's at the same level as the house. And the deck in itself is not the issue. It's the distance from the rear yard. The rear fence. What size tree, Mr. Castro, would give them the type of screening that they would --

MR. CASTRO: You need a minimum of a 10-foot tree.

MR. VACCHIO: To start.

CHAIRMAN KEILSON: Mr. Savaldi --

MEMBER GOTTLIEB: Would that be a

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10-foot tree on just one side?

MR. BLUMENKRANTZ: The tree at 6 foot we all know is going to grow. Talking about is going to grow to 12, 14 feet.

CHAIRMAN KEILSON: We want to remediate the situation now. We are not talking about the entire perimeter.

MR. VACCHIO: Just that one side.

MR. KLAGSBRUN: I don't think Rock Hall cares if it's 6 feet or 8 feet.

MR. KERSTEIN: Somebody on the other side of Rock Hall complained.

MR. SAVALDI: I believe the owner would be agreeable to add to the living fence here and make it, you know, 6 feet, 8 feet.

CHAIRMAN KEILSON: We recommended 10 feet. I think that would solve everything.

MR. SAVALDI: Ten feet.

MR. BLUMENKRANTZ: Mrs. Katz, if that would solve it --

MRS. KATZ: There is a price for a 4-foot tree. There is a price for a 6-foot tree. If the neighbors want to share the expense or additional height and they are

Katz - 4/27/2023

1 willing to plant additional trees for
2 additional privacy, I can put in a 4-foot.
3 With time it will grow. There will be a
4 sprinkler system, so the expenses just mount
5 every time you plant a tree. The neighbors
6 are welcome to do their planting or to say
7 they would like to share the expense if I
8 think they would. Freida Katz, 194 Harborview
9 North. I think that would be reasonable.
10

11 MEMBER MOSKOWITZ: I don't think that's
12 an appropriate request to make the neighbors
13 share in the expense of remediating something
14 that you are impacting them with. So I think
15 the question is we have received a
16 recommendation from the Building Department
17 that adequate screening would be 10 -- would
18 be a 10-foot tree. So just the question is
19 are you willing to do that or not at your own
20 expense, and if the answer is no, we will just
21 take that into account. Then if the answer is
22 yes, we will take that into account.

23 MRS. KATZ: Not sure I understand why
24 it's an inappropriate request.

25 MEMBER MOSKOWITZ: Because you are

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asking for something that's not permitted by the village code, and you are asking us to vary from that. If it's impacting your neighbor, they are not doing anything; they are just being impacted by your construction. So to say that the neighbor who is being impacted by your construction should have to spend money to help something that you are doing doesn't seem right.

MRS. KATZ: Okay. Noted.

MR. BLUMENKRANTZ: We will do a 10-foot tree.

MR. KERSTEIN: Okay.

MR. VACCHIO: On the east side?

CHAIRMAN KEILSON: Let's just clarify exactly where the trees are being planted. It's on the east side, correct?

MR. VACCHIO: Yes.

CHAIRMAN KEILSON: As depicted.

MR. VACCHIO: As depicted.

MEMBER GOTTLIEB: It will be from what point to what point? From where the deck -- where the house ends?

MR. BLUMENKRANTZ: Does it have to go to

Katz - 4/27/2023

the property line, or could it end where the deck ends?

CHAIRMAN KEILSON: Let's run it all the way down.

MR. BLUMENKRANTZ: The 10-footers?

MEMBER GOTTLIEB: The house goes so far back anyway that you are talking about 40 feet I think.

MR. SAVALDI: Yes.

MEMBER GOTTLIEB: So it's 40 feet and because they are so mature, they are pretty wide as well as tall, so you will be planting fewer 10-footers than you would 6-footers.

CHAIRMAN KEILSON: And he knows. He is the village tree man.

MR. BLUMENKRANTZ: He is the arborist.

MEMBER GOTTLIEB: I am the appointed arborist. It's not an elected position.

MEMBER MOSKOWITZ: I thought the trees were to solve the problem of the elevated deck, so why do you need to do more than solving the problem?

MEMBER GOTTLIEB: I think it will look peculiar to all have --

Katz - 4/27/2023

MR. BLUMENKRANTZ: They will all grow at some point.

MEMBER HILLER: This could be eliminated by just putting the deck on the ground.

MR. BLUMENKRANTZ: Granted. We wouldn't be here. We went through the parsha.

MEMBER HILLER: I think you should ask the young lady also, Mrs. Katz, whether she feels which solution works for her.

MR. BLUMENKRANTZ: We have gone through that, and I know what she feels regarding that.

MEMBER GOTTLIEB: To answer Mr. Moskowitz, the deck is about 20 feet, so it's about half. It's half to the end of the deck and then another 20 feet to the end of the property.

CHAIRMAN KEILSON: I think it should be uniform.

MEMBER GOTTLIEB: Are the other trees along the rear and west side a given, just not as large?

CHAIRMAN KEILSON: Correct.

MEMBER GOTTLIEB: And that will be part

Katz - 4/27/2023

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of the approval should it get approved?

CHAIRMAN KEILSON: It will be as depicted with the provision that on the east side will be 10-footers.

MR. VACCHIO: And west and north will be 6.

CHAIRMAN KEILSON: Fine.

MR. BLUMENKRANTZ: We will go with the chairman's recommendation.

CHAIRMAN KEILSON: Okay.

MR. BLUMENKRANTZ: We are going to be easy customers.

CHAIRMAN KEILSON: All right. Any further comments from anyone present in the audience? No? Okay.

MEMBER GOTTLIEB: Can we hear the conditions? Do you need to outline it?

CHAIRMAN KEILSON: No. We know what they are applying the variance for. As far as the distance on the deck and then we are going to provide screening with 6 foot around the perimeter on the west side and the rear and then 10 foot on the east side.

MR. VACCHIO: As depicted.

Katz - 4/27/2023

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MEMBER GOTTLIEB: And the neighbor on
Juniper will be fine as well?

CHAIRMAN KEILSON: I don't know. You
would have to call them.

MEMBER GOTTLIEB: Are they here?

CHAIRMAN KEILSON: No.

MEMBER GOTTLIEB: Then they don't get to
speak.

Mr. Savaldi, you understand the requests
and --

MR. SAVALDI: Okay. Yes.

MEMBER GOTTLIEB: -- they are okay with
you?

MR. SAVALDI: Yes. The owner agrees to
it.

CHAIRMAN KEILSON: Okay. So take a
vote. Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Kerstein?

MR. KERSTEIN: For.

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CHAIRMAN KEILSON: We are for.

MR. SAVALDI: Thank you very much.

CHAIRMAN KEILSON: Okay.

MR. VACCHIO: How long? Two years?

MR. BLUMENKRANTZ: I don't need two
years.

CHAIRMAN KEILSON: A year.

(Whereupon the hearing concluded at 8:16

p.m.)

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



YAFFA KAPLAN

Court Reporter

Rosner - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
8:16 p.m.

APPLICATION:

Rosner
36 Wedgewood Lane
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Rosner - 4/27/2023

CHAIRMAN KEILSON: Okay. We are up to Rosner.

MS. ADLER: Good evening, members of the Board, Chairman, Danny, Gerry, everyone. My name is Esther Adler. I live at 781 Hillcrest Place in North Woodmere. I am here representing my clients Mr. and Mrs. Yisroel Rosner. They live actually right across the street at 36 Wedgewood, and they are seeking, along with seems like the majority of people here tonight, variances for a pool.

Now, I know that to most people a pool is a luxury and they don't, you know, take that for granted at all that they have the opportunity to put one in. I think COVID taught us all the value of -- the importance of quality family time, healthy outdoor pursuits, and so even though it is a luxury, if it can be afforded, it's definitely a luxury that should be pursued.

You may know that originally we had tried to put the pool in the south corner in the back of the property. This was trying to leave the backyard as intact as possible, as

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open as possible. Unfortunately, it led to a very, very narrow 8 foot only, and after discussions with the chairman, we relocated the pool. It is a corner lot, so it's a little bit tricky where the pool can be located.

The house is set back pretty deeply on both front yards. So we relocated the pool to the front yard. Now, that reduced the rear yard variance but added an additional front yard variance. We requested the pool to be 4-foot-6 from the property line. It sounds very small, but I do want to point out A, that there is an additional almost 2 feet to the sidewalk from the edge of the property line. I was made aware that the Board would like us to move the pool over a little bit more. We really have very little space to move it over more. There is AC equipment on that side over there, so we do need to keep the pool, you know, at least 4 feet from the AC equipment.

I spoke with the homeowner. We would love to compromise on 5 feet from the property line which leaves almost 7 feet to the

Rosner - 4/27/2023

sidewalk and bear in mind this is Central Avenue, so there are no neighbors that are going to be impacted. Any noise from the pool will be mitigated by noise from Central Avenue, which you know is already quite noisy, and they do have letters which I can submit now from all the back neighbors.

CHAIRMAN KEILSON: From all the pedestrians walking by?

MS. ADLER: If only. So with that in mind, with the 5 feet that we would be willing to do and the almost additional 2 feet, it would be 7 feet from the sidewalk. We would love --

CHAIRMAN KEILSON: Okay. Let's jump in. Jump into the pool.

MS. ADLER: We would love if the Board would be good with that.

MEMBER GOTTLIEB: I need to clarify something with the Building Department. I know the side yard could be a front yard, but if it's 101 feet on Central and 98 feet on Wedgewood, wouldn't Wedgewood be the front yard? Isn't it the narrower front that's the

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front yard?

MR. VACCHIO: The narrowest is the front, but this is the street side. We are not zoning it like that.

MEMBER GOTTLIEB: It doesn't count as a --

MR. VACCHIO: If it's two streets, one is a front yard, one is the street side. So it's still a street.

MR. CASTRO: In the case of a property that's on the corner lot, the pool can't be past the front wall, side wall of the house.

MEMBER GOTTLIEB: I just thought maybe we misread this. Okay. We will go back to your 5 feet suggestion.

MEMBER MOSKOWITZ: Just an aesthetic question. We might agree if someone is walking by and can actually see this pool right flush against the sidewalk almost, it would look ridiculous, so the question is how do you solve the aesthetic problem? Is there a screening solution?

MS. ADLER: There is definitely going to be fencing provided, and in front of the

Rosner - 4/27/2023

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2 fencing, in between the fence and the
3 sidewalk, they are going to put planting.
4 There is planting there currently, but it's
5 overgrown and wild. It's not very nice. They
6 do want to improve that and make it nicer, but
7 the fence will be -- you know, it will be a
8 pool fence. You won't be able to see through.

9 MR. KERSTEIN: How high?

10 MS. ADLER: I believe it's 5 feet.

11 MR. KERSTEIN: Which means if a 6-foot
12 person is walking by --

13 MS. ADLER: Then they can see over.

14 MR. KERSTEIN: I assume so.

15 MS. ADLER: I think they would be willing
16 to do 6 feet. I thought the law was 5 feet.

17 MR. KERSTEIN: It is. That is why I am
18 asking you.

19 MEMBER MOSKOWITZ: There is another pool
20 in the neighborhood that's also very close to
21 the street, and you can see everything because
22 the fence is like a wrought iron fence.

23 MS. ADLER: They wanted to do a black
24 wrought iron but with planting in front as
25 well.

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2 MR. CASTRO: You mentioned there's a
3 2-foot strip. I wanted to bring to your
4 attention and the homeowner's attention that
5 the village has a pretty strict sidewalk
6 clearance rule now whereas they actually want
7 6 inches beyond the sidewalk cleared. So that
8 doesn't leave much room for plantings there.
9 It just sounds like if they were to put
10 plantings there, it would overgrow on the
11 sidewalk and become a nuisance probably.

12 MR. VACCHIO: They would have to be on
13 her side. You would have to plant them on
14 your property, and that's going to make it
15 tight.

16 CHAIRMAN KEILSON: Okay, gentlemen.
17 Let's hear.

18 MEMBER GOTTLIEB: Where did the trees
19 go?

20 MS. ADLER: They took them down.
21 Recently.

22 CHAIRMAN KEILSON: Did you get his
23 permission?

24 MEMBER GOTTLIEB: Gerry, they are going
25 to have to get replanted. Did you get the

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diameter?

MR. CASTRO: Yes.

MEMBER GOTTLIEB: Okay. Who is going to speak or not?

MS. DIAMOND: I would just say that I am concerned with it being up against so close to Central Avenue with regard to traffic. God forbid there is an accident, there is not really much of a buffer with regard to it and it's like very close to the property line as well. You know, I would think also for safety purposes, you know, maybe having something, you know, broad just to protect.

MS. ADLER: Like bollards? Is that permitted?

MR. VACCHIO: I mean on the inside.

MS. ADLER: On the inside?

CHAIRMAN KEILSON: Bollard trees.

MS. ADLER: We can wrap them in ivy to make them look pretty.

MR. KERSTEIN: Just a question if I could. You show a glass -- 4-foot glass fence.

MS. ADLER: That's only in between

Rosner - 4/27/2023

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the --

MR. KERSTEIN: But there is -- pardon me, but if you are walking on Central Avenue, on your side of the street, heading west, you have your driveway with a rolling gate, it's open, there is a glass fence, so therefore the pool -- anybody walking that way, the pool is in your face.

MS. ADLER: Well, the gate would only open when they -- I mean the --

MR. KERSTEIN: The gate is solid?
It's --

MS. ADLER: It's solid, yes. It's a gate that, you know, only opens when you --

MR. KERSTEIN: When the car comes?

MS. ADLER: Yes.

MR. KERSTEIN: There are solid gates and there are mesh gates.

MS. ADLER: Yes. I think it's solid.

MR. KERSTEIN: I would like to know.

MEMBER GOTTLIEB: It does say glass fence.

MR. KERSTEIN: That's for the pool, but I am saying somebody walking by on the

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sidewalk, if the gate where the driveway is, they are proposing a gate coming across so if that's open and there is a glass fence on the pool that's 4-foot high, there is no privacy there.

CHAIRMAN KEILSON: They would have to avert their eyes.

MEMBER GOTTLIEB: I am not worried about the passersby's privacy. It's the homeowner's problem.

MR. KERSTEIN: That's true.

MEMBER GOTTLIEB: But is a 4-foot fence sufficient for a pool?

MS. ADLER: Yes.

MEMBER GOTTLIEB: Okay. I got the nod.

CHAIRMAN KEILSON: Any other questions?

MEMBER GOTTLIEB: So you are moving it 6 inches beyond what's proposed on the plan?

MR. VACCHIO: So makes it 5 foot.

MEMBER GOTTLIEB: Instead of 4.6, it will be 5.

MEMBER MOSKOWITZ: Are you representing between the fence and shrubbery and screening it will not be visible for passersby on

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Central Avenue?

MS. ADLER: Yes. We will make sure of that.

MEMBER GOTTLIEB: Is there a walkway between the pool and the fence?

MS. ADLER: Not the glass fence. On either side of the pool, yes, but there is no room there because we held the 15 feet from the rear and that's their driveway. I mean, it's unfortunate, but there is just no room.

MR. VACCHIO: So are we putting trees, or you are going to put trees? Six foot high?

MS. ADLER: Okay.

MEMBER GOTTLIEB: Put nice arborvitaes around the property.

CHAIRMAN KEILSON: All right. Where were we? Anybody in the audience want to speak to the matter? Okay. So again, as depicted but 5 feet instead of 4-foot-6, and we are going to have screening along the perimeter on the Central Avenue side and some sort of car barrier or something.

MS. ADLER: Right. Okay.

(Discussion off the record.)

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CHAIRMAN KEILSON: We are going to go
for a vote.

Mr. Kerstein?

MR. KERSTEIN: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: I am very torn on this.

CHAIRMAN KEILSON: Think about it.

Mr. Gottlieb?

MEMBER GOTTLIEB: If this is what you
want, Zei Gezunt.

CHAIRMAN KEILSON: Mr. Moskowitz?

MEMBER MOSKOWITZ: If Mr. Gottlieb is
voting yes, I will yes yes as well.

CHAIRMAN KEILSON: And I will vote for.
Mr. Hiller, make a decision.

MEMBER HILLER: Because you are going to
get it, I am going to vote against because I
really think that this property -- you are
getting the pool, so you are a happy young
lady. This property does not warrant having a
pool.

CHAIRMAN KEILSON: It's a badge of honor
to have his declinations.

MR. VACCHIO: Two years? One year?

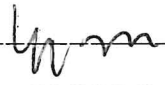
Rosner - 4/27/2023

MR. CASTRO: Two automatic by default.

(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.

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YAFFA KAPLAN

Court Reporter

Jungreis - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
8:33 p.m.

APPLICATION:

Jungreis
600 Chauncey Lane
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

Jungreis - 4/27/2023

CHAIRMAN KEILSON: Let's move on to Jungreis. 600 Chauncey Lane.

MRS. JUNGREIS: Hi, everyone.

CHAIRMAN KEILSON: Hi.

MRS. JUNGREIS: I am here with -- I am Ruthie Jungreis. I am here with my husband, Aaron Jungreis, and my daughter Esther Jungreis-Goodstein.

CHAIRMAN KEILSON: Mr. Hiller wants to express something on the record.

MEMBER HILLER: Mr. Chairman, members of the committee, I want to recuse myself from this, both the discussions and the vote on this. To my lovely and valued neighbors.

CHAIRMAN KEILSON: Okay.

MRS. JUNGREIS: Our kids are now out of high school so not as rowdy.

CHAIRMAN KEILSON: Ms. Diamond will vote on this in your stead. Okay. Proceed.

MRS. JUNGREIS: We purchased the house on 600 Chauncey Lane for my daughter and son-in-law. He couldn't be here tonight. He has a work conflict. We are very excited to have them living around the corner from us.

Jungreis - 4/27/2023

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2 We live on Ocean Avenue, so we are right there
3 and the house happens to be in -- it was built
4 in the early 1900s. The previous owners lived
5 there for 40 years, and it was in really bad
6 -- it was in disrepair and needed a lot of
7 work, so we decided to knock it down and start
8 over. The house is set back very far back. I
9 think the first certain amount of feet are
10 owned by the village, so there is an extra
11 setback and the backyard is very narrow.

12 We spoke with our neighbors on the
13 block, our next-door neighbor Laura and Louis
14 Barbanel. Across the street, John Kerzner,
15 someone else diagonal, someone down the block,
16 and I have letters of support of us moving the
17 house forward. We would still be within the
18 regular setback, but this portion of the front
19 lawn is owned by the village. So that's why I
20 think my architect will speak as to the
21 numbers. So --

22 MEMBER GOTTLIEB: Oh, your architects
23 are here. I thought I was going to help you
24 along but --

25 MRS. JUNGREIS: I didn't want to say

Jungreis - 4/27/2023

something if I got something wrong.

CHAIRMAN KEILSON: So why don't we have the architects handle the technical?

MEMBER MOSKOWITZ: Do you want to hand out the letters?

MRS. JUNGREIS: Yes. I made copies and I have one more on my e-mail.

MR. MAYERFELD: So as Mrs. Jungreis said, so eloquently explained, the house is set back very close to the rear property. It's actually slight noncompliance, which is the rear yard, and in terms of privacy for themselves and for the neighbors, we would like to move the house forward. It's a very excessive amount of space between the property line and the curb. It's roughly like almost like 38 feet. So our proposal is to bring the house forward, still allowing more than 50 feet from the front of the house to the yard. Even at the closest part of the house, you still have -- after the 50 feet, you have an additional like 12 feet to the actual curb. That obviously requires a variance for the front yard, and once we are bringing the house

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forward, there is also a need for a front yard height setback ratio because we are -- you know, technically from the property line the house is being cut off over there, but just note if you take the height setback, the same line, the required height setback ratio line at the curb, we would be in full compliance.

MEMBER GOTTLIEB: So I just want to repeat what you are saying. You are moving the house forward 40 feet first of all approximately?

MR. MAYERFELD: Approximately.

MEMBER GOTTLIEB: We are going to ignore the fact there is village right-of-way of 20 feet and presume your property line is at the curb. So you will be in front yard compliance with 50 feet given the curb line versus the property line, and you will be in full compliance with height setback ratio given the curb line versus the property line.

MR. MAYERFELD: We will be above compliance in both those elements.

MEMBER GOTTLIEB: At this point we are just happy to be in compliance.

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MR. MAYERFELD: Okay. And then if you look at the elevations, it's on the corner, so there is another front yard. Like the height setback ratio over there, that's actually a very low part of the house. It's not a full like two stories. If you look at the elevation, it does drop down and at the very, very corner of the house, it does clip that area. It's a very small space. We look at drawing number -- it's elevations. It's sheet A-7. So it says front elevation. So on the top left corner. There is a room over the garage.

MEMBER GOTTLIEB: Yes, there is.

MR. MAYERFELD: That's even the lower part of the house. We brought it down to, you know, make it as compliant as we really wanted to make it more compliant and that's just to carry the whole house across, but even by dropping the house, we still require a small height setback ratio on that side.

MEMBER GOTTLIEB: You are still 50 feet from in this case the curb line.

MR. MAYERFELD: Correct.

Jungreis - 4/27/2023

MEMBER GOTTLIEB: As opposed to there is no right-of-way there.

MR. MAYERFELD: To the same point, there is an additional -- happens to be an additional 13 and a half feet on that side as well, and I am pretty sure if we did the same thing, we measured the height setback ratio from the curb, we would be in compliance on this side as well.

CHAIRMAN KEILSON: Any further questions? Anyone from the audience want to comment?

MEMBER GOTTLIEB: I saw the letters that were produced. The two most affected neighbors didn't sign letters. Barbanel.

MRS. JUNGREIS: I just received an e-mail from Laurie Barbanel.

CHAIRMAN KEILSON: Approving?

MRS. JUNGREIS: Yes. She approved it. I forwarded it to all of you.

MEMBER GOTTLIEB: And Glaubach?

MRS. JUNGREIS: And Glaubach I spoke with her this morning. She I guess got busy and couldn't send the e-mail, but she is in

Jungreis - 4/27/2023

full support of it. It actually helps her.
It moves our problem farther away from her
property.

MEMBER GOTTLIEB: Unfortunately, the way
the topography is, their house sits about 20
or 10 feet below your house. You are at the
top of the hill, they are at the bottom, but
again, you are moving the house forward,
giving you a backyard. I didn't notice a pool
in the application.

MRS. JUNGREIS: We are not applying for
one right now, but maybe we will be back one
day.

MEMBER GOTTLIEB: We seldom get an
application without a pool these days.

MRS. GOODSTEIN: I have two small
children, so I don't want a pool.

MRS. JUNGREIS: They will come over to
my house.

MR. MAYERFELD: The parents have a pool.
That was part of the thought as we designed
the house.

MR. KERSTEIN: You wanted them to come.

MRS. JUNGREIS: Exactly.

Jungreis - 4/27/2023

CHAIRMAN KEILSON: Mr. Mayerfeld, just do me a favor. Go on the record in terms of exactly what's being requested so we can vote on the specific variance request.

MR. MAYERFELD: Sure. Referring to the code relief, we were requesting three variances. The first one is a front yard setback. We are requesting a 22-foot front setback, front yard setback where 50 feet is required. We are looking for a front yard height setback ratio on Chauncey Lane. The proposed is .90 where .44 is required. And on the Albrow Lane, also a front height setback ratio, we are proposing .54 where again same number, .44 is required.

CHAIRMAN KEILSON: Thank you very much. You want to translate again?

MEMBER GOTTLIEB: Absolutely not.

CHAIRMAN KEILSON: Okay. Taking into consideration the special circumstances with given the right-of-way, we are going to vote.

Ms. Diamond?

MEMBER DIAMOND: For.

CHAIRMAN KEILSON: Mr. Moskowitz?

Jungreis - 4/27/2023

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: I will vote for for
myself and for for Danny.

CHAIRMAN KEILSON: Mr. Kerstein?

MR. KERSTEIN: For.

CHAIRMAN KEILSON: And I vote for. And
two and a half years?

MR. MAYERFELD: Two and a half years
should do it.

CHAIRMAN KEILSON: Need Board of
Building Design?

MR. VACCHIO: Yes.

(Exhibit A, Letters of support, marked
for identification, as of this date.)

(Whereupon the hearing concluded at 8:41
p.m.)

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



YAFFA KAPLAN

Court Reporter

Jungreis - 4/27/2023

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----- EXHIBITS -----

EXHIBIT

FOR ID.

A

Letters of support

82

Moskowitz - 4/27/2023

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
8:42 p.m.

APPLICATION: Moskowitz
71 Causeway
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

1 Moskowitz - 4/27/2023

2 CHAIRMAN KEILSON: Moskowitz. Good
3 evening, Mr. Meister. Good to see you back.

4 MR. MEISTER: Thank you. It's good to
5 be back. It was a rough couple of months.

6 CHAIRMAN KEILSON: Okay.

7 MR. MEISTER: I am sorry that Mr.
8 Moskowitz couldn't be here. He was called
9 down to Florida on an emergency so --

10 CHAIRMAN KEILSON: Sorry to hear that.

11 MR. MEISTER: I am not sure what's going
12 on, but hopefully everything will be
13 straightened out. We are here to talk about
14 his new residence on --

15 CHAIRMAN KEILSON: Causeway.

16 MR. MEISTER: -- Causeway and address
17 the two issues for the variance. One being the
18 height of the eave and the other the location
19 of the pool. It didn't -- I am not sure if
20 the eave height is a new situation or --

21 CHAIRMAN KEILSON: No. It's a few years
22 old.

23 MR. CASTRO: 2016.

24 CHAIRMAN KEILSON: 2016. Seven years
25 ago.

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MR. MEISTER: Okay. For the design of the house it works and I can bring it down a little bit. I can probably get -- right now we are about 1-foot-6 over the required height. I can probably get -- bring it down by 12 or 14 inches.

MEMBER GOTTLIEB: Where is it that that affects the house? The eave that you are talking about? Is it in the left? The right? The rear?

MR. MEISTER: Again, our plate height on the second floor is at 9-foot-5 and that's where our ceiling starts. Our first floor we have a rough height of 11-foot-5 and a finished height of 11 feet. I can basically take a few inches out and cut the base. Instead of being 2 feet above grade, I can be 1-foot-6 above grade. So instead of three steps, I will have two steps up to the house.

MEMBER GOTTLIEB: From a practical point of view -- and I understand from a practical point of view, the height of the eaves makes a big difference on a smaller property in a smaller house. Is it unfair to put that

Moskowitz - 4/27/2023

burden on a house of this magnitude on this size lot, or is it reasonable to have that height under the eave? And I don't mean to put anyone on the spot here. It's just every house is unique, every property is unique. This is one of the largest properties you have in the village. And perhaps it's not -- you know.

MR. MEISTER: When we originally started, it was a lot coverage issue, but thankfully that has been changed. So the codes have changed.

MEMBER GOTTLIEB: So we helped you there.

MS. WILEN: Yes.

MR. MEISTER: And again, this house as far as setbacks, 50 feet with 75 feet from the front yard. We have a very large --

CHAIRMAN KEILSON: Mr. Castro?

MR. CASTRO: To answer your question, Mr. Gottlieb, as the setback increases, the issue you are talking about, the wall height becomes less obvious, less apparent.

CHAIRMAN KEILSON: And thus?

Moskowitz - 4/27/2023

MR. CASTRO: And thus is not -- is not an issue. Not visually.

CHAIRMAN KEILSON: Okay.

MR. MEISTER: We are underneath the sky exposure planes.

CHAIRMAN KEILSON: Yes, we understand that.

MS. WILEN: I was asked to say my name for the record. I am Debra Wilen. I work for Warren Meister Architects.

MR. MEISTER: And I am Warren Meister.

MEMBER GOTTLIEB: Mr. Meister, you just had to explain what you are looking for which you did. I don't think there is any pushback. I can only speak for myself.

MR. MEISTER: If we could maintain the heights.

CHAIRMAN KEILSON: The man made an offering; you turned him down.

MS. WILEN: You have to speak up if you don't mind. Basically what you are saying is what you are asking for is acceptable to you possibly?

MEMBER GOTTLIEB: To me it is.

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MEMBER MOSKOWITZ: And to me as well.

MS. WILEN: The location of the pool is semantics. Rear yard, front yard.

MR. MEISTER: Well, this is an interesting site because we front on Causeway and we also front on a part of Herrick and we set the pool itself back 50 feet from the front yard setback but --

MEMBER HILLER: You are not the only property. We have encountered this many times, so this is not something new. You don't have to explain.

MR. MEISTER: We have two front yards.

MR. KERSTEIN: And there is an existing pool?

MS. WILEN: No.

CHAIRMAN KEILSON: No.

MR. KERSTEIN: I am confusing it with the other house?

CHAIRMAN KEILSON: Right.

MS. WILEN: Another Causeway house?

MR. KERSTEIN: No.

MR. MEISTER: There is an existing pool there.

Moskowitz - 4/27/2023

CHAIRMAN KEILSON: Any other questions
from the Board members?

MEMBER GOTTLIEB: That was the one issue
plus the pool. So those are the two issues.
In terms of building coverage --

CHAIRMAN KEILSON: Mr. Gottlieb, we
already discussed this. Let's not reiterate.

MEMBER GOTTLIEB: We shall not reiterate
then, Mr. Chairman.

CHAIRMAN KEILSON: Anyone in the
audience want to comment? I just want to
express for the record our appreciation in
terms of the design of the house. We laud it.
It's a beautiful house, and thank you for
being so modest in your requests.

MR. MEISTER: Thank you.

CHAIRMAN KEILSON: As is common in your
drawings. Okay. So we are going to vote.

Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: I will have to say
for.

CHAIRMAN KEILSON: Mr. Hiller?

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MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Kerstein?

MEMBER KERSTEIN: For.

CHAIRMAN KEILSON: I vote for as well.
Three years? One, 2, 3 years?

MS. WILEN: Is how long it's going to
take.

CHAIRMAN KEILSON: That way you don't
have to come back to us.

MR. MEISTER: We are probably going to
have to file our drawings.

CHAIRMAN KEILSON: Three years. Take
it.

MR. MEISTER: Take it.

MR. VACCHIO: We will talk tomorrow.
BBD is required too.

MR. MEISTER: We will get it done.
Thank you so much.

(Whereupon the hearing concluded at 8:50
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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INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

April 27, 2023
8:52 p.m.

APPLICATION: Sod
7 Manor Lane
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. EDWARD GOTTLIEB
Member

MR. DANIEL HILLER
Member

MR. ELLIOT MOSKOWITZ
Member

MR. PHILIP KERSTEIN
Member

MS. SYMA DIAMOND
Alternate Member

MR. ANDREW K. PRESTON, ESQ.
Village Attorney

MR. GERRY CASTRO
Deputy Village Administrator

MR. DANNY VACCHIO
Building Department

Yaffa Kaplan
Court Reporter

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CHAIRMAN KEILSON: Okay. Sod, 7 Manor Lane.

MR. BROWNE: Good evening, Chairman, members. Christian Browne, McLaughlin & Stern, 1122 Franklin Avenue, Garden City for the applicant. The applicants are here, our architects are here. Happy to answer any questions after I run through our requests. This is a request to construct a new dwelling on the property known as 7 Manor Lane.

This is an oversized lot of 27,849 square feet. It's a through lot that goes through from Manor Lane to Martin Lane as is the case with a number of homes going to the south on Manor Lane. As I am sure the Board is aware, a number of these lots go through to Martin Lane, and on that facing side of Martin Lane, you have a series of backyards. There aren't any houses facing -- I guess that would be to the west across Martin Lane, so that's the sort of the general character of the area.

As I said, we are proposing a new dwelling with a pool. And the Board has just set an important precedent here tonight in

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2 approving a pool in the front -- second front
3 yard, and so this is a similar situation as to
4 the case you just heard and one of the
5 requests for relief that we have is to have
6 the pool in the second front yard. As I noted
7 on this through lot, this pool would sit back
8 towards Martin Lane. It doesn't violate any
9 setbacks. We are not proposing a whole series
10 of decking, patios, pool houses. All of that
11 which you may have seen informally and in
12 earlier versions of the plans have been
13 removed. There was quite a lengthy process
14 that went on between the architects and I
15 think with some input from the Building
16 Department trying to work collaboratively to
17 reduce some of the coverage issues over the
18 course of the last several months, so all we
19 have here is a pool with just some -- I guess
20 that's, you know, some paving or coping around
21 it. Nothing more than that. The rest of the
22 backyard/second front yard is open space and
23 grass, and you can see there is some dry wells
24 proposed to go back.

25 MEMBER GOTTLIEB: Mr. Browne, while you

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are on the pool matter, will the brick wall remain?

MR. ROTHSCCHILD: On Martin.

MR. BROWNE: We will keep the brick wall and keep plantings.

MEMBER GOTTLIEB: I only ask because there was another applicant previously about screening but if the brick wall remains --

MR. BROWNE: It will be fully screened in the back as it is now. So that's the first request is to have the pool in the second front yard. The second request is to a height setback ratio issue which I find a bit confusing, and if necessary, Mr. Mayerfeld can address it. It pertains to three discrete sections in the front yard. It's a front height setback ratio issue. There is three discrete features in the house where they are very slight protrusions across the plane that's set by the village. Permitted on this site is .74, ratio .74. We are proposing a ratio of .79. I believe it's literally within inches of compliance.

CHAIRMAN KEILSON: De minimis.

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2 MR. BROWNE: Extremely de minimis and
3 it's just a function of the aesthetic design
4 of the house. I don't think it has any effect
5 on any neighbor or on the general character of
6 the area whatsoever. So I would agree,
7 Chairman, that this is a de minimis variance.
8 It's -- these are tenths or hundredths of a
9 point in ratio.

10 MEMBER GOTTLIEB: Mr. Browne, will you
11 be maintaining the shrubs, the screening in
12 front of the house, or will that be removed?

13 MR. BROWNE: There will be screening in
14 front of the house. It will be enhanced and
15 new plantings in front of the house.

16 MEMBER GOTTLIEB: So the screening there
17 will be replaced?

18 MR. BROWNE: Will be replaced but in
19 like kind/better but the same look in the
20 front. So those are the first two. The small
21 setback ratio variance, the pool, and then the
22 third request that we have -- and that's the
23 only other request at this point for relief --
24 is the lot coverage. So we are permitted on
25 this lot 17.1 percent. We are requesting 20

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percent coverage. So that's 4,773 square feet versus 5,579 square feet. Now, as I noted, this is a -- it's a large lot. We are able to hold all of our setbacks front, side, rear. We have an enormous setback of over 100 feet to the rear yard. We have 24 feet on the south side. We have 20 feet on the north side. We have almost 39 feet on the front yard, so there are zero encroachments here to any neighbor. And I think it's in keeping with the character of the area. As I noted, if you go to the south, there are comparable large properties through lots and similar lot coverages, so by the calculations that we looked at this afternoon, which the architects can substantiate, the house immediately abutting to the south has a 17 percent coverage. But also has a pool and more patio and --

CHAIRMAN KEILSON: Basketball court.

MR. BROWNE: -- basketball court and a cabana type structure. So it's overall coverage, if you counted all of that, would be more. It's probably nonconforming for surface

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coverage, but the 17 percent is only the house, so there is more stuff on the next lot.

MEMBER GOTTLIEB: Just keep in mind that lot is a little bit larger, a 31-and-a-half-thousand square feet.

MR. BROWNE: It's slightly larger, and I can concede the house takes up slightly less of the lot, but there are all these accessory structures and we are not proposing that. If you go one more down, that comes out at the same 20 percent coverage that we have, and again, there are accessory structures. There is a pool, there is a patio, and I believe a pool house and/or cabana on that lot. Immediately to the south.

MEMBER GOTTLIEB: That lot is about 34-and-a-half-thousand square.

MR. BROWNE: Correct. Those lots are slightly bigger, but they are all of the same general nature. So we are talking about coverages between in that row going down to the cul-de-sac. If you approve this, it would be 20, the next lot is 17, the lot after that is 20, and we are -- because we do have a

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2 larger house, our concession would be just the
3 a pool, none of the other accessory structures
4 and paving that, you know, will drive up your
5 surface coverage. I think we are under
6 surface coverage by about 10 points so it's
7 not out of character for the area, there is no
8 encroachments to any of the neighbors. I
9 don't know if anyone is here in objection
10 but --

11 MEMBER GOTTLIEB: How do you get from
12 the house to the pool without a path?

13 MR. BROWNE: We have our small attached
14 patio. I don't know if anybody has
15 contemplated --

16 MEMBER GOTTLIEB: Just I note there is
17 no -- you were referring to surface coverage,
18 and I see there is no path but okay.

19 MR. BROWNE: Again, I think the idea
20 here was the applicant would like to put his
21 chips on the house and conceding not having
22 other structures and paving as a tradeoff, and
23 that's what we are offering the Board on that
24 particular issue. But in terms of impacting
25 the neighborhood, I think it's positive. It's

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2 a beautiful new house, no encroachments on any
3 neighbor. We hold all of our setbacks and we
4 are comparable to what exists along this
5 stretch. So I think weighing the benefit to
6 the applicant versus detriment to the
7 community or the surrounding neighborhood, I
8 think the benefit favors the applicant here.
9 And that's the general overview if you have
10 any questions for me or our team.

11 CHAIRMAN KEILSON: I would like to
12 applaud the effort, the collaborative effort,
13 a lot of parties bringing the house somewhat
14 down, and the village has changed its zoning
15 regulation in terms of building coverage and
16 certainly surface coverage, so it's certainly
17 nowhere near some of the issues that we had
18 with whatever five zoning variances on the
19 previous presentation. So I think it was this
20 collaborative effort really has made this a
21 much more palatable and very beautiful house.

22 MR. BROWNE: It is a beautiful home.

23 CHAIRMAN KEILSON: It should also be
24 where the rear door is still open. I am sure
25 you are going to have squatters there if

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that's not addressed. The electric is on, air conditioner is running. We almost took the sofa with us yesterday.

MR. BROWNE: It was comfortable.

CHAIRMAN KEILSON: All right. Any questions? It's not out of character with the other houses.

MR. CASTRO: I just want to state for the record you were mentioning that the neighboring properties were larger, but it sounds like you were saying that the proportionality of the coverage to those lots were equivalent, were very close or equivalent to this.

MR. BROWNE: It's comparable. That's what our analysis showed.

MEMBER GOTTLIEB: So when I look at the overage which in just raw square footage is 800 feet --

MR. BROWNE: Yes.

MEMBER GOTTLIEB: -- and 800 foot on a 28,000-square-foot lot is about 3 percent.

MR. BROWNE: It's a 3 percent overage.

MEMBER GOTTLIEB: Three percent over

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total surface. We look at these things day after day, and I think we examined this one -- I was at this location more than twice.

CHAIRMAN KEILSON: If the property was squared off and Mendy gave up some of his properties, there would be no issues.

MR. BROWNE: It does have a little dog leg.

MEMBER GOTTLIEB: Would the homeowner like to speak?

MR. BROWNE: Would you like to say anything, Mr. Sod?

MEMBER MOSKOWITZ: I think the presentation has been sufficient so --

MR. BROWNE: Thank you.

CHAIRMAN KEILSON: Any further questions from the Board?

MR. MAYERFELD: Just want to reiterate, we significantly reduced this application. In terms -- you were asking about the path. If you look at the numbers, we have plenty of surface coverage even with I think the height setback ratio. I am wondering if I can ask Gerry, we were like inches, within inches

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because if we meet the setback --

MR. CASTRO: We looked at it, and it looks like the front yard height setback ratio may --

MR. MAYERFELD: May not even need it because the way it cuts through the house because the roof is long as the house is 6 foot.

CHAIRMAN KEILSON: Mr. Mayerfeld, stop.

MEMBER HILLER: You are overselling.

MR. MAYERFELD: I just thought it was interesting because we worked really hard to reduce the variances.

MEMBER GOTTLIEB: Once already sold the customer, you got to stop.

MR. MAYERFELD: I agree.

MR. BROWNE: Words we all love to hear.
"Is that your case?"

CHAIRMAN KEILSON: Anyone in the audience would like to speak to the matter? Taking into account the benefit to the applicant as opposed to any detriment to the community, thank you, Mr. Chris Browne, as always for your excellent presentation.

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Comprehensive, to the point, succinct. Okay.

Start with Mr. Kerstein.

MR. KERSTEIN: For.

CHAIRMAN KEILSON: Mr. Hiller?

MEMBER HILLER: For.

CHAIRMAN KEILSON: Mr. Gottlieb?

MEMBER GOTTLIEB: For.

CHAIRMAN KEILSON: Mr. Moskowitz?

MEMBER MOSKOWITZ: For.

CHAIRMAN KEILSON: I vote for as well.

And three years?

MR. CASTRO: Three years. Board of
Building Design.

MR. MAYERFELD: Thank you so much.

MR. BROWNE: Have a good night.

(Whereupon the hearing concluded at 9:06
p.m.)

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


YAFFA KAPLAN

Court Reporter