

## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

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

6 June 24, 2015  
7 7:57 p.m.

8 APPLICATION: Mesvita Ateres Yaakov of Greater  
9 Long Island  
10 131 Washington Avenue  
11 Lawrence, New York

## 12 P R E S E N T :

13 MR. LLOYD KEILSON  
14 Chairman

15 MR. EDWARD GOTTLIEB  
16 Member

17 MR. MARK SCHRECK  
18 Member

19 MR. JOEL GANZ  
20 Member

21 MR. DANIEL HILLER  
22 Member

23 MR. KENNETH A. GRAY, ESQ.  
24 Village Attorney

25 MR. MICHAEL RYDER  
Building Department

Mary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: The next matter tonight is  
2 Mesivta Ateres Yaakov. Will their representative  
3 step forward. Mr. Ganz was not present, so the  
4 discussion will continue from last time.

5 MR. HOPKINS: Well, I'm not quite sure how,  
6 Mr. Chairman, you would like to proceed. If I  
7 could just make a few comments, and then if there  
8 are any questions to be asked.

9 I want everybody, the Board and those in the  
10 audience who might be neighbors to understand the  
11 school is very much attuned to and sensitive to  
12 and understands the issues that concern the  
13 neighbors.

14 We know and it was discussed at the hearing  
15 back on June 4th, 2015 that the neighbors are not  
16 interested in seeing the buses that bring the kids  
17 to the school and from the school on Mulry in  
18 particular. We want to and we would like to  
19 reinforce that based upon the testimony of  
20 Mr. Eschbacher, that by having the lane that will  
21 come onto the subject property it is the expert's  
22 opinion, and I think everybody would probably  
23 agree, that it will tend to mitigate any problems  
24 caused by the buses that would reflect the current  
25 situation. So we would trust that the buses and

1 the vans coming onto our property to pick up and  
2 drop off the children should mitigate in a  
3 material way the complaints of the locality.

4 The school is also going to appoint a  
5 specific person to be designated a student traffic  
6 coordinator. The person is going to be  
7 responsible to monitor, coordinate and streamline  
8 the arrival and departure activities. Again, the  
9 desire being to minimize the impact and the  
10 disruption, if any, on the neighborhood.

11 The school will continue to work with the  
12 school district with regard to the idling of  
13 buses, which by law cannot exceed five minutes  
14 idling time. And again, the cutoff onto the  
15 property and the movement onto the property of the  
16 buses should really be mitigated as a consequence  
17 of that. Also, this will tend to de-emphasize  
18 traffic and pickup and drop-off because, as we  
19 said at the last presentation, the front as it  
20 were, the entrance to the school is really going  
21 to be on Mulry, as a practical proposition. So we  
22 believe that's going to mitigate issues on  
23 Washington as well.

24 The desire of the school is to minimize the  
25 impact as far as humanly possible on the

1 neighbors, and the neighbors should feel  
2 comfortable bringing issues to the school if  
3 anything is happening that they believe to be  
4 untoward.

5 And you will recall at the last meeting there  
6 were some discussions vis-à-vis the use of a  
7 basketball court late at night, which should be  
8 rendered academic by moving that inside by  
9 definition, and also that the children that were  
10 involved actually were young men, they were not  
11 affiliated with the school.

12 But I want to reinforce that if it should  
13 turn out that the children are doing things that  
14 are inappropriate it should be brought to the  
15 attention of the school, and the school will  
16 handle it. The school is willing to formalize the  
17 reporting procedures to ensure that the neighbors  
18 will have a specific person fundamentally 24/7 365  
19 to contact in the event that they have a concern.  
20 Said person is going to be responsible not only to  
21 investigate but to report back to the neighbors  
22 with regard to the resolution.

23 And you will recall, Mr. Chairman, at the  
24 hearing several weeks ago when I asked the rabbi  
25 if any of the things that were said that night

1 were shown to be true, and that were shown to be  
2 the conduct of some of the students at the school,  
3 from a disciplinary point of view with the school  
4 this would include up to expulsion, and the answer  
5 to the question was yes.

6 CHAIRMAN KEILSON: Right.

7 MR. HOPKINS: We're going to make sure that  
8 the meetings with the neighbors are more  
9 formalized and come at a more regular basis than  
10 perhaps they've been done in the past, which  
11 tended to be ad hoc.

12 We want the neighbors to know that the houses  
13 on Mulry are in the process of being demolished.  
14 I know that that was a concern because there were  
15 older students at that house. That should not be  
16 a problem with a little bit of luck with those  
17 houses being gone. I want to emphasize there are  
18 no plans to replace it with any other facility at  
19 the present time.

20 The school will reinforce strenuously the  
21 existing rules which they have on the books right  
22 now that will forbid high school students from  
23 driving to school and parking on Mulry. It will  
24 also be formalized a similar protocol with regard  
25 to the older students to the extent that that may

1       become an issue in the future.

2               I think, I would trust, I would hope that  
3       with the expert testimony that was I believe  
4       unrebutted that we will be mitigating many of the  
5       complaints that people have. We'll be taking  
6       things inside. We'll be taking traffic off the  
7       street. We'll be taking buses off the street.  
8       We're providing more parking than is currently  
9       provided for. And the noise issue should be --  
10      should be abated dramatically.

11             Also as I mentioned a few moments ago, making  
12      the gym a secure location will make it impossible  
13      for third parties to use it and cause disruption  
14      to the neighbors.

15             So I just want this Board to understand in  
16      making this decision that we are sensitive to the  
17      needs of the neighbors, and I would trust and hope  
18      that what's been proposed, the plan of action as  
19      it were, would certainly be acceptable to the  
20      Board.

21             And if there are any specific questions, I  
22      have Mr. Gold here to answer them.

23             CHAIRMAN KEILSON: President Gold.

24             MR. HOPKINS: President Gold.

25             CHAIRMAN KEILSON: Good. We're very pleased

1 with the forthcoming attitude of the school and  
2 the immediate attention to some of the concerns of  
3 the neighbors. One of the things that I was  
4 hoping is that the individual who would be  
5 responsible for the traffic control over there  
6 should have some enhanced power so that in the  
7 event of buses that are idling they're not going  
8 to passively deal with it, they are going to  
9 proactively be dealing with it. All matters  
10 relating to traffic control on that street are  
11 really attributable for the most part to the  
12 school in terms of the buses and the dropping off,  
13 especially with the gymnasium now being there and  
14 that being the focal point for the entrance to the  
15 school. I think we have to be very proactive  
16 about it.

17 MR. HOPKINS: Absolutely. And I think that  
18 -- I'm sure the school is being proactive and is  
19 making sure that's being addressed.

20 MEMBER GOTTLIEB: Mr. Hopkins, can I address  
21 something about proactivity?

22 CHAIRMAN KEILSON: Of course.

23 MEMBER GOTTLIEB: You mentioned the school  
24 took things -- listened to the neighbors, took  
25 things to heart and you act proactively. On one

1 occasion only, I went on Mulry Lane in the  
2 morning, it was between 8:30 and 9. Two cars were  
3 parked on Mulry Lane only, both belonged to  
4 students.

5 MR. HOPKINS: I'm incapable of answering  
6 that. If Mr. Gold, President Gold is familiar  
7 with it. I truthfully don't know. I don't know  
8 how --

9 MEMBER GOTTLIEB: It was an observation. I'm  
10 telling you I was only there once and it was about  
11 two weeks after the last hearing. So certainly,  
12 there was enough time to tell students they can't  
13 park on Mulry. I don't know how long they were  
14 parked for. One was parked halfway between  
15 Washington and William. The other one was parked  
16 a little bit closer to the school.

17 MR. HOPKINS: Again, Mr. Gottlieb, I'm not  
18 familiar with the experience.

19 MEMBER GOTTLIEB: I'm speaking to the nature  
20 of you going to control things, but two weeks  
21 after the hearing they weren't being controlled.

22 RABBI YAFFE: Two weeks after the hearing  
23 there was no longer school.

24 CHAIRMAN KEILSON: You have to identify  
25 yourself.



1 RABBI YAFFE: Sorry. I'm Rabbi Mordechai  
2 Yaffe. I'm the headmaster of the school. Two  
3 weeks after our hearing there was no longer  
4 classes.

5 MEMBER GOTTLIEB: Okay.

6 MR. HOPKINS: I hope that would satisfy you,  
7 Mr. Gottlieb, but look, the person -- and I've  
8 stressed this to President Gold and the rabbis,  
9 the absolute importance of being on top of issues  
10 so that if something with regard to the idling or  
11 a student abusing something it's done forthwith  
12 and handled promptly, otherwise it's just going to  
13 engender misunderstanding at perhaps the most  
14 benign way of looking at it, and animosity with  
15 the neighbors if you look at it a little bit  
16 differently. So they understand the importance,  
17 that these procedures are going to be formalized  
18 in a plan of action, and are perfectly willing to  
19 adopt them to carry them out. And as we discussed  
20 them before in terms of discipline, if a student  
21 should be doing something like that, as a  
22 practical proposition, he could run the risk of  
23 expulsion if he continues to be an abuser, as a  
24 practical proposition. But the school is aware,  
25 the school heard what the neighbors had to say,

1 and the school will enforce it to a degree with  
2 the cooperation of course of the school district,  
3 because I guess technically --

4 MR. SCHALL: I'm right here.

5 MR. HOPKINS: The school district is  
6 represented here tonight. I'll let the school  
7 district therefore speak for itself. But I just  
8 wanted everybody to know, and I know some of the  
9 people personally who are down here tonight, the  
10 school is going to do those things to be a good  
11 neighbor.

12 CHAIRMAN KEILSON: Well, we appreciate the  
13 presence of the officials of the school district.  
14 I think it speaks to the seriousness in which it's  
15 looked upon, and I just urge the school to  
16 understand that as we heard in the last hearing  
17 how important it is to be sensitive to the  
18 neighbors and to be as proactive. We would like  
19 nothing better to have a monthly meeting with  
20 neighbors and there be nothing to discuss.

21 MR. HOPKINS: Precisely, precisely.

22 CHAIRMAN KEILSON: So that would be the  
23 optimal situation. We recognize that we're  
24 working under a very difficult strained situation  
25 on Mulry Street. We understand the need for the

1 school to have a gymnasium; we're not insensitive  
2 to that. We have to deal with the reality and  
3 work around it.

4 MR. HOPKINS: It can be done, Mr. Chairman,  
5 it can be done.

6 CHAIRMAN KEILSON: We will prevail.

7 MR. HOPKINS: If nothing else, then I'll sit  
8 down, Mr. Chairman.

9 CHAIRMAN KEILSON: We wanted to discuss a  
10 vote.

11 MR. HOPKINS: I'll remain standing.

12 MS. PUGLIESE: Well, a lot of the homeowners  
13 are here tonight. We would like to speak too.

14 CHAIRMAN KEILSON: By all means, we'll  
15 recognize you.

16 MS. PUGLIESE: Hi, how are you? I spoke last  
17 week. Antoinette Pugliese, 381 Mulry Lane, right  
18 next-door to the all boys' dormitory fraternity  
19 house that we spoke about last time.

20 I know you're saying that you're doing  
21 everything to make the homeowners happy. We're  
22 not happy. Nobody is happy on that block. I have  
23 a petition here with about 36 signatures going  
24 from 304 Mulry Lane to 394 Mulry Lane of people  
25 who oppose the building and this proposed

1 application for this gymnasium. You know, these  
2 are all the reasons; I could hand this to you. No  
3 one is happy about it. I mean, you know, this  
4 impedes on our quiet enjoyment of our block. You  
5 know, this is a residential block. You know, when  
6 we moved here, it was just houses. Now, this is a  
7 huge eyesore. Just the actual corner school  
8 that's there, which is not moving, but now this  
9 gymnasium is going to be another eyesore and more  
10 noise and traffic and, you know, there's a lot of  
11 littering from the boys walking up and down the  
12 block which, you know, we're getting frustrated  
13 about, you know. So I don't know who wants to  
14 take this. Do any of you want to take this  
15 (handing)?

16 MR. GRAY: We'll mark it as an exhibit.

17 MS. PUGLIESE: Yeah. You know, why is this a  
18 harm to Mulry Lane? The number one reason is this  
19 project causes a safety issue to the residents of  
20 Mulry Lane.

21 The number two reason is quality of life for  
22 the residents of Mulry Lane. You know, we live  
23 there. You guys don't live there. You don't see  
24 what's going on on a daily basis. Once this  
25 gymnasium is built and there is events going on at

1 the school, which I'd like to get a list of those  
2 events, and you know, more parents and other, you  
3 know, students from other schools coming there,  
4 you know, we're going to be coming home from work  
5 and there's cars being parked up and down, you  
6 know, our street. We want to come home and enjoy  
7 the quiet enjoyment of our home.

8 You know, located at the end of Mulry Lane on  
9 the left side is the elevated office building  
10 occupied by nine office spaces with parking below.  
11 Prior to that elevated office building, this  
12 property was owned by a previous owner of  
13 131 Washington Avenue and was used as a parking  
14 lot. This is approximately 10,290 square feet.  
15 The previous owner did not use 131 Washington  
16 Avenue as a high school or an adult school, okay;  
17 they had this big parking lot there. Cars enter  
18 the parking lot of this elevated commercial  
19 building from Washington Avenue and exit onto  
20 Mulry Lane. This creates more traffic on  
21 Mulry Lane.

22 You know, I noticed traffic on Washington  
23 Avenue. They use the parking lot as a  
24 turn-around, you know, back onto Washington  
25 Avenue. This would be a safety issue for the high

1 school, for this adult school if the proposed main  
2 entrance was located on Mulry Lane. None of the  
3 homeowners want this, you know, the proposed, you  
4 know, entrance on Mulry Lane, okay. This is a  
5 residential block. You know, put the two  
6 together, the office and the proposed school, you  
7 now have more congestion and traffic at the end of  
8 Mulry Lane turning on Washington Avenue. Add the  
9 traffic coming from Rockaway Turnpike and William  
10 Street and the residents leaving homes, which is  
11 normal because we live on that block, further add  
12 the traffic coming out of the CVS parking lot and  
13 if the railroad crossing is down you now have  
14 complete gridlock.

15 If an emergency event occurs at this time,  
16 emergency vehicles cannot respond, you know,  
17 creating a life-or-death situation for the  
18 residents on Mulry Lane and the students and staff  
19 of the proposed school if something were to happen  
20 to them. Would anyone be willing to risk this  
21 here? Would anybody want to risk a life?

22 In addition, you know, we spoke last -- a  
23 couple weeks ago about the Lawrence Cedarhurst  
24 Fire Department, noting that in their 2/23/2015  
25 letter to Michael Ryder that this is definitely

1 something that would impede and create a dangerous  
2 situation and impede a fire department response in  
3 the area. So I don't know, nobody really  
4 addressed that. No one addressed it. Did anybody  
5 speak to the chief of the Lawrence Cedarhurst Fire  
6 Department?

7 CHAIRMAN KEILSON: Mr. Ryder, has Lawrence  
8 Cedarhurst weighed in on this?

9 MR. RYDER: Yes. I spoke to them several  
10 times. I spoke to the chief, Chief Jack McHugh.  
11 We had several conversations that I shared with  
12 the Chairman, and there was a letter submitted in  
13 with the record as well.

14 MS. PUGLIESE: So, you know, how are we going  
15 to address this if there is like an emergency  
16 situation and there's all this traffic on the  
17 street?

18 CHAIRMAN KEILSON: I'm trying to understand.

19 MS. PUGLIESE: It's just going to cause  
20 more --

21 CHAIRMAN KEILSON: There is an existing  
22 situation today with the school. We're not  
23 increasing the school population. You heard the  
24 testimony to that effect.

25 MS. PUGLIESE: Yeah, but --

1 CHAIRMAN KEILSON: Let me finish. We are not  
2 increasing the school population. The question is  
3 we're discussing the construction of a gymnasium,  
4 all right, the demolition of an existing eyesore  
5 and issues relating to the frat house, as we  
6 denominated it. So the question becomes  
7 specifically to the applicant and what they're  
8 seeking at this point, what impact, what increased  
9 impact on Mulry Lane is there going to be. To  
10 some extent it would appear that the drop-off  
11 that's being created it will serve to minimize and  
12 mitigate what's going on now currently on Mulry  
13 Lane. The fact that the building on stilts has a  
14 parking lot has been there for a long period of  
15 time, and if it's an untenable condition, it has  
16 been an untenable condition all along. So I'd  
17 like to narrow the discussion to the impact of the  
18 gymnasium.

19 MS. PUGLIESE: I'll go into the parking  
20 situation. I don't know how this could be passed  
21 because it's just -- there's not enough space in  
22 the proposed plan to create this structure 24,000  
23 square feet, very narrow, one-way street. The  
24 proposed 14-space parking is a joke. It's  
25 irrational for a structure this size. You know,



1 the previous owner, this is how it all ties in,  
2 had 10,000 square feet parking lot for the  
3 existing structure, you know, which is, you know,  
4 he had a lot of parking spaces. So you want 14  
5 spots for 188 students, staff, all of that. I  
6 don't see any space, you know, that in this  
7 proposed plan for the parking, you know. Where  
8 are people going to park? You know, that's the  
9 main issue here. You know, common sense says you  
10 need a lot more space, you know.

11 CHAIRMAN KEILSON: We're not increasing the  
12 population. That's what I'm trying to understand.

13 MS. PUGLIESE: There's no parking already.

14 CHAIRMAN KEILSON: We're adding, again, based  
15 on the --

16 MS. PUGLIESE: You're not adding a parking  
17 garage though, are you?

18 CHAIRMAN KEILSON: Again, that's not the  
19 question on the table at this point.

20 MS. PUGLIESE: Okay. So then also, you can  
21 also see at the last meeting the proposed addition  
22 would be ADA compliant, but what about handicapped  
23 parking? Please tell me how many handicapped  
24 spots would be allotted for a structure for 24,000  
25 square feet. Does anybody know?

1 CHAIRMAN KEILSON: Do they have ADA?

2 MR. RYDER: Yes. I would have to pull that  
3 out.

4 CHAIRMAN KEILSON: They have ADA-allocated.

5 MS. PUGLIESE: I just want to know how many  
6 allotted spots are going to be handicapped spots.

7 CHAIRMAN KEILSON: We'll get back to you on  
8 that.

9 MS. PUGLIESE: Are they designating any spots  
10 in the proposed plan?

11 CHAIRMAN KEILSON: I'm sure they are.

12 MS. PUGLIESE: All right, I definitely want  
13 to see that.

14 CHAIRMAN KEILSON: We'll find out. Go ahead.

15 MS. PUGLIESE: Again, the Village Code  
16 requires 188 spots for a structure this size. It  
17 doesn't matter if you have different shifts for  
18 the staff members. But pardon my lack of  
19 knowledge about what's going on at the school,  
20 because honestly, I really -- this is my problem  
21 now because I live there, but I don't think it  
22 should be. Does the school have back-to-school  
23 night, parent-teacher conferences, meetings with  
24 the parents, other events, you know? No one  
25 discussed when these events are going to occur,

1 when I come home from work what's going to be  
2 going on on my block. You know, and even tonight,  
3 I mean --

4 CHAIRMAN KEILSON: You're going back to  
5 whether the school should be there. That's not  
6 our issue.

7 MS. PUGLIESE: It's not about the school. I  
8 think once you have the gymnasium and you're  
9 having sports and --

10 CHAIRMAN KEILSON: You're speaking about  
11 back-to-school night, that they have currently.  
12 They have a school there, they have a C of O, it's  
13 a pre-existing situation. It has nothing to do  
14 with tonight, it's not in our purview.

15 MS. PUGLIESE: Okay. Well, let's say when  
16 the gymnasium is built and then they have, you  
17 know, basketball games and, you know, other games,  
18 where are people going to park?

19 CHAIRMAN KEILSON: There was testimony to  
20 that at the last hearing.

21 MS. PUGLIESE: Yeah. I mean, nobody got any  
22 answers. All right, what else? Garbage pickup --

23 MEMBER GOTTLIEB: I thought there was.  
24 Miss Pugliese, you realize the school is there?

25 MS. PUGLIESE: Yeah, definitely.

1 MEMBER GOTTLIEB: At the last hearing there  
2 was specific testimony as to how many times  
3 they're going to have sporting events, the type of  
4 sporting events, how many people will be  
5 attending. Sports are not a big function of the  
6 school. Every school does need to have a  
7 gymnasium. I believe it's New York State law or  
8 it's required to have, if not a gymnasium, some  
9 sort of physical education program. Just the  
10 same, there was detail as to how much it would be  
11 used, and it didn't sound like it was very  
12 frequent. It was not nightly. I believe it was  
13 weekly.

14 MS. PUGLIESE: But no one knows. We're not  
15 getting any answers. Nobody is giving us any  
16 definite answers. But once it's built and it's  
17 going on all the time, nobody wants to have  
18 monthly meetings about this. I'm busy. We're all  
19 busy. We have jobs, we have families.

20 CHAIRMAN KEILSON: Excuse me. This can't  
21 be --

22 MS. PUGLIESE: You know what I mean? It's a  
23 residential block.

24 CHAIRMAN KEILSON: We had a hearing on this  
25 previously. This is a continuation on the

1 hearing. We had extensive testimony on this.  
2 There was more than adequate time to reach out to  
3 the neighbors.

4 MS. PUGLIESE: Yeah, the neighbors are here  
5 and --

6 CHAIRMAN KEILSON: May I finish, please?  
7 Don't interrupt me.

8 MS. PUGLIESE: Sure.

9 CHAIRMAN KEILSON: You've had more than ample  
10 time to bring this to the discussion. If you have  
11 these questions, you've had more than ample time  
12 between the last hearing and tonight to have  
13 brought this matter up for discussion. So you're  
14 renewing the same questions that you may have had  
15 questions about last time, but they could have  
16 been clarified. We had extensive testimony at the  
17 last hearing.

18 MS. PUGLIESE: Yeah. None of it gave us any  
19 answers, I'm just saying. And also, I thought we  
20 were going to bring all -- we were going to have  
21 this hearing tonight to speak, and the neighbors  
22 came, you know, who weren't able to come last  
23 time, and they all would like to speak as well.  
24 I'm not the only one who like has something to  
25 say.

1           What about quality of life? You know, we  
2           should be able to have peace and quiet, you know,  
3           during the week, on the weekends, without further  
4           increased noise, pedestrian traffic. We live on a  
5           residential block to enjoy the quiet, the peace  
6           and quiet. You know, Mulry Lane is not a main  
7           road. If this was Peninsula Boulevard, we would  
8           learn to live with it. The street never had this  
9           before and should not have it now, you know. And  
10          also, I do want to leave some time for there's  
11          another neighbor who would like to speak.

12           CHAIRMAN KEILSON: Great.

13           MS. PUGLIESE: And so I mean, like I said,  
14          Dr. Schall, is that you? Okay, you're the  
15          superintendent of the Lawrence high school  
16          district. Okay, so you -- the Lawrence school  
17          district provides bussing for students to any  
18          school, all right, it's a state mandate. However,  
19          Lawrence school district does not have control  
20          over the bus company, all right. Lawrence school  
21          district does not own the bus company. You can  
22          say whatever you want to the bus company, but you  
23          have no control over whether these buses are going  
24          to be idling. That was another issue.

25           CHAIRMAN KEILSON: Well, we've had testimony

1 that it's against the law to idle, and they're  
2 going to have a traffic individual who is going to  
3 bring it to the attention of the drivers and  
4 report it to the school district. There are means  
5 of addressing it in a more aggressive fashion than  
6 heretofore perhaps.

7 MS. PUGLIESE: All right. I mean, an  
8 example, this winter the bus drivers were there,  
9 you know, idling, you know, the buses, you know,  
10 were on, you know, the exhaust was coming into our  
11 properties. You know, in the winter, I don't  
12 think somebody is going to be turning off their  
13 bus and waiting I think if it's 20 degrees. I  
14 don't know if you can give us, you know, a  
15 definite answer of whether those buses will be  
16 turned off in the winter, you know, to pick up and  
17 drop off.

18 Let's see. All right, if these plans are  
19 approved, this Board will be relating a message to  
20 the residents of Mulry Lane and the residents of  
21 Lawrence that buy a piece of property in the  
22 Village of Lawrence, or multiple properties on the  
23 same street, and eventually you do whatever you  
24 want, it doesn't matter what the residents say.  
25 You know, it's just -- this is what's going on.

1 CHAIRMAN KEILSON: At some point you're going  
2 to cross a line in terms of --

3 MS. PUGLIESE: No, but this is what you're  
4 saying. This is the message that it's giving to  
5 Mulry Lane, it really is. I'm just being honest  
6 with you.

7 CHAIRMAN KEILSON: The hyperbole is enough.  
8 Who else wants to speak to it? Whoever wants to  
9 speak, is free to speak.

10 MS. ADDONA: Hi.

11 CHAIRMAN KEILSON: Could you just tell us  
12 your name and address.

13 MS. ADDONA: My name is Myriam Addona,  
14 A-D-D-O-N-A, 348 Mulry Lane. I speaking because  
15 it's 38 years I living in this block, 38 years.  
16 My block is so nice and quiet, everything  
17 beautiful. This temple is no high school. Now  
18 they put the school, I don't know why, because  
19 they never had a school. Because I go over there  
20 sometimes on Fridays with my friends, but never I  
21 see the school. Now, the kids are coming to the  
22 block they allow at 12:00 at night. The other  
23 night I almost call the police because they coming  
24 in, they screaming and laughing, everything at  
25 12:00 at night. Everybody working. I have



1 children. And this is not nice, but they're doing  
2 it because they don't give answers for us. You  
3 say something, they don't like. But me, I think  
4 it's not right what they doing now in the Village.

5 CHAIRMAN KEILSON: Okay, thank you very much.

6 MS. ADDONA: Okay.

7 CHAIRMAN KEILSON: Any other neighbor or  
8 anyone who wants to speak to it?

9 MR. SCHALL: Gary Schall.

10 CHAIRMAN KEILSON: Just the neighbors,  
11 Mr. Schall.

12 MR. HYAMS: Hello. My name is Richard Hyams.  
13 I live at 376 Mulry Lane.

14 CHAIRMAN KEILSON: Where is that in reference  
15 to the school?

16 MR. HYAMS: Oh, I'd say maybe I'm six houses  
17 from the end across from the school, and from the  
18 people that just talked I am maybe -- where the  
19 gym is going to be, it's going to be across the  
20 street and two houses over, okay.

21 And my issues are I believe this area is  
22 saturated. I mean, I don't think you need experts  
23 or anything. You just have to have eyes to see  
24 the traffic on Mulry to Washington to like what  
25 was said when the railroad tracks go down. We had

1 a -- it took us a while, but on Mulry Lane at the  
2 end of the street we have arrows going left and  
3 right so we wouldn't get frozen when the gates  
4 were down for the tracks, and it was just one  
5 thing, people couldn't move. For the past -- how  
6 long has the school been there? For the past five  
7 years they've used that as, you know, a bus  
8 loading and unloading for two small buses, one  
9 large bus, so that freezes us out at certain times  
10 of day. So I could see, yes, they want to, you  
11 know, move the buses, but I'd like to know how  
12 long -- how many buses are you going to have, the  
13 big school buses?

14 CHAIRMAN KEILSON: You have to address your  
15 questions here.

16 MR. HYAMS: I'm sorry. How many large school  
17 buses are they going to have? Did they say?  
18 Whatever. I believe -- what I could see is they  
19 have four up front, one is five, and they have two  
20 small ones. So if you add it up, I looked it up,  
21 a school bus is at least 40 feet long. If you  
22 have five of them, that's 200 feet. Yet they're  
23 saying they have 120 feet that they're giving for  
24 the buses. Where are the other buses going to be?  
25 They have mentioned that they have no control. I

1 have it in writing in the notes they sent us. You  
2 know, can I read something that they sent to us?

3 CHAIRMAN KEILSON: Sure.

4 MR. HYAMS: This is dated May 28th, 2014 when  
5 they first invited us over to talk about it. And  
6 basically it says: The situation is exacerbated  
7 by the district and private buses that services  
8 our schools twice each day. It has been  
9 disappointing to us they have not always been  
10 respectful of people's needs to drive on local  
11 streets and driveways.

12 So basically, they are admitting that they  
13 have, you know, no power over the people that are  
14 going to, you know --

15 CHAIRMAN KEILSON: Well, we're fortunate  
16 tonight because the head of the school district is  
17 here, so we'll ask those questions.

18 MR. HYAMS: Okay. Also: We should be  
19 encouraging our faculty and staff to not to park  
20 on Mulry Lane and, you know, our seniors, you  
21 know, most of our seniors that drive, in fact, the  
22 vast majority live within walking distance.

23 So basically, I believe that they should all  
24 walk; it's a good form of exercise, no gym. You  
25 know, that would be -- that would be just a good

1 way of doing it.

2 CHAIRMAN KEILSON: Is that letter just an  
3 informational letter or did they invite you to a  
4 meeting?

5 MR. HYAMS: "Dear neighbor," yes, "we want to  
6 keep you posted on our gym proposal."

7 CHAIRMAN KEILSON: Was there a meeting with  
8 the neighbors that you attended?

9 MR. HYAMS: No. I've been in and out of  
10 surgery and things, so I've been pretty much  
11 restricted to home.

12 CHAIRMAN KEILSON: Sorry to hear that.

13 MR. HYAMS: Basically, like here's another  
14 one from March.

15 CHAIRMAN KEILSON: Was there a meeting of  
16 neighbors that you couldn't attend?

17 MR. HYAMS: I'm not sure. We've talked about  
18 it, you know, but --

19 CHAIRMAN KEILSON: Continue, continue.

20 MR. HYAMS: Okay. And from March 24 it says:  
21 Our goal is to ensure we do not make it worse and  
22 that we do not inconvenience our neighbors.

23 Our neighbors are saying, you know,  
24 otherwise.

25 CHAIRMAN KEILSON: That it's untenable right

1 now, yes.

2 MR. HYAMS: Things like that, you know. We  
3 want to help keep our students safe indoors and  
4 reduce impact on our neighbors.

5 Now, I notice that I guess the lawyer for the  
6 school, for MAY, mentioned that just, you know,  
7 basically let them know what the problems are, you  
8 know, and they'll work on it. I've been letting  
9 them know for five years. I've never gotten  
10 anything about the students that drive.

11 CHAIRMAN KEILSON: Who did you speak to?

12 MR. HYAMS: I spoke to a rabbi a couple of  
13 times. The headmaster told me to take down the  
14 license plates and things like that, you know,  
15 because we had a problem. People were coming in  
16 from Washington Avenue as the said medical  
17 building. Instead of going around the block to  
18 enter William, they're going either completely  
19 wrong down Mulry to get a parking space, or  
20 backwards down Mulry to get a parking space.  
21 They're going into our driveways. My wife and  
22 I -- I can't say always, but it happens, you know,  
23 enough to notice it and to be annoying that the  
24 cars are -- when she's going to work, a car is  
25 coming in the other direction, things like that,

1 you know, that is a pain to, you know, a lot of  
2 people.

3 The parking I don't know -- you know, I heard  
4 someone saying about -- this gentleman about how  
5 many spots, you know, that they take. Basically,  
6 I'm home all the time, I'm recovering, and I'd say  
7 they take twenty spots all day long. They're  
8 there from whenever they come in 9:00 in the  
9 morning. Some days, maybe Thursdays, they're  
10 there till nine, ten at night. The two-hour  
11 parking they do not respect. The Village comes  
12 occasionally.

13 I've seen -- yes, I've seen this, this is  
14 true, just to let you know, I've seen that -- I've  
15 seen somebody, either an instructor, an older  
16 gentleman, different people on occasions, could be  
17 a -- you know, I don't know the titles there. So  
18 when the Village marks these tires, they come with  
19 a squirt bottle and a little brush and they clear  
20 that off. We've mentioned that to them. It's  
21 still being -- well, I haven't seen it in a while.  
22 It's still being done. And that's just showing me  
23 the respect they have for the neighbors and for  
24 the law. If I don't want to stop at a stop sign,  
25 am I allowed to just take the sign down and say,

1 well, it's no problem anymore.

2 CHAIRMAN KEILSON: We understand.

3 MR. HYAMS: So basically, the school is --  
4 you know, they seem to be nice. I mostly see the  
5 boys; they're nice and polite, you know, they're  
6 fine, but they take every inch, plus in people's  
7 driveways. You know, they're kids, they're going  
8 back and forth, you know. They're kids, I mean,  
9 you know. I can't blame them for being kids, but  
10 just they're not respectful.

11 And I believe also that when the school buses  
12 are coming down Mulry, that's the blight, that's  
13 the problem that it's going to cause. It's not  
14 the fact that the gym is there, but the school  
15 buses, the larger buses I notice come down and  
16 park down Washington so they're coming straight  
17 down Washington. One bus usually, and two small  
18 buses park at the end of the street which is very  
19 annoying because it blocks us. So when they come  
20 across from Mulry, and even if they're going to be  
21 going into their little zone, they're still coming  
22 on Mulry.

23 MEMBER SCHRECK: Can I interrupt you for a  
24 second?

25 MR. HYAMS: Sure.

1 MEMBER SCHRECK: If we were to insist,  
2 hypothetically, that there be no buses going down  
3 Mulry, no pickup --

4 MR. HYAMS: It can't be done.

5 MEMBER SCHRECK: Let's assume that. Would  
6 the bulk of your opposition then be removed?  
7 Would the neighbors basically then go along with  
8 this? Not be thrilled about it, but does that  
9 really represent -- basically, from the last  
10 hearing that's what sounded to be the main issue,  
11 the buses idling, the amount of the buses. Even  
12 if they sort of go into that little drop-off  
13 that's going to be by the gym, if we were to  
14 insist that there's going to be no buses going  
15 down Mulry, would the opposition from the  
16 neighbors basically cease?

17 MR. HYAMS: How will they get to the gym?

18 MEMBER SCHRECK: Well, maybe -- I don't want  
19 to go into that right now.

20 MR. HYAMS: That would be a big plus in my  
21 personal, you know, book, you know, things like  
22 that. But also, the buses are going down Mulry,  
23 they're going to go in there, whatever, and  
24 according to them, 120 feet is what they told me,  
25 but the buses, like I said, are going to be close



1 to 200 feet. There are going to be buses that are  
2 hiding somewhere, waiting to -- you know, waiting,  
3 staging, waiting to get back in there, you know.  
4 That's going to, I believe, cause a problem. I  
5 have photos of them. I don't know if it's -- you  
6 know, of them staging, waiting to go pick up  
7 people.

8 CHAIRMAN KEILSON: By all means, please  
9 submit them. We'd like to see them.

10 MR. HYAMS: Here's another one (handing). I  
11 could explain to you what it is. That's from my  
12 window. That's from my kitchen, six houses in.  
13 They're just sitting there. The other one the  
14 doors are opened and the kids walk down the block.  
15 This was before, and they are just -- they're  
16 staged there because there's no room, you know.  
17 So basically, they just open up. And you know,  
18 like with my neighbors, one of them is there,  
19 we're sitting there in the front of the house, the  
20 bus comes, it's making noise, belching smoke, and  
21 the bus is -- you know, opens the door, and it's  
22 just waiting there. The bus drivers are polite,  
23 but you know, they're, you know, you're not my  
24 boss type of thing, and you can't argue, but you  
25 say, please, you know, come on.

1 CHAIRMAN KEILSON: Okay, thank you very much.

2 MR. HYAMS: I have a couple, one or two  
3 things.

4 CHAIRMAN KEILSON: Please.

5 MR. HYAMS: So as the buses come down Mulry,  
6 now when they get to the end of the block, as I  
7 was saying, they were coming down from Washington  
8 in a straight line most of them, the big buses,  
9 and heading towards Central; that's not a problem.  
10 But when you take a bus that's at least 40 feet  
11 long, put it at the end of -- you know, a lot of  
12 them, and you have massive traffic there, a bus  
13 can't turn like a car can. That bus is -- you  
14 know, UPS picks up at that time, you know, people  
15 deliver. There's ambulances, you know. There's  
16 the -- you know, the sight line is really, you  
17 know, corrupted there. So if you have a big bus  
18 trying to make a turn in traffic, you know, it's  
19 going to stop traffic from coming up. You know, I  
20 used to be a truck driver, I know. I know the  
21 space you have to have; your wheel has to clear  
22 the curb. It's not just like a little -- your  
23 neighbor's car, SUV, whatever, you know. That  
24 needs a lot of space. So coming off of the gym  
25 and through Mulry you're going to jam everybody

1 up. The buses, you know, it's one way. The buses  
2 have to make that turn. That is going to freeze  
3 everybody, I know that for a fact.

4 CHAIRMAN KEILSON: Same as the existing  
5 situation right now, correct?

6 MR. HYAMS: No. The buses were coming  
7 straight down Washington so they didn't have to  
8 turn from Mulry onto Washington. They were in a  
9 straight line. They were parked. Two or three of  
10 them were parked in front of the temple, the  
11 school temple, and another one is usually parked  
12 in front of the medical building. So when one  
13 goes, they shift, but they're going in a straight  
14 line.

15 CHAIRMAN KEILSON: Understood.

16 MR. HYAMS: So like I said, the ones that  
17 come and, you know, like I said, the school, nice  
18 enough people, but we're saturated. We would just  
19 like a break. It shouldn't be --

20 CHAIRMAN KEILSON: We understand. Anything  
21 else you wanted to add?

22 MR. HYAMS: No, and thank you for listening.

23 CHAIRMAN KEILSON: Thank you. Any other  
24 neighbors?

25 MR. ELIO: Could I talk a little, sir?

1 CHAIRMAN KEILSON: Please step forward,  
2 identify yourself for the record.

3 MR. ELIO: Good evening, sir.

4 CHAIRMAN KEILSON: Name and address.

5 MR. ELIO: My name is Mr. Elio. I live at  
6 377 Mulry Lane.

7 CHAIRMAN KEILSON: Where is that in reference  
8 to the school?

9 MR. ELIO: Where the school is there's one,  
10 two, three houses. There's three houses going  
11 down. It's right across the street from Rich's  
12 house. The other day, these stupid kids don't  
13 look where they're going. I was walking by, this  
14 stupid kid is backing up, backing up. I come,  
15 hey, yo, don't you look where you're going? Oh,  
16 no. I said, excuse me? I'm with my wife. What  
17 are you going to do, run me over? And these kids,  
18 they don't care.

19 CHAIRMAN KEILSON: He was driving on Mulry;  
20 is that what you're saying?

21 MR. ELIO: I was walking on Mulry Lane coming  
22 home.

23 CHAIRMAN KEILSON: Okay.

24 MR. ELIO: This kid who is parked by where  
25 the fence is by where they have like the parking

1 area or so.

2 CHAIRMAN KEILSON: Right.

3 MR. ELIO: Okay. He got in his car. He  
4 didn't even bother to look.

5 CHAIRMAN KEILSON: Okay.

6 MR. ELIO: I'm passing by. He almost knocked  
7 me over. I'm saying, don't you look where you're  
8 going? Oh, no, I don't look where I'm going. He  
9 almost ran me over. I almost got killed. That  
10 was one time.

11 Another time they park in front of my  
12 driveway. I asked the man to move; he told me,  
13 you know, where to go. He didn't care.

14 CHAIRMAN KEILSON: Is this a student at the  
15 school?

16 MR. ELIO: The school, the kids, when they  
17 park.

18 CHAIRMAN KEILSON: The students from the  
19 school?

20 MR. ELIO: The kids park in front of my  
21 driveway. I asked him to move, and you know what  
22 they told me, everything else. They take their  
23 garbage, they have the cups, the cans, throw them  
24 on the sidewalk. They throw them in my driveway.

25 My father-in-law doesn't understand English;

1 my father-in-law talks Italian. They're looking  
2 at him like he doesn't know what he's talking  
3 about, he's crazy, he doesn't understand.

4 CHAIRMAN KEILSON: Are these the students  
5 living across the street in the house or they're  
6 in the school? What's your impression?

7 MR. ELIO: We're coming down --

8 CHAIRMAN KEILSON: Were those the students --  
9 there were complaints about those living in the  
10 houses, that belong in these houses.

11 MR. ELIO: Yeah, the kid came out of the  
12 school, came out of the school, got in the car,  
13 he's going, I'm walking, he could see. He didn't  
14 care, got in the car and almost knocked me over.  
15 That was okay? I don't think that was okay. I  
16 was furious. And then if you ask him, please, you  
17 know, they tell you everything else, but I'm not  
18 going to say the words what they said, but they  
19 say everything else to you. They look at you like  
20 you're out of your mind. Then they throw the  
21 cups, the garbage, they'll curse at you, they'll  
22 tell you where to go. You know, I don't think  
23 that's the right thing to do. I've been out here  
24 22 years, and I says to my wife, I like it out  
25 here, it's nice and quiet, it's country-like, it's

1 very nice, it's peaceful, I like the area. Then  
2 all of a sudden these kids come and do as they  
3 please. Do you think that's fair?

4 CHAIRMAN KEILSON: Obviously not. Okay,  
5 thank you very much.

6 MR. ELIO: Thank you, sir.

7 CHAIRMAN KEILSON: Any other neighbors?  
8 Dr. Schall.

9 MS. PUGLIESE: There's another neighbor here.  
10 There's one more neighbor here.

11 MR. KERINS: Patrick Kerins, K-E-R-I-N-S. I  
12 have a residence at 351 Mulry Lane. Now I live at  
13 330 Pacific Avenue in Cedarhurst. I have a  
14 residence there. My grand kids live there in the  
15 downstairs two-family house.

16 Mulry Lane is a one-way street, and it's a  
17 one-way street, period, because you couldn't bring  
18 a truck, you couldn't bring a car and a go-kart  
19 side by side on Mulry Lane. Coming off Washington  
20 Avenue and they make the turn onto Mulry Lane,  
21 then they go down and make a U-turn because they  
22 don't want to go all the way down to Rockaway  
23 Turnpike and come all the way up.

24 CHAIRMAN KEILSON: Who does?

25 MR. KERINS: People do that. I've seen it.

1 The fact of the matter is we are here, this is our  
2 second meeting. I was at the other one in the  
3 temple. You have, the Board here has decided that  
4 we are here -- you're here to get approval to  
5 build your gymnasium on Mulry Lane. So regardless  
6 of what happens here tonight, and I assure you the  
7 gym is going to go up regardless of what we say.  
8 Just a minute. Regardless of what we say here,  
9 the gym will go up. There will be traffic there.  
10 Don't tell me that if we take the buses off of  
11 Mulry Lane that it will be okay. You will not  
12 take the buses, even if you agree, it might be  
13 agreed when the building goes up, two months later  
14 here comes the buses. So we are here asking you  
15 -- all of a sudden there's a temple there which  
16 has been there for a long time. And I mean, when  
17 I moved to the Five Towns there was nothing here  
18 like that. You had a lumber yard across the road  
19 from the temple. You had a whole different ball  
20 game. The place has changed, and in my opinion it  
21 hasn't changed for the better. You think you're  
22 adding to the property, you're adding to the  
23 community, but you're taking one-family houses  
24 that are on Mulry Lane and people who are there  
25 all their life and add misery to them. And



1 regardless of what we say or do, it's going to go  
2 ahead because it will be approved by people like  
3 you and everybody else, and it will go up.

4 I don't live there personally, but my grand  
5 kids live there, and I have a garage that I go use  
6 there and I go in. Half of the time I can't get  
7 into my driveway, and it's a two-car driveway.  
8 You can park two cars side by side. I pull half  
9 the way across from the republican club, right  
10 next to the republican club. So we're here to  
11 voice our opinion and that's all we can do.

12 CHAIRMAN KEILSON: We appreciate that.

13 MR. KERINS: And I guarantee you, our opinion  
14 is going to go down the drain, and I thank you for  
15 listening.

16 CHAIRMAN KEILSON: Dr. Schall.

17 SPEAKER: We have one more.

18 CHAIRMAN KEILSON: I think she spoke last  
19 time, but if there's something new she wants to  
20 add.

21 MS. ZOROVICH: Yes. My name is Teresa. I  
22 was here last time. Teresa Zorovich, 382 Mulry  
23 Lane, right across the street of the school.

24 We are most affected from all the traffic,  
25 from the buses and the traffic. Again, I said

1 nobody cares because it's Mulry Lane. It's poor  
2 people houses, like mister said before. We live  
3 there, now our family, our houses destroyed  
4 because you people live in a bigger area. You  
5 don't understand. You can't understand because  
6 you have big homes, big properties. Why don't  
7 they build there. That's all I have to say.  
8 Everything what we do tonight went down the drain.  
9 You don't care for the poor people that live over  
10 there.

11 CHAIRMAN KEILSON: I'm sorry you feel that  
12 way.

13 MS. ZOROVICH: I feel that way.

14 CHAIRMAN KEILSON: Okay.

15 MS. ZOROVICH: If any of you lived there you  
16 would not approve.

17 CHAIRMAN KEILSON: Okay. Dr. Schall.

18 MR. SCHALL: Gary Schall, superintendent of  
19 the Lawrence schools. I came to offer, once  
20 again, my assurance and my commitment to the Board  
21 and to the community as well to resolve this  
22 problem from a logistical level, a timing level  
23 and a routing level. Once the driveway would be  
24 put in place, it would facilitate certain things,  
25 but much of this has to be looked at by the

1 district and the bus company. The bus company  
2 does work for the district. They work under our  
3 direction. If we have to hold back buses so that  
4 they're not sitting for an inordinate amount of  
5 time, excessive amounts of times, we will hold  
6 those buses at the yard so that they are not  
7 sitting on Mulry Lane, that they arrive at the  
8 appropriate time for pickup.

9 In terms of management of this, we work very  
10 closely with the school, and if the community  
11 wants to contact the school they can, but  
12 certainly you could contact our transportation  
13 office and we will be immediately responsive to  
14 any complaints related to drivers not following  
15 the procedures that we're going to put in place.

16 CHAIRMAN KEILSON: I think the question is a  
17 broader question. Obviously, this situation has  
18 been in effect for a long period of time. It's  
19 now come to the surface because of the matter  
20 before us. The question is have you ever heard  
21 from neighbors in this regard? I mean, it's  
22 pretty egregious behavior. I'm not talking about  
23 the kids. I'm talking about in terms of the  
24 traffic and the idling and everything else. Any  
25 of us living there, whether we live in bigger

1 house elsewhere or smaller houses elsewhere are  
2 sympathetic to what we just heard. It's a  
3 completely untenable situation. To kick the can  
4 down a road and say we're going to address it,  
5 we're talking about people who are living there  
6 and telling you about an existing situation. Is  
7 there -- can a plan be fashioned to satisfy these  
8 people, and not just mouthing words, and again,  
9 I'm not suggesting you are. I see Dr. Mansdorfer  
10 here as well; I'm sure he's heard the testimony.  
11 It's heartrending to listen to these poor people,  
12 not in the sense of poverty, but in terms of who  
13 are put upon by the situation, and now we're going  
14 to perhaps exacerbate the situation. Whether  
15 things will be better, there's an existing  
16 situation that none of us would tolerate.

17 MR. SCHALL: I was aware of the situation  
18 early in the year. We put certain things into  
19 place. I honestly was not called by any community  
20 members in the transportation office. There was  
21 no alert sent up to me that there were complaints  
22 by the community.

23 If I had heard this level of complaint  
24 earlier in the year, we would have taken more  
25 serious action in terms of the management and

1 timing of the buses. We're talking about what  
2 time that bus gets to the school. We can control  
3 that. If a bus is sitting in front of a house for  
4 ten minutes idling, that's totally unacceptable to  
5 us. We would act upon that type of complaint  
6 immediately.

7 CHAIRMAN KEILSON: Or tying up the right-hand  
8 lane so that people who want to make that right  
9 turn onto Washington can't make it?

10 MR. SCHALL: I had a conversation with Nick  
11 Fabrizio just today -- Nick Fabrizio, the  
12 president of the company. If we have to hold the  
13 buses back at the yard and release it five  
14 minutes, it takes five minutes to get from the  
15 yard to the school, we will hold the buses at the  
16 yard to prevent this situation from happening next  
17 year.

18 CHAIRMAN KEILSON: I mean, I would suggest to  
19 the neighbors you have Dr. Schall here tonight. I  
20 think it would be important after we finish the  
21 discussion of this matter that you meet with him  
22 outside and you can start, you know, your  
23 communication with him. Okay.

24 MR. SCHALL: Thank you.

25 MS. PUGLIESE: I have another question.

1 CHAIRMAN KEILSON: No, I'm sorry, you had  
2 your opportunity.

3 MS. PUGLIESE: No? All right, I have more  
4 questions though.

5 MR. HYAMS: Can I address something that the  
6 superintendent said?

7 CHAIRMAN KEILSON: I think you should address  
8 the superintendent after.

9 MR. HYAMS: Well, it has something to do with  
10 -- it would just be one minute.

11 CHAIRMAN KEILSON: Right.

12 MR. HYAMS: Now, speaking, they said like  
13 have any of the locals, the residents, you know,  
14 spoken to the district, have we talked to them?  
15 Well, the temple said, you know, go through them  
16 for everything, just let -- you know, let them  
17 know, and like I read before, but just to say  
18 that, you know, we are disappointed, you know, it  
19 is disappointing to us that the district and  
20 private buses, you know, that go to our school  
21 twice each day, we have been disappointed that  
22 they have not been respectful of people's needs on  
23 our local streets and driveways. So you know,  
24 don't say we didn't say.

25 CHAIRMAN KEILSON: Dr. Schall can't

1 address --

2 MR. HYAMS: But the temple says we'll do that  
3 and then, you know, we'll take care of that, and  
4 then they say no one listens to us.

5 CHAIRMAN KEILSON: Understand, we can't  
6 repair the past. We're not involved, it's not our  
7 prerogative.

8 MR. HYAMS: But doesn't somebody's -- just  
9 the path that they take, just the way they  
10 completely disregard things and just basically  
11 talk sweet and nice and we're your friends and  
12 we're your neighbors and then crap on us, and  
13 basically that to me is, you know, showing you,  
14 you know, the past is going to show the future.

15 CHAIRMAN KEILSON: Show bad faith, I  
16 understand.

17 MR. HYAMS: So basically, you know, they --

18 CHAIRMAN KEILSON: We understand.

19 MR. HYAMS: -- talk nice, but you know.

20 CHAIRMAN KEILSON: I just hope as a result of  
21 what you heard tonight and your opportunity to  
22 reach out to Dr. Schall directly and  
23 Mr. Mansdorfer, you can speak to him outside. We  
24 can't repair that issue.

25 MR. HYAMS: What about the temple/school, are

1 they willing to talk to us anymore, the  
2 temple/school?

3 CHAIRMAN KEILSON: They've expressed they're  
4 willing to talk to you, and they've appointed  
5 somebody to be in communication.

6 MR. HYAMS: We get letters from them saying,  
7 you know, we want to continue being great  
8 neighbors and just tell us what we have to do.  
9 Well, they are poor neighbors and we tell them and  
10 they --

11 CHAIRMAN KEILSON: We have a long calendar  
12 tonight.

13 MR. HYAMS: Okay. Yes, sir, thank you.

14 CHAIRMAN KEILSON: They've already indicated  
15 that they're willing to set up a liaise so you  
16 have somebody to contact. They are here tonight;  
17 you have an opportunity to discuss with them. At  
18 this discussion you can specifically get names and  
19 telephone numbers. We're not --

20 MR. HYAMS: We would like to stop this due  
21 to -- you know, the main thing is they have not  
22 been honorable with this. They've just been --  
23 and to me that's a good sign of the future. So --

24 CHAIRMAN KEILSON: Appreciate that. I thank  
25 you.



1 MR. HYAMS: I don't appreciate that. I mean,  
2 thank you for appreciating it, but we don't  
3 appreciate the appreciation.

4 MR. HOPKINS: Mr. Chairman, may I just  
5 briefly?

6 CHAIRMAN KEILSON: Please.

7 MR. HOPKINS: Very quickly, in response to  
8 the observation of the neighbors, we would just  
9 rely on the testimony that was presented at the  
10 prior hearing, and that relates to all of the  
11 issues that were raised, including but not limited  
12 to the letter from the fire department. The  
13 evidence that we presented, we'll let that  
14 evidence speak to the Board.

15 Nothing further, Mr. Chairman.

16 SPEAKER: Excuse me, because we weren't here  
17 last time.

18 CHAIRMAN KEILSON: Sir, please, please,  
19 please.

20 MEMBER HILLER: President Gold or Rabbi  
21 Yaffe, aside from the parking issues, one of the  
22 very disturbing things to me and I'm certain to  
23 you, as well as to Rabbi Yaffe, is the fact that  
24 they've cast aspersions on the students, the  
25 student body of your school, and I'm sure that's

1 very distressing both about the language, the  
2 throwing of garbage, all these things.

3 What steps has the school taken up to now,  
4 and in addition, what steps do you intend to take  
5 in the future to make sure that the students are  
6 respectful in the ways that they should be, that  
7 they speak properly, that there's -- even though  
8 you have a standing rule with no bringing cars,  
9 apparently there are cars. What is the school  
10 doing?

11 MR. GOLD: First of all, it's very hard for  
12 me to obviously address specifically incidents I  
13 didn't witness, et cetera. It's been made clear  
14 to us, obviously, based on the complaints from the  
15 last time that older students who inhabit the  
16 houses -- they don't anymore -- it seems to us to  
17 have been responsible for the majority of the  
18 incidents. We no longer have that house. We  
19 don't want to have a residence on the block  
20 anymore. Much of the complaints have convinced us  
21 that it's really not something that is  
22 appropriate, and that's not going to happen.

23 As far as our own students, I appreciate that  
24 it was said just tonight, again, that our students  
25 are very polite. Honestly, I can tell you that we

1 get tremendous numbers of compliments from all the  
2 stores about how nice our students are. I don't  
3 accept necessarily that somebody, a high school  
4 student cursed out anybody on the block. If they  
5 did, certainly it is not acceptable behavior and  
6 something we take immediate action on.

7 It was mentioned that we are not sensitive,  
8 but the fact is, as was just read, we made very  
9 large efforts to make it clear to the community  
10 that we are willing to listen and want to know if  
11 there are problems.

12 It was mentioned, for example, that somebody  
13 had been removing the marks of the traffic person.  
14 That was brought to our attention by the Village  
15 Administrator. We told the Village Administrator  
16 tow the car away, that's illegal and we don't  
17 accept it. The person who did it, the person was  
18 disciplined, and it's not acceptable. We don't  
19 allow people to break the law.

20 As far as meetings, et cetera, the woman that  
21 spoke tonight and the last night mentioned that  
22 she had called the school and spoken -- I'm sorry  
23 -- you said you called the school and spoke --  
24 she actually spoke to Rabbi Lasker, and he is in  
25 fact the person whose telephone number we

1 promulgated, so I think that the system was  
2 working. Maybe they were not doing a good job  
3 communicating to all the neighbors. We're going  
4 to redouble that effort, obviously. What I might  
5 do is perhaps create a card that I can carry in my  
6 wallet that has the phone numbers.

7 And frankly, from our point of view, while it  
8 should not be their responsibility, we very much  
9 appreciate it when someone brings it to our  
10 attention. If one of our staff members or  
11 students is not acting appropriately and annoying  
12 the neighbors, that's not good for the school in  
13 general. Regardless of what happens tonight,  
14 we're still there, they're still our neighbors.  
15 As was pointed out, it's just common sense and  
16 common Jewish ethics to say that you shouldn't be  
17 annoying somebody next to you.

18 People are going to do the wrong thing  
19 sometimes, and when they let us know we appreciate  
20 it. We're going to redouble our efforts to make  
21 sure there is an opportunity and a forum for them  
22 to let us know that. If it mean having an open  
23 meeting that they can come to or not come to on a  
24 regular basis, that's a good idea. Certainly, if  
25 the gym gets built based on tonight's hearing,

1 that alone is going to create an environment for a  
2 good six months, and we want to hear exactly from  
3 the neighbors when the construction people do  
4 anything wrong. We want to make sure that it's  
5 done right. It's a public street, and granted it  
6 was a quiet street, and a lot of streets were  
7 quiet.

8 I grew up in this neighborhood also 45 years  
9 ago, and I understand that it's not the same as it  
10 was, but we didn't build that school. It was  
11 there before us. It was a girls' school before  
12 that as well. We are trying our best to make sure  
13 that the neighborhood is not affected by our  
14 activities. And we feel very strongly, as we said  
15 before, that our entire plan for the gym, which I  
16 can certainly tell you based on my work which was  
17 premised, and specifically, we went to him and  
18 said the first thing we want is to create an  
19 environment to get the buses off the streets.  
20 That's a constant complaint. We tried it.

21 I will tell you when we first brought it up  
22 with the bus company, and Mr. Schall was not in  
23 charge at the time, we actually had Mr. Fabrizio  
24 and this plan in our school for a big meeting.  
25 And we said to him, you're killing us; you have to

1 stop idling the buses, and he promised they would  
2 do it. In fact, they also promised at that time,  
3 and they did it for a few months, they did some  
4 staging. They staged some buses on Frost Lane,  
5 et cetera.

6 But ultimately, we're very fortunate now to  
7 have Mr. Schall who is very willing to get  
8 personally involved to ensure that the buses do  
9 what they have to do. And we feel that to the  
10 extent that any bus has to be there, being off the  
11 street is going to make it better for everybody.  
12 The idling rule, we are just as upset as anybody  
13 else. We tell them to turn it off. And knowing  
14 we have the backup of the Village --

15 MEMBER HILLER: I don't want to go through  
16 this again. I just want to emphasize to you -- I  
17 want to emphasize what disturbed me very much was  
18 the neighbors' complaints about the behavior of  
19 students, and I don't know if they're the only  
20 ones that were in the, quote, frat house or the  
21 general population that throws garbage on the  
22 street or is disrespectful of the neighbors or are  
23 parked in areas where they shouldn't be and block  
24 the neighbors, that is something -- you can't  
25 address it here, but you have to address it with

1 your students and it should have been done  
2 already. You should have had a meeting already  
3 with your students, with all your students, and  
4 informed them what the neighbors are saying about  
5 them, because some may be exaggerated, some may  
6 not exaggerated, but usually there's no noise  
7 without a little truth. If it hasn't been done  
8 yet, I would expect it to be done.

9 MR. GOLD: It has been done and it will be  
10 done as many times as necessary to make sure that  
11 it gets done.

12 MEMBER HILLER: Okay.

13 CHAIRMAN KEILSON: Let's hear from Rabbi  
14 Yaffe now.

15 RABBI YAFFE: Mordechai Yaffe. We had the  
16 meeting on June 4th. On June 5th I spoke to the  
17 entire body of the high school, spoke in extremely  
18 strong terms, because as we well know this very  
19 much violates our ethics. I wouldn't want to live  
20 this way, and as much as people are cynical, we  
21 certainly don't want this. And I don't want it  
22 for my students, let alone the community. I don't  
23 want them to be these type of men. The students  
24 who lived in the residence, which again, is a moot  
25 point because they're not going to be there and

1 they are the ones who are driving. Anybody you  
2 saw driving are those young men. Except for the  
3 people who sometimes aren't part of our school at  
4 all and are just orthodox Jewish driving, that  
5 doesn't mean they're part of our school. But I  
6 spoke to them, and said I will close this down  
7 today. Now it is closed now, they're gone, it's  
8 all finished now. But I spoke very, very strongly  
9 that day.

10 Again, we took you very seriously. And  
11 again, not simply because of the gym, but because  
12 of the way we want to run our school.

13 MEMBER HILLER: Thank you.

14 CHAIRMAN KEILSON: Okay. The sentiment of  
15 the Board at this time is to continue the matter  
16 to the next meeting, and we'd like to, to the  
17 extent that we can, insist that there be a meeting  
18 between the school board, Dr. Schall, with the  
19 residents, and we'd like to hear further at the  
20 next meeting what specific plan of action. I  
21 think it's been said here that we have had bad  
22 faith in the past. We can't rely on just a  
23 promise for the future, and so we would urge,  
24 obviously, it's not necessarily within our  
25 purview, but based on the testimony of tonight,



1 the anecdotal testimony, that we're very  
2 uncomfortable to take a vote at this time. We're  
3 not going to reserve decision, but continue it to  
4 the next hearing date, which is July --

5 MR. RYDER: 22nd.

6 CHAIRMAN KEILSON: -- 22nd, okay.

7 MR. SCHALL: We'll be sure to meet.

8 CHAIRMAN KEILSON: Okay, thank you very much.

9 To the neighbors, I urge you to meet with  
10 Dr. Schall, and then we'll revisit on July 22nd.

11 (Whereupon, the hearing concluded at  
12 8:55 p.m.)

13 \*\*\*\*\*

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

17  
18   
19 MARY BENCI, RPR  
20 Court Reporter  
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## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

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

6 June 24, 2015  
7 8:55 p.m.

8 APPLICATION: Pinter  
9 74 Margaret Avenue  
10 Lawrence, New York

## 11 P R E S E N T :

12 MR. LLOYD KEILSON  
13 Chairman

14 MR. EDWARD GOTTLIEB  
15 Member

16 MR. MARK SCHRECK  
17 Member

18 MR. JOEL GANZ  
19 Member

20 MR. DANIEL HILLER  
21 Member

22 MR. KENNETH A. GRAY, ESQ.  
23 Village Attorney

24 MR. MICHAEL RYDER  
25 Building Department

Mary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: The matter of Pinter,  
2 74 Margaret Avenue. Good evening.

3 MR. YOON: Good evening.

4 CHAIRMAN KEILSON: As I indicated, we're a  
5 hot Board, so we've reviewed the file. Just give  
6 us a quick review, and if we have questions.

7 MR. YOON: I'll be happy to answer them. My  
8 name is Young Yoon. I'm with Pereiras Architects,  
9 P-E-R-E-I-R-A-S.

10 CHAIRMAN KEILSON: Address.

11 MR. YOON: 579 Willow Avenue, Cedarhurst,  
12 New York.

13 So Michael Pinter was given the option to  
14 raise his home through New York Rising, and he  
15 opted to elevate his home. As you guys all know,  
16 Margaret Avenue is notorious for flooding. His  
17 backyard swamps. So he took the opportunity to  
18 raise his home, but in raising his home it exceeds  
19 the height limitation, and he also -- and he  
20 encroaches into the height/setback ratio.

21 CHAIRMAN KEILSON: Right.

22 MR. YOON: And for that reason we're here  
23 asking for relief.

24 CHAIRMAN KEILSON: Just to make mention of  
25 the fact that it was devastated in Sandy. I think

Pinter - 6/24/15

1 his application reads that way.

2 MR. YOON: Yes.

3 CHAIRMAN KEILSON: So that's what brought him  
4 to this point of why he wants to raise it higher  
5 than the FEMA requirements.

6 Any questions from the Board?

7 MEMBER GOTTLIEB: During Sandy, how much  
8 water was taken on?

9 CHAIRMAN KEILSON: How high was the water?

10 MR. YOON: I believe he had roughly like two  
11 feet of water in his house; is that correct?

12 MR. PINTER: Yes.

13 MR. YOON: About two feet of water.

14 MEMBER GOTTLIEB: I assume that the neighbors  
15 did also, the ones on your side of the street?

16 MR. PINTER: Yes.

17 CHAIRMAN KEILSON: Any other questions from  
18 the Board?

19 MEMBER SCHRECK: When he raises the house the  
20 backyard will still be wet.

21 MR. YOON: The backyard will still be wet,  
22 that's fine.

23 MEMBER SCHRECK: There is nothing that can be  
24 done about that, right?

25 MR. YOON: Right. There's nothing that can

1 be done about that. You know, the only thing is  
2 the mechanical room would be lifted. There's --  
3 you know, there will be a crawlspace, but it won't  
4 be a habitable crawlspace. There will be flood  
5 vents throughout the crawlspace. So it will be  
6 meeting all FEMA requirements. It's meeting --  
7 you know, going above what FEMA requires. And  
8 meeting just FEMA requirements, you know, in that  
9 area it doesn't seem to be enough.

10 MEMBER GOTTLIEB: If you took on two feet of  
11 water, what is the FEMA requirement?

12 MR. YOON: FEMA -- I don't have that  
13 information.

14 MEMBER GOTTLIEB: Approximately, because you  
15 said you're going above FEMA requirements.

16 MR. YOON: Right. They're going above FEMA  
17 requirements by I believe it was another two feet  
18 I think it was. But FEMA would only require them  
19 to raise it another foot -- I'm sorry, another two  
20 feet, which basically means the water would have  
21 been at the floor level.

22 MEMBER SCHRECK: Are there any letters from  
23 neighbors in support or in opposition to the  
24 petition?

25 MR. YOON: No.

Pinter - 6/24/15

1 CHAIRMAN KEILSON: Simple answer, yes or no.

2 MR. YOON: No.

3 MR. RYDER: A few things, Mr. Chairman, if I  
4 may.

5 CHAIRMAN KEILSON: Please.

6 MR. RYDER: I just want Mr. Pinter to be  
7 aware that if the Board does go ahead and approve  
8 this application, the grade, the grade must remain  
9 the same, and then you will have additional  
10 stairs, which I'm sure your architect explained to  
11 you, that we can't alter the grade because the  
12 building now is elevated. If you would like that  
13 to be, you would have to come back and reopen the  
14 hearing to change that.

15 MR. YOON: Right. In our drawings we didn't  
16 alter the grade. The only thing we did was --

17 CHAIRMAN KEILSON: Very good. Anybody else  
18 in the audience want to speak to this matter?

19 (No response.)

20 CHAIRMAN KEILSON: Okay. So using the  
21 statutory criteria, weighing the benefit to the  
22 applicant as opposed to any detriment to the  
23 neighbors, the health, safety and welfare of the  
24 neighborhood, et cetera, we'll vote.

25 Mr. Schreck.

1 MEMBER SCHRECK: I'm going to vote for.

2 CHAIRMAN KEILSON: Mr. Ganz.

3 MEMBER GANZ: For.

4 CHAIRMAN KEILSON: Mr. Gottlieb.

5 MEMBER GOTTLIEB: For.

6 CHAIRMAN KEILSON: And Mr. Hiller.

7 MEMBER HILLER: For.

8 CHAIRMAN KEILSON: And I vote for as well.

9 MR. YOON: Thank you very much.

10 CHAIRMAN KEILSON: We'll give you two years,  
11 okay?

12 MR. YOON: That should be plenty of time.

13 CHAIRMAN KEILSON: That should be enough to  
14 levitate it.

15 MR. YOON: It should be plenty of time.

16 MR. RYDER: Board of Building Design  
17 approval.

18 CHAIRMAN KEILSON: Really?

19 MR. RYDER: Well, he's elevating it. I know  
20 he's not changing the look, or is he changing  
21 any --

22 MR. YOON: He is not changing the look. It's  
23 brick facade, so we're talking about how we're  
24 going to address the bottom, you know, whether  
25 we're going to go with brick or stone, but besides

1 that.

2 MR. RYDER: If it remains the same, no Board  
3 of Building Design. But if you change that, you  
4 would have to go in front of them.

5 MR. YOON: Not a problem.

6 MR. RYDER: Just a run-through, just for them  
7 to give their opinion on it.

8 MR. YOON: No problem.

9 (Whereupon, the hearing concluded at 9:01  
10 p.m.)

11 \*\*\*\*\*

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

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Mary Benci

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MARY BENCI, RPR  
Court Reporter

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## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

3 Village Hall  
4 196 Central Avenue  
5 Lawrence, New York6 June 24, 2015  
7 9:01 p.m.8 APPLICATION: Gans  
9 186 Lakeside Drive South  
10 Lawrence, New York

## 11 P R E S E N T:

12 MR. LLOYD KEILSON  
13 Chairman14 MR. EDWARD GOTTLIEB  
15 Member16 MR. MARK SCHRECK  
17 Member18 MR. JOEL GANZ  
19 Member20 MR. DANIEL HILLER  
21 Member22 MR. KENNETH A. GRAY, ESQ.  
23 Village Attorney24 MR. MICHAEL RYDER  
25 Building DepartmentMary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: The matter of Gans,  
2 186 Lakeside Drive South. Will they or their  
3 representative step up.

4 MR. GANS: Murray Gans, 186 Lakeside Drive  
5 South.

6 CHAIRMAN KEILSON: Mr. Gans, as I explained  
7 we're a hot Board, and you're levitating also.

8 MR. GANS: Yes.

9 CHAIRMAN KEILSON: Tell us what your  
10 application is for.

11 MR. GANS: We're also applying to raise the  
12 house. We are in a -- in a special flood hazard  
13 area as identified by FEMA. There was flooding  
14 during Sandy. And we are -- we have the  
15 opportunity to raise the house through the  
16 New York Rising program. And we are going to be  
17 -- we're not in compliance with the site --

18 CHAIRMAN KEILSON: Height/setback ratio.

19 MR. GANS: -- height/setback ratio, and  
20 that's why we're here to ask for a variance from  
21 that.

22 CHAIRMAN KEILSON: Fine. Questions from the  
23 Board?

24 MEMBER SCHRECK: Did you suffer a lot of  
25 damage during Hurricane Sandy?

1 MR. GANS: Yes.

2 MEMBER GOTTLIEB: You've appeared before the  
3 Board for another variance, right?

4 MR. GANS: Yes.

5 MEMBER GOTTLIEB: At that time you didn't  
6 consider raising the house?

7 MR. GANS: At that time -- at that time the  
8 option was not available.

9 MEMBER GOTTLIEB: You mean through New York  
10 Rising?

11 MR. GANS: Correct. So it was out of sight,  
12 out of mind. When after the variance, after the  
13 approval, we were working on the permit and then  
14 this became available, and all the other plans  
15 stopped and we began working on the elevation.

16 MEMBER GOTTLIEB: Did you finish the other  
17 work that was approved or you didn't complete  
18 that?

19 MR. GANS: No, we didn't start.

20 CHAIRMAN KEILSON: You didn't start it?

21 MR. GANS: Didn't start it.

22 MEMBER GOTTLIEB: You probably still have  
23 time left, or do we have to add it onto this?

24 CHAIRMAN KEILSON: This is a new application,  
25 no.

1 MR. RYDER: New application.

2 CHAIRMAN KEILSON: You've enriched the  
3 Village by \$1,500.

4 MEMBER GOTTLIEB: I mean the prior approval.

5 MR. GRAY: Because you're running out of  
6 time. You're asking if he's running out of time?

7 MEMBER SCHRECK: Does he have another two  
8 years?

9 MR. RYDER: I believe you have about one year  
10 left on that existing permit.

11 MR. GANS: Something like that.

12 MEMBER GOTTLIEB: I just want to see that it  
13 is sufficient that he doesn't have to come back  
14 for the prior approval that was postponed if there  
15 is enough time.

16 MR. RYDER: We may discuss that. I'm not one  
17 hundred percent sure.

18 CHAIRMAN KEILSON: Anyone in the audience --

19 MR. GANS: And I do have four letters from  
20 neighbors. These are four letters from direct  
21 neighbors agreeing, approving the plans.

22 CHAIRMAN KEILSON: Okay. Anyone in the  
23 audience want to speak to it? Any questions from  
24 the Board? Any further questions, any further  
25 comments?

Gans - 6/24/15

1 MR. RYDER: Mr. Chairman, I would just like  
2 to echo what I said earlier to Mr. Pinter about  
3 the grade. You can't alter the grade. The grade  
4 must remain the same. Thank you.

5 CHAIRMAN KEILSON: So employing the statutory  
6 criteria, weighing the benefit to the applicant as  
7 opposed to the detriment to the neighborhood, the  
8 neighbors, et cetera, we will vote, starting with  
9 Mr. Hiller.

10 MEMBER HILLER: For.

11 CHAIRMAN KEILSON: Mr. Gottlieb.

12 MEMBER GOTTLIEB: For.

13 CHAIRMAN KEILSON: Mr. Schreck.

14 MEMBER SCHRECK: For.

15 CHAIRMAN KEILSON: Mr. Ganz.

16 MEMBER GANZ: Favor.

17 CHAIRMAN KEILSON: And I vote for as well.

18 MR. GANS: Thank you.

19 CHAIRMAN KEILSON: You have two years on the  
20 new variance.

21 (Whereupon, the hearing concluded at  
22 9:05 p.m.)

23 \*\*\*\*\*.

24

25

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

4  
5 Mary Benci

6 MARY BENCI, RPR  
7 Court Reporter  
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## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

3 Village Hall  
4 196 Central Avenue  
5 Lawrence, New York6 June 24, 2015  
7 9:05 p.m.

## 8 APPLICATION:

9 Roth  
10 70 Sutton Place  
11 Lawrence, New York

## 12 P R E S E N T:

13 MR. LLOYD KEILSON  
14 Chairman15 MR. EDWARD GOTTLIEB  
16 Member17 MR. MARK SCHRECK  
18 Member19 MR. JOEL GANZ  
20 Member21 MR. DANIEL HILLER  
22 Member23 MR. KENNETH A. GRAY, ESQ.  
24 Village Attorney25 MR. MICHAEL RYDER  
Building DepartmentMary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: Roth, 70 Sutton Place.

2 One thing I'm going to offer a caveat, please  
3 don't tell us what you could have asked for.

4 MR. BONESSO: Understood.

5 I'll say good evening, Mr. Chairman, members  
6 of the Board. William Bonesso, Forchelli, Curto,  
7 Deegan, Schwartz, Mineo & Terrana, 333 Earle  
8 Ovington Boulevard, Uniondale, New York, here on  
9 behalf of the applicant, Leah Roth.

10 Mrs. Roth and her husband George are seated  
11 in the back, and they're here this evening asking  
12 for variances to permit them to construct a new  
13 dwelling on the premises known as 70 Sutton Place  
14 in Lawrence.

15 The property is 13,278 square feet, has  
16 84 feet of frontage along the east side of  
17 Sutton Place. It's in the C1 residence district.  
18 And in order to build the proposed new two-story  
19 single-family dwelling with a one-car detached  
20 garage -- or attached garage, excuse me, they  
21 require several variances.

22 The first is a building coverage variance.

23 CHAIRMAN KEILSON: You know, our sympathies  
24 on new construction.

25 MR. BONESSO: We do.



1 CHAIRMAN KEILSON: You have to explain with a  
2 clean sheet of paper why.

3 You can enumerate the variances.

4 MR. BONESSO: The lot that we have before us  
5 is basically half as wide as it is deep. It's a  
6 larger lot, but nonetheless it's only 84 feet  
7 wide. And as a result, the existing house on the  
8 lot maintains a deficient aggregate side-yard  
9 setback as well as side-yard setback.

10 So the property as it's presently -- or the  
11 house as it's presently situated has aggregate and  
12 side-yard setback issues. We are proposing,  
13 albeit a side-yard setback -- a side-yard setback  
14 variance and an aggregate side-yard setback  
15 variance what we will have will actually be a more  
16 centered house, one that provides a better  
17 streetscape for the community. It will be -- we  
18 will increase the southerly side-yard setback from  
19 8.2 feet to 10.08 feet where the garage is, but  
20 then a full 15 feet as you see here. The garage  
21 juts out a little bit in order to accommodate a  
22 full-sized car, but then the remainder of the  
23 house all the way back to the back of the house is  
24 at a full 15 feet. So it's 10.08 feet up front,  
25 but then a full 15 feet. So you have an aggregate

1 of 25.08 because we are providing the required  
2 15-foot side yard on the northerly side yard where  
3 presently there's about a 20-foot side-yard  
4 setback.

5 So right now if you were to look at the house  
6 from the street it's skewed to the right, or to  
7 the south end of the lot. We are going to center  
8 the house, and it will actually look much more  
9 symmetrical on the property. We'll have a 15-foot  
10 side-yard setback, and from the street it will  
11 appear to be a 10.08-foot front-yard setback, but  
12 all along the side yard once you get past the  
13 garage it will actually be 15 feet.

14 CHAIRMAN KEILSON: Could you direct our  
15 attention to the streetscape that we don't have.

16 MR. BONESSO: Yes. Oh, I'm sorry, we do have  
17 those to hand up. I apologize.

18 CHAIRMAN KEILSON: That's okay. You  
19 apologize for not putting them in the file.

20 MR. BONESSO: We apologize for not having  
21 submitted those at the beginning of the hearing.

22 CHAIRMAN KEILSON: Prior to the hearing,  
23 actually.

24 MR. BONESSO: Prior to the hearing and at the  
25 beginning of the hearing. The streetscape also

1 gives you a good idea --

2 CHAIRMAN KEILSON: Hold it, hold it, hold it.  
3 Everybody wants one.

4 MEMBER GOTTLIEB: Mr. Bonesso, before you  
5 continue with the actual details, how long have  
6 the residents owned or been living in the house?

7 MR. BONESSO: They have not been living in  
8 the house. They purchased the house in January.

9 MEMBER GOTTLIEB: So this was purchased as a  
10 house not to live in but to remodel?

11 MR. BONESSO: Correct.

12 MEMBER GOTTLIEB: So we're not accommodating  
13 an existing family, this is just a desire.

14 MR. BONESSO: It is. They had originally  
15 looked at doing a renovation. Perhaps,  
16 Mr. Defonseca, would you explain why the decision  
17 was made. This is Mr. Defonseca, Carlos  
18 Defonseca. Can you explain to them why it was  
19 ultimately decided that a rebuild as opposed to a  
20 renovation would be better suited for the  
21 property.

22 MR. DEFONSECA: We originally submitted  
23 drawings to do a renovation to the existing house,  
24 but we couldn't -- we would not be able to get the  
25 amount of space that was required, the amount of

1 room that we require. So I think it was in terms  
2 of the economics and in terms of the actual design  
3 of the house the proposed new building is what  
4 they are really looking for. The existing house  
5 it will cost a lot of money to renovate it and it  
6 won't give them the space that they require and  
7 they need.

8 MR. BONESSO: The Roths, albeit they're the  
9 only two people who would live in the house, they  
10 do have three children and fifteen grandchildren.  
11 They have many family gatherings for religious and  
12 simply social purposes. The house as designed  
13 would be four bedrooms and would provide living  
14 areas, dining area to accommodate their families,  
15 their extended family to be able to spend the  
16 times, the family times and gatherings that they  
17 want to have together.

18 The building lot coverage that would be  
19 resulting from the size of the house as proposed  
20 is 8.7 percent. I know that there was a time when  
21 the Board felt that a 10 percent building lot  
22 coverage was -- overage was acceptable. I believe  
23 the Board has gotten somewhat more reserved in  
24 their consideration of building lot coverage. So  
25 we kept it under the 10 percent. We feel that

1 this is -- with the -- with the needs of the Roths  
2 in terms of the style of the house that they're  
3 seeking to construct and reside in and have for  
4 their family that that overage is not something  
5 that is substantial.

6 CHAIRMAN KEILSON: Unfortunately, I  
7 understand you haven't appeared before us in a  
8 while.

9 MR. BONESSO: This is true.

10 MEMBER GOTTLIEB: I was wondering if you were  
11 going to mention it.

12 CHAIRMAN KEILSON: We miss you. However, in  
13 the post-Sandy era, things have dramatically  
14 changed and we've been chastened by Sandy and by  
15 the Mayor and Trustees and the like, and so we've  
16 become much more circumspect about what we can do  
17 and what we can't do, and need has to be  
18 understood as to why, if it's anything above zero.  
19 It's not that we work down from ten. We're  
20 working up from zero. So as sympathetic as we are  
21 and understanding, you know --

22 MR. BONESSO: May I ask?

23 CHAIRMAN KEILSON: Sure.

24 MR. BONESSO: With regard to -- I mean, we  
25 also have the height-to-setback ratio variances

1 that are relatively de minimis. We have a  
2 northerly side height/setback ratio overage of  
3 0.49, I believe, or -- 0.49 and we have a front  
4 height-to-setback ratio overage of only 0.12.

5 CHAIRMAN KEILSON: I think one of the other  
6 concerns is that one of the concessions we've been  
7 making recently is to go from a two-car garage to  
8 a one-car garage, because we give recognition to  
9 the fact that people are not parking theirs cars  
10 in their garages, so we're already asked to get  
11 that extra space. So sometimes in order to offset  
12 the requests for building coverage, they come and  
13 they say, well, give us the one-car garage as a  
14 concession. So here we're taking the one-car  
15 garage plus the 8.7. I think that's the concern  
16 you will hear evinced by my neighbors here on my  
17 left and my right.

18 MR. BONESSO: Okay.

19 MEMBER GOTTLIEB: There is something else  
20 missing which perhaps you're not aware of, but  
21 when there's an existing structure we sometimes  
22 would appreciate seeing what's existing versus  
23 what's permitted and what's proposed so we can get  
24 a feel for just how much larger it is than what's  
25 there and what are the current setback ratios and

1       how they will be exacerbated or not compared to  
2       what's existing.

3               MR. BONESSO:  If you take a look at the  
4       streetscape that I just provided to you, you will  
5       see the existing -- you will see the existing  
6       house on the upper line and you'll see the  
7       proposed house on the lower, and on the upper one  
8       you will see an outline, a dotted outline of the  
9       additional bulk of the proposed -- of the proposed  
10      new dwelling.

11             I would also point out that to the south we  
12      have a relatively large house which certainly is  
13      on par in terms of its bulk and width with the  
14      house that we're proposing.  That's a full  
15      two-story house that certainly matches our bulk  
16      from the streetscape.

17             MEMBER GOTTLIEB:  Do we know what the lot  
18      size is on the house to the south, the frontage  
19      that is?  Is it also 48 feet or is that a larger  
20      frontage?

21             MR. BONESSO:  I can tell you that in a  
22      moment.  That appears to be basically identical in  
23      terms of lot width, as does the dwelling to the  
24      south of that.  It's interesting, the two -- the  
25      two dwellings to the north of our property both

1 fronting on Central Avenue are on significantly  
2 smaller lots and nevertheless maintain relatively  
3 large dwellings on them.

4 I have aerial photographs that I can provide  
5 of the houses surrounding our property. Our  
6 property, if you look on here, our property is  
7 actually comprised of three tax lots. It's a  
8 small strip tax lot along Central -- along Sutton,  
9 rather, than the main part of our lot, and then a  
10 rear rectangular piece. It's 331, 333 and 335.  
11 But looking at that parcel, our parcel, the width  
12 is basically the same as the parcel next-door, and  
13 you can see the two houses to the north fronting  
14 -- one fronting on Central and one fronting on  
15 Sutton are significantly smaller lots with a large  
16 -- with large houses on them (handing).

17 MR. DEFONSECA: Our side yards that we  
18 proposed are consistent, even larger than what is  
19 existing on the street along that block. Most of  
20 them are closer, the houses are larger, are closer  
21 to the property lines, so we will be -- what we  
22 propose is actually a better condition than is a  
23 standard on that particular block.

24 MR. BONESSO: We felt that from an impact on  
25 the -- on the neighborhood, the area character,



1 the pattern of development, that this house,  
2 albeit larger than permitted, albeit having side  
3 yard and aggregate side-yard setback variances,  
4 the centering of the house, the maintenance of the  
5 15-foot side yard, and the increase of the  
6 southerly side yard from 8.2 feet to 10.08 feet at  
7 the front, and then 15 feet all along the rest of  
8 the side yard, does in fact improve the  
9 appearance, does in fact improve the effect on the  
10 surrounding properties and the character of the  
11 neighborhood. We think that's evidenced in fact  
12 by letters of support that we've obtained from the  
13 seven certainly most affected neighbors. We have  
14 three of the four adjacent property owners, two on  
15 Sutton Place, one on Central. We have letters  
16 from the four residents across Sutton Place, and  
17 they all provide their support for the  
18 application.

19 MR. DEFONSECA: The shape of the lot,  
20 normally all the lots are rectangular. It makes  
21 it difficult to make it longer, to really work out  
22 the layout. It is very difficult with that type  
23 of lot configuration.

24 MEMBER GOTTLIEB: Mr. Bonesso, I'm probably  
25 the most vocal, unfortunately, about new

1 construction, and believe that unless there's a  
2 real circumstance that needs to be mitigated, why  
3 you can't build within code, and you're close to  
4 code. I don't see why you can't reduce the house.  
5 You've already got the one-car garage which gives  
6 you almost another 200 square feet of interior  
7 living space. And you're asking for 240 -- I  
8 missed my page somewhere -- you're asking for 242  
9 and you're asking for some side yard. Just to  
10 move this on and be amicable, get rid of the  
11 242 feet, narrow the house by a foot, and you've  
12 got substantially what you're looking for without  
13 asking us to accommodate new construction.

14 MR. BONESSO: I understand.

15 MEMBER GOTTLIEB: On a lot certainly large  
16 enough where you can build this perhaps deeper  
17 instead of wider, although you seem to have enough  
18 side yards.

19 MR. BONESSO: If we narrow the house by a  
20 foot, we did some calculations, and if we narrow  
21 the house by a foot width-wise and depth-wise we  
22 would reduce our building coverage to 4.6 percent  
23 from the 8.7 percent.

24 MEMBER GOTTLIEB: Do you know what the  
25 coverage is instead of the percent?

1 MR. BONESSO: It would reduce it 2,895.82.  
2 It's an overage from the permitted 2,767. It's an  
3 overage of 128.02 feet -- square feet. And that  
4 would also increase our side-yard setback on the  
5 south side to 11.08 as opposed to the 10.08. Our  
6 aggregate would go up to 26.08 as opposed to  
7 25.08. And we would certainly reduce, if not  
8 eliminate, our front yard -- our front  
9 height-to-setback ratio variance because the foot  
10 that we take off the depth of the house we could  
11 take off the front thus pushing it back.

12 MEMBER GOTTLIEB: And would the house line up  
13 with the other houses on the street?

14 MR. BONESSO: In terms of the setback,  
15 certainly.

16 CHAIRMAN KEILSON: Mr. Ryder, do you want to  
17 take down these new numbers?

18 MR. RYDER: Please.

19 MR. BONESSO: Would you like me to repeat?

20 CHAIRMAN KEILSON: Repeat.

21 MR. RYDER: Please.

22 MR. BONESSO: Taking a foot out of the width  
23 of the house and the depth of the house would  
24 reduce our proposed building coverage to 2,895.82  
25 square feet, representing an overage from the

1 permitted building coverage of 128.02 square feet,  
2 or 4.6 percent.

3 MR. RYDER: Continue.

4 MR. BONESSO: Our new southerly side-yard  
5 setback would be 11.08 feet, and our new aggregate  
6 would be 26.08 feet.

7 MR. RYDER: 26.08?

8 MR. BONESSO: Yes.

9 MR. RYDER: Excuse me, Mr. Bonesso, but which  
10 side is the --

11 CHAIRMAN KEILSON: The southerly side?

12 MR. BONESSO: The southerly side. It's the  
13 right side as you're looking at it from the  
14 street.

15 MR. RYDER: Which is the 8.17?

16 MR. BONESSO: It was the 8.2 which we  
17 increased to 10.08 which will now be 11.08.

18 MR. RYDER: 11.08. Continue.

19 MR. BONESSO: And as far as the front  
20 height-to-setback ratio, we didn't do the  
21 calculations on that, but by moving the house back  
22 one foot we will reduce that, if not eliminate it.

23 MR. RYDER: Reduce the side.

24 MR. BONESSO: And we'll submit modified plans  
25 to reflect all of this.

1 CHAIRMAN KEILSON: Okay.

2 MR. RYDER: Okay.

3 CHAIRMAN KEILSON: Any others questions from  
4 the Board at this time?

5 (No response.)

6 CHAIRMAN KEILSON: Anyone from the audience  
7 who wants to address the matter?

8 (No response.)

9 CHAIRMAN KEILSON: Okay. So we're going to  
10 vote on the new relief requested. Just enumerate  
11 for the record, Mr. Ryder.

12 MR. RYDER: Building coverage will be -- the  
13 new proposal will be 2,895.82 square feet for an  
14 overage of 4.6 percent, or 128 square feet.  
15 Side-yard setback, originally 8.17, will now be  
16 11.08 on the southerly side. The aggregate will  
17 be 26.08. The height/setback ratios will be --  
18 have not been --

19 CHAIRMAN KEILSON: Calculated.

20 MR. RYDER: -- calculated. We will have that  
21 at another date.

22 CHAIRMAN KEILSON: Okay. Lastly --

23 MR. BONESSO: It will certainly be reduced.  
24 The front will certainly be reduced.

25 CHAIRMAN KEILSON: Lastly is the request for

1 a one-car garage.

2 MR. BONESSO: Yes, I apologize.

3 CHAIRMAN KEILSON: Mr. Gottlieb is asking  
4 about dormers.

5 MR. RYDER: The dormers, if they're  
6 decorative dormers and there's no habitable space,  
7 I don't feel that they are dormers, second-floor  
8 dormers.

9 MR. DEFONSECA: It's part of the traditional  
10 Georgian house, and the dormers are a very  
11 important part of the architecture.

12 MEMBER GOTTLIEB: We don't have interior  
13 plans.

14 MR. BONESSO: It will not be habitable,  
15 non-habitable space.

16 CHAIRMAN KEILSON: In the future we'd  
17 appreciate getting the full complement of  
18 paperwork, whether it be the streetscape or the  
19 full interior plans, in a timely fashion. As you  
20 see, we have a long night and it's very hard to  
21 pull everything together. You're very  
22 understanding, and you know what we're talking  
23 about.

24 Having said that, and taking into  
25 consideration the statutory criteria, weighing the

1 benefit to the applicant as opposed to any  
2 potential detriment in terms of the community, we  
3 are going to start with Mr. Ganz.

4 MEMBER GANZ: I'm in favor.

5 CHAIRMAN KEILSON: Mr. Schreck.

6 MEMBER SCHRECK: For.

7 CHAIRMAN KEILSON: Mr. Gottlieb.

8 MEMBER GOTTLIEB: I'm going to vote for, with  
9 just a comment.

10 CHAIRMAN KEILSON: No doubt.

11 MEMBER GOTTLIEB: With a comment that the  
12 reason why I don't have an objection to the  
13 side-yard setback is the frontage is only 84 feet,  
14 and given a 35-foot aggregate required leaves you  
15 with a 49-foot wide house, which is a little  
16 substantial for this community. So I'm voting for  
17 and I just wanted to point that out.

18 CHAIRMAN KEILSON: Mr. Hiller.

19 MEMBER HILLER: For.

20 CHAIRMAN KEILSON: I vote for. Two years.

21 MR. BONESSO: Thank you very much.

22 CHAIRMAN KEILSON: Board of Building Design,  
23 I guess.

24 MR. RYDER: Yes, Mr. Chairman.

25 CHAIRMAN KEILSON: Thank you.

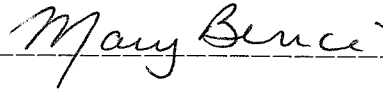
1 MR. BONESSO: Lovely to see you all again.

2 (Whereupon, the hearing concluded at

3 9:26 p.m.)

4 \*\*\*\*\*

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

8  
9 

10 MARY BENCI, RPR  
11 Court Reporter  
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## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

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

6 June 24, 2015  
7 9:26 p.m.

8 APPLICATION: Deutsch  
9 43 Auerbach Lane  
10 Lawrence, New York

## 11 P R E S E N T :

12 MR. LLOYD KEILSON  
13 Chairman

14 MR. EDWARD GOTTLIEB  
15 Member

16 MR. MARK SCHRECK  
17 Member

18 MR. JOEL GANZ  
19 Member

20 MR. DANIEL HILLER  
21 Member

22 MR. KENNETH A. GRAY, ESQ.  
23 Village Attorney

24 MR. MICHAEL RYDER  
25 Building Department

Mary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: Deutsch of Auerbach Lane.

2 MR. YOON: Good evening, again, Young Yoon.

3 So Mr. Deutsch, we're asking for variance from  
4 Section 212-12.1 for the lot coverage. So the  
5 proposed square footage, the total square footage  
6 is 11,911 square feet including the house,  
7 driveway, the detached garage, which is 44.5  
8 percent overage, which is roughly 3,576 square  
9 feet over.

10 Now, for, you know, for religious reasons  
11 Mr. Deutsch is asking to be allowed to put a  
12 private pool, you know, because -- and I'm sure I  
13 don't have to explain.

14 CHAIRMAN KEILSON: You don't have to explain  
15 why people want a pool. All you have to do is go  
16 outside today.

17 MEMBER GOTTLIEB: I don't think many people  
18 say they need a pool for religious reasons.

19 MR. YOON: And he has an elderly mother  
20 who --

21 CHAIRMAN KEILSON: Whatever. He wants to  
22 have a pool.

23 MR. YOON: And he wants a pool for fun, it's  
24 fun. I've got to provide a hardship, right? So  
25 and it's -- you know, besides the lot coverage,

1 the -- you know, the proposed pool is not  
2 encroaching on any setbacks. And you know, we're  
3 only asking for a five-foot walk around the pool  
4 with a 15-foot kind of patio on one side so that  
5 he could have lounge chairs right next to the  
6 pool.

7 MEMBER GOTTLIEB: You realize that when you  
8 come before us it opens the Board for all kinds of  
9 questions?

10 MR. YOON: Yes, of course.

11 MEMBER GOTTLIEB: Who lives in the carriage  
12 house in the back of the house?

13 MR. DEUTSCH: No one.

14 MR. YOON: No one.

15 MEMBER GOTTLIEB: It's not occupied?

16 MR. DEUTSCH: It's not occupied.

17 CHAIRMAN KEILSON: Could you just identify  
18 yourself.

19 MR. DEUTSCH: David Deutsch.

20 CHAIRMAN KEILSON: So you're coming before  
21 the Board to ask for an outrageous amount of  
22 overage that we never grant. So the question is  
23 why should we grant it? Wherefore is this  
24 property different from all other properties?

25 MR. YOON: It's different from all the other

1 properties?

2 CHAIRMAN KEILSON: We never give overages of  
3 44 percent. So the question becomes why should we  
4 make the exception here?

5 MR. YOON: You know, the property, you know,  
6 he had a pre-existing garage and a pre-existing  
7 driveway, which I'm sure you've seen the property  
8 and it covers, you know, a good portion of the  
9 property, and that's what's really triggering this  
10 overage. The existing driveway and the carriage  
11 house that you call it that's at the back of the  
12 house.

13 CHAIRMAN KEILSON: So maybe Mr. Ryder can  
14 help me. How many square feet does that  
15 contribute which could give rise to this unusual  
16 request?

17 MEMBER GOTTLIEB: Can I ask the architect,  
18 when you did your calculation for surface coverage  
19 did you include the entire driveway?

20 MR. YOON: No, we took out -- by code, you're  
21 allowed to take --

22 MEMBER GOTTLIEB: I was hoping maybe you  
23 didn't include that and already maybe it's 1,500  
24 feet less. That didn't work.

25 MR. RYDER: That would have been good.

1 MEMBER GOTTLIEB: That would have been a lot  
2 easier for us. Now we've got to fight.

3 CHAIRMAN KEILSON: Mr. Ryder, can we help  
4 him?

5 MR. RYDER: The front building house line to  
6 the front of the garage 10 feet wide is exempt.

7 MR. YOON: We didn't calculate it in.

8 MR. RYDER: So you stated that the driveway  
9 and the carriage house is kicking up the surface  
10 coverage numbers?

11 MR. YOON: Correct.

12 MR. RYDER: I think what the Board is looking  
13 at is where can you downsize those numbers to be  
14 able to go forward with the pool that you're  
15 proposing, because the numbers are at an overage  
16 that's just not favorable for this application.

17 MR. YOON: Right.

18 CHAIRMAN KEILSON: How much does the carriage  
19 house and whatever is calculated for the driveway  
20 contribute?

21 MR. RYDER: Do you have a breakdown of your  
22 surface coverage?

23 MR. YOON: I do not. But the carriage house  
24 is 44.8 feet by 25 feet. So we're talking about  
25 roughly 800 square feet or 900 square feet. And

1 then if you look at the driveway, you know, it  
2 really widens up towards the back. Let me see.

3 MEMBER HILLER: Can I ask Mr. Deutsch what he  
4 uses the carriage house for?

5 MR. DEUTSCH: I'm sorry?

6 MEMBER HILLER: What is the use, what do you  
7 use the carriage house for?

8 MR. DEUTSCH: I have a home office in the  
9 carriage house; other than that, nothing.

10 MEMBER HILLER: Just a home office?

11 MR. DEUTSCH: Correct.

12 MEMBER HILLER: Are you very attached to the  
13 carriage house?

14 MR. DEUTSCH: It's been there for over a  
15 hundred years. It's probably the same age as the  
16 main house.

17 MEMBER HILLER: And if you had to trade?

18 MR. DEUTSCH: I'd trade the driveway, which  
19 was gravel before and we paved it not thinking  
20 that that would be coverage.

21 MEMBER GOTTLIEB: I don't think that would  
22 make a difference. Even though for drainage it  
23 certainly does. But I think, Mr. Ryder, is a  
24 gravel driveway the same as a paved driveway for  
25 surface coverage?

1 MR. RYDER: Yes. What's the total percentage  
2 that you're covering of the lot? We have a number  
3 that we think we calculated correctly with the  
4 house, the driveway, the carriage house, the pool.

5 MR. YOON: It would be 44.5 percent.

6 CHAIRMAN KEILSON: How much?

7 MR. RYDER: 44.

8 MEMBER HILLER: 44.5 percent.

9 MEMBER GOTTLIEB: Are you suggesting that you  
10 wanted to reduce some of the patio around the  
11 pool?

12 MR. YOON: I believe -- I believe -- I  
13 believe we would be open to reducing the size of  
14 the patio, doing a typical walk around, like a  
15 four-foot walk around.

16 CHAIRMAN KEILSON: Mr. Ryder is suggesting  
17 very cleverly, astutely, that perhaps to take a  
18 few minutes with your client. We'll go on to the  
19 next matter. Step outside so you can reformulate.

20 MR. YOON: Sure, but can I -- these are  
21 letters of adjacent neighbors that are not  
22 contesting (handing).

23 CHAIRMAN KEILSON: No problem, happy to  
24 accept them.

25 MR. WIESENFELD: Can I say something?

1 CHAIRMAN KEILSON: Certainly.

2 MR. WIESENFELD: I'm Dr. Allen Wiesenfeld.

3 I'm the southern neighbor. I live at 45 Auerbach  
4 Lane. I've been in Lawrence for over 23 years.

5 Mr. Deutsch had moved in just a few years  
6 after that. He has been an exceptionally good  
7 neighbor. Not only does he keep a good fence,  
8 which makes good neighbors, he has very private  
9 property. We've had incidents with trees falling  
10 over onto my house, and generously we've split the  
11 costs of removing trees, and we've been very good  
12 neighbors to one another.

13 He has a very large property and it is very  
14 private, and I really think that he should be  
15 allowed to do what he wants with that property.  
16 It doesn't really -- we have a very deep water  
17 table where we live, and we're on the top of a  
18 hill and we really have not had any kinds of water  
19 issues. And I think that his property is  
20 sufficiently large. It does not really -- you  
21 can't see anything from the street of the breadth  
22 of the property and, you know, as I said, he's  
23 quite private. There are nice bushes in front.  
24 He maintains the property well with flowers and  
25 all kinds of other things, and he has maintained



1 it so well that it really adds to the beauty of  
2 the block, and I don't think that this would  
3 infringe on any of the neighbors. So that's all I  
4 have to say.

5 CHAIRMAN KEILSON: Thank you very much.

6 MR. WIESENFELD: Thank you. Thank you for  
7 your time.

8 CHAIRMAN KEILSON: Do you have a pool, by the  
9 way?

10 MR. WIESENFELD: Yes, I do. I have an indoor  
11 pool which is private for religious reasons,  
12 totally for religious reasons.

13 MEMBER GOTTLIEB: Can I explain something to  
14 you that you may or may not be aware of. You  
15 brought up something so important that you don't  
16 realize what you said.

17 MR. WIESENFELD: The coverage, the land  
18 coverage.

19 MEMBER GOTTLIEB: You live on the top or the  
20 crest of Auerbach Lane. I live at the bottom. So  
21 as you cover more surface, that water running off  
22 your driveway finds its way down to the other  
23 sides of Auerbach Lane, and that's something that  
24 we are concerned about. I'm not saying that's the  
25 reason not to grant it, but that's one of the

1 things we do look at, and that's why 44 percent  
2 surface coverage is so important to consider.  
3 Again, you have a deep water table; not everyone  
4 else does.

5 MR. WIESENFELD: Right, I do appreciate that.  
6 What we did to mitigate that was to put in large  
7 dry wells and, you know, for my property as well  
8 we put in very large dry wells in order to try to  
9 maintain the area, you know, to make sure that we  
10 don't have water issues for us or for the  
11 neighbors.

12 Thank you so much for your time.

13 MEMBER GOTTLIEB: Thanks.

14 CHAIRMAN KEILSON: So you will step outside.

15 MR. YOON: Let me talk to David.

16 (Whereupon, a recess was taken; the  
17 application was recalled.)

18 CHAIRMAN KEILSON: Now everybody to the pool.  
19 Mr. Deutsch returns.

20 MR. YOON: Third time is a charm.

21 CHAIRMAN KEILSON: Okay. So you went back to  
22 the drawing board.

23 MR. YOON: Yes. I have a quick question.  
24 The four-foot walk around the pool, does that  
25 count towards coverage?

1 CHAIRMAN KEILSON: Mr. Ryder.

2 MEMBER GOTTLIEB: Four does, three does not.

3 MR. RYDER: Correct. Three feet is the  
4 allowable encroachment. Four does knock it over.  
5 Four counts it all.

6 MR. GRAY: If you count three you don't count  
7 any of it?

8 MR. YOON: The three-foot walk around does  
9 not count?

10 MR. RYDER: Right.

11 MR. YOON: If we reduce the walk around to  
12 three feet around the pool, then that would  
13 basically give him -- that would be roughly 1,348  
14 square feet of coverage that we're taking out.  
15 And then he's willing to cut out 400 square feet  
16 of driveway, which is essentially this portion  
17 here, all right (indicating), which would bring  
18 the total coverage down to roughly 37.9 percent.

19 All right, and he's also willing to put in  
20 five -- five dry wells. You are required to have  
21 three; he's willing because of the concern of the  
22 water, the runoff and everything, he's willing to  
23 put in another additional two dry wells, which is  
24 essentially having another 1,300 square foot  
25 coverage, you know. The two dry wells cover -- if

1 you had a surface coverage of 1,300 square feet,  
2 you would be required to have two dry wells, so  
3 he's willing to put in two additional dry wells.

4 CHAIRMAN KEILSON: Ask away.

5 MEMBER GOTTLIEB: I'm deciding if I should go  
6 on the record or off the record because I don't  
7 want to appear soft. Do you need the driveway to  
8 make a U-turn to turn the car around?

9 MR. DEUTSCH: I do.

10 MEMBER GOTTLIEB: Otherwise, you have to back  
11 up into Auerbach?

12 MR. DEUTSCH: Correct.

13 MEMBER GOTTLIEB: I cannot permit that.

14 CHAIRMAN KEILSON: He's going to have gravel,  
15 that's still --

16 MEMBER GOTTLIEB: That's still coverage. I  
17 think that to do that would be a disservice to the  
18 community, to a neighbor. You can't back out  
19 because you have blind spots on both sides of your  
20 driveway. You have to find another way.

21 And also, I know you're going three feet  
22 around the pool, you're not going to have a patio.  
23 Can you go three feet on three sides and keep the  
24 15 feet on the other side so you can put out  
25 lounge chairs and enjoy the pool?

1 MR. YOON: We would like to but we were  
2 trying to reduce the percentage.

3 MEMBER GOTTLIEB: You put in extra dry wells,  
4 I know you're at the top of the hill, I don't  
5 think you're going to have much runoff from the  
6 pool. It's a concern. You have a 26,000 foot lot  
7 which is exceptionally large, and we realize from  
8 by code you're actually penalized more  
9 percentage-wise, more than if it was a smaller  
10 lot. I don't want to sound like I'm a tough guy  
11 or the soft guy, but to get rid of the driveway  
12 and then you have to back out doesn't work. And  
13 to have a pool --

14 MR. DEUTSCH: I appreciate it.

15 MEMBER GOTTLIEB: And to have a pool with  
16 only three feet around the edge, as I used to  
17 have, is miserable. So maybe three feet on three  
18 sides and keep the 15 feet there, and that's just  
19 my suggestion.

20 MR. RYDER: Hold on.

21 MEMBER GOTTLIEB: I don't speak for the  
22 Board.

23 MR. RYDER: I don't mean to speak while  
24 you're speaking. Four feet is permissible, I  
25 spoke to soon.

1 MEMBER GOTTLIEB: Four feet around the pool  
2 is free.

3 MR. YOON: Okay. So we could do the four  
4 feet and then -- but we were willing to come down  
5 to whatever the minimum was.

6 MEMBER GOTTLIEB: But if it's four feet --

7 MR. DEUTSCH: If we take away one side and we  
8 -- what is it at now with the drawing? Is it  
9 five?

10 MEMBER GOTTLIEB: It's eight feet on three  
11 sides and fifteen on one.

12 MR. DEUTSCH: Eight feet on three sides, how  
13 much does that come out to square footage?

14 MR. YOON: So eight on three sides was  
15 roughly 1,350 square feet, 1,350.

16 CHAIRMAN KEILSON: Of reduction?

17 MR. YOON: No, that was the total.

18 MEMBER GOTTLIEB: That's more like 800 square  
19 feet, I think. 40 feet times eight, 40 feet times  
20 eight, and 20 times eight is -- 100 times eight is  
21 800 square feet.

22 MR. YOON: I'm sorry, I was also including  
23 the 15 feet. So when I did the calculation I  
24 included the 15 feet.

25 MEMBER GOTTLIEB: Actually, it's a little bit

1 more than 800. 64 and 64 is 128. I think we  
2 reduced 928 square feet by going four feet on the  
3 three sides. Mike, can you verify it?

4 MR. RYDER: I've got my calculator. Go  
5 ahead.

6 MR. YOON: So having the 15 -- we're asking  
7 what the current patio -- I mean the current walk  
8 around and the coverage is, correct? That would  
9 be -- the total square footage of the existing  
10 patio that I get is 1,468. The existing walk  
11 around and the patio. What I have drawn currently  
12 I have it as 1,468.

13 MEMBER GOTTLIEB: The 15-foot patio, are you  
14 going 36 feet wide or are you going --

15 MR. YOON: So we would do the four-foot walk  
16 around. If we did the full four-foot walk around  
17 it would be 28 by 15 then.

18 MR. RYDER: 420.

19 MEMBER GOTTLIEB: Say that one more time,  
20 please.

21 MR. YOON: If we did a four-foot walk around,  
22 then that patio, that 15 foot, would be the 20  
23 plus the four on each side, so it's 28.

24 MEMBER GOTTLIEB: 28 times 15.

25 MR. YOON: Correct.

1 MEMBER GOTTLIEB: Which someone told us is  
2 472.

3 MR. RYDER: 420.

4 MEMBER GOTTLIEB: 420, okay.

5 MR. RYDER: 420 is the total reduction?

6 MR. GRAY: Not the reduction.

7 MEMBER GOTTLIEB: So what is 10,840 over  
8 permitted? If you can just figure out these  
9 percentages.

10 MR. RYDER: Ten thousand -- what is it?

11 MEMBER GOTTLIEB: The overage is 10,840, and  
12 if you can subtract 8,335 which is permitted --

13 MR. RYDER: Thirteen percent -- no, no, can't  
14 be.

15 MEMBER GOTTLIEB: Thirteen percent --

16 MR. RYDER: What will the new overage be?

17 MR. YOON: 10,863.

18 MR. RYDER: 10,863.

19 MR. YOON: So it would be 40.6 percent, 40.6  
20 percent.

21 MR. GRAY: I get 30.3.

22 MEMBER GOTTLIEB: What will the total  
23 coverage be?

24 MR. YOON: The total coverage I'm getting is  
25 40.6 percent.



1 MEMBER GOTTLIEB: 40 percent total coverage.

2 CHAIRMAN KEILSON: What's the overage?

3 MR. GRAY: As proposed what do you have for  
4 the patio and the walk around, how many square  
5 feet? You had the number before.

6 MR. YOON: The walk around was 1,468 with the  
7 patio.

8 MR. GRAY: 1,468.

9 MR. YOON: Correct. And if we --

10 MR. RYDER: 30 percent, 30.3 percent. What  
11 you have to do is take the 10,863 square feet,  
12 subtract 8,335, which gives you 2,528 square feet,  
13 which is the overage.

14 MR. YOON: Right, of what is allowed.

15 MR. RYDER: Right. Which comes out to  
16 30 percent of what's permitted, okay.

17 CHAIRMAN KEILSON: So let's assume that your  
18 numbers are correct, at this point we're looking  
19 for a proposed of 10,840?

20 MEMBER GOTTLIEB: Yes.

21 CHAIRMAN KEILSON: Okay.

22 MR. RYDER: 10,863.

23 CHAIRMAN KEILSON: Which equates to  
24 approximately 40 percent of overage?

25 MR. RYDER: No.

1 MEMBER HILLER: 30 percent.

2 CHAIRMAN KEILSON: 30 percent of overage.

3 Obviously, we'll need a new drawing in order to  
4 reflect those numbers.

5 All right, if that be the case, does anyone  
6 else want to speak to the matter? Do want to  
7 speak again?

8 MR. WIESENFELD: No, thanks.

9 MEMBER GOTTLIEB: Mr. Ganz has been very  
10 quiet tonight.

11 CHAIRMAN KEILSON: Mr. Hiller.

12 MEMBER HILLER: For.

13 CHAIRMAN KEILSON: Mr. Gottlieb.

14 MEMBER GOTTLIEB: Are we voting?

15 CHAIRMAN KEILSON: Yes.

16 MEMBER GOTTLIEB: Good night, for.

17 CHAIRMAN KEILSON: Mr. Schreck.

18 MEMBER SCHRECK: For.

19 CHAIRMAN KEILSON: Mr. Ganz.

20 MEMBER GANZ: For.

21 MR. YOON: Thank you very much.

22 CHAIRMAN KEILSON: You didn't get my vote  
23 yet.

24 MR. YOON: Thank you. I apologize.

25 CHAIRMAN KEILSON: Don't jump to hasty

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1 conclusions. Mary wants to go home.

2 MR. RYDER: Conditioned on the two dry wells  
3 as well.

4 CHAIRMAN KEILSON: I vote for with the two  
5 dry wells and the proper drawings.

6 MR. YOON: Thank you very much.

7 CHAIRMAN KEILSON: You're welcome very much.

8 MR. DEUTSCH: Thank you very much.

9 MR. RYDER: Revised plans.

10 MR. YOON: Yes, I will get that to you ASAP.

11 (Whereupon, the hearing concluded at  
12 10:13 p.m.)

13 \*\*\*\*\*

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

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Mary Benci

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MARY BENCI, RPR  
Court Reporter

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## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

3 Village Hall  
4 196 Central Avenue  
5 Lawrence, New York6 June 24, 2015  
7 9:37 p.m.8 APPLICATION: Samter  
9 6 Sterling Place  
Lawrence, New York

## 10 P R E S E N T:

11 MR. LLOYD KEILSON  
12 Chairman13 MR. EDWARD GOTTLIEB  
14 Member15 MR. MARK SCHRECK  
16 Member17 MR. JOEL GANZ  
18 Member19 MR. DANIEL HILLER  
20 Member21 MR. KENNETH A. GRAY, ESQ.  
22 Village Attorney23 MR. MICHAEL RYDER  
24 Building Department25 Mary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: The next matter is Samter,  
2 6 Sterling Place.

3 MR. TAVARES: Good evening, Mr. Chairman,  
4 members of the Board. Jose Tavares, I'm the agent  
5 for Mr. Samter who is not here today,  
6 unfortunately, but Mrs. Samter is here, as well as  
7 Mr. Carl and Stephani Maza.

8 MR. MAZA: I'm Chaim Maza. This is my wife  
9 Stephani Maza, my daughter Bayla Samter. The  
10 house is in Judah Samter's --

11 CHAIRMAN KEILSON: Hold it, hold it. Don't  
12 jump. If you want to step forward, we're more  
13 than happy to hear you.

14 MR. MAZA: I just wanted to add a note of  
15 instruction.

16 CHAIRMAN KEILSON: Did you get his name?

17 MR. MAZA: Chaim Maza, my wife Stephani Maza,  
18 and daughter Bayla Samter. The reason that it's  
19 -- the matter is Samter is because the house, the  
20 deed is legally in my son-in-law's name, Judah  
21 Samter, but he has never lived there, and my wife  
22 and I have lived there for the last eight years,  
23 so it's really our petition, our application that  
24 we're talking about.

25 CHAIRMAN KEILSON: No problem.

1 MR. MAZA: Thank you.

2 CHAIRMAN KEILSON: Please proceed.

3 MR. TAVARES: Before I start, I do want to  
4 clarify or amend the application with respect to  
5 the overage on the building coverage. The way we  
6 had calculated it, basically we were looking at  
7 the addition with the two floors and adding the  
8 total area of those two floors, when it really as  
9 I'm being told now that it's really just the  
10 footprint of the building which would mean that  
11 it's half that area. So where we had 602 square  
12 feet of addition for building area coverage, it's  
13 only 301 square feet.

14 What that does, that instead of having  
15 coverage, an overage of 471 square feet of area,  
16 we are now down to 170 square feet, which also  
17 reduces the percentage.

18 CHAIRMAN KEILSON: 170 excess?

19 MR. TAVARES: Of excess. That reduces the  
20 overall percentage from 22 percent, which is what  
21 we were showing, to 8 percent.

22 CHAIRMAN KEILSON: Okay.

23 MR. TAVARES: Now, one thing that I just  
24 heard in the previous application, which  
25 unfortunately also I wasn't aware of, there seems

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1 to be on the surface coverage that there's an  
2 allowance of 15 percent is what I heard of  
3 reduction. Is that what I thought I heard, or no?

4 MR. RYDER: For a detached garage.

5 MR. TAVARES: For a detached garage? We have  
6 an existing detached garage.

7 MR. RYDER: For a detached garage the  
8 exemption is 10-foot wide from the front house  
9 line to the front garage line.

10 MR. TAVARES: Well, we have it, basically.  
11 Part of it is a 10, less than 10 feet actually.

12 MR. RYDER: Let me ask you this question.  
13 Did you calculate at those numbers or did you  
14 remove those numbers from your surface coverage?

15 MR. TAVARES: No, I did not. What I was  
16 getting at, maybe I misunderstood it, that if  
17 there was a 15 percent reduction that could be  
18 taken from the overall, what I show is the overall  
19 of everything. So I was thinking if I could take  
20 15 percent off and that would reduce the surface  
21 coverage that we are showing also.

22 CHAIRMAN KEILSON: What's our discount  
23 tonight; 10 percent, 5 percent or --

24 MR. RYDER: I don't know where the percentage  
25 discounts are coming from.

1 MR. TAVARES: If that's not the case, I  
2 wanted to clarify before I continued with that  
3 also because that does make a difference also in  
4 our case.

5 MR. RYDER: It is the case you can -- you can  
6 take that part of the driveway and remove that  
7 from your surface coverage numbers. I don't know  
8 what --

9 MR. GRAY: You calculated everything?

10 MR. TAVARES: I calculated everything.

11 MR. GRAY: Including the entire driveway?

12 MR. TAVARES: Including the driveway and  
13 everything, yes.

14 MR. GRAY: So what should he take out?

15 MR. RYDER: You should remove from the front  
16 house line to the front garage line 10-foot wide,  
17 whatever the linear footage is.

18 MR. TAVARES: Oh, okay, that will reduce it  
19 by a lot. So and I don't have that percentage  
20 right now. But the applicant is asking for the  
21 reduction in the --

22 CHAIRMAN KEILSON: Do you understand we need  
23 precise numbers? How do we approve something  
24 without having the precise numbers?

25 MR. TAVARES: Right now, I mean, I could try



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1 to get you that, but I don't have that at this  
2 moment.

3 CHAIRMAN KEILSON: We understand. We can't  
4 vote on something that doesn't exist.

5 MR. TAVARES: Can you give me some time  
6 afterwards?

7 CHAIRMAN KEILSON: We'll take the next  
8 matter. We keep rolling.

9 MR. GRAY: 560 feet.

10 MR. RYDER: But then he has to figure out and  
11 remove the total square footage number from  
12 surface and he's got to come up with the overage  
13 and the percentage overage, the reduced, which may  
14 be zero.

15 CHAIRMAN KEILSON: Mr. Ryder is going to come  
16 to a computation quickly. I ask you to take it  
17 outside, really, it's a long night.

18 (Whereupon, a recess was taken; the  
19 application was recalled.)

20 CHAIRMAN KEILSON: Let's go back to the code  
21 relief chart.

22 MR. TAVARES: With respect to the surface  
23 coverage --

24 CHAIRMAN KEILSON: Let's start again with the  
25 building coverage so we know where we are. So

1 once again, the proposed is?

2 MR. TAVARES: The proposed building coverage  
3 is 301 square feet as opposed to 602.

4 CHAIRMAN KEILSON: 301 excess.

5 MR. RYDER: To make it easier for the Board,  
6 what's the overage, total overage?

7 MR. TAVARES: The overage is 170 square feet.

8 MEMBER GOTTLIEB: Can I ask you how you get  
9 170 when you're adding 301? Because I get 121  
10 over, and I'll tell you how I did it. I took your  
11 existing of 1,920, I added 301, and I got 2,221  
12 total square footage is proposed.

13 MR. TAVARES: I'm actually going by the fact  
14 that when we showed 602 square foot total, which  
15 is what we're adding for both floors anyway, the  
16 overage that the Building Department came up with  
17 is 471. I was just taking the difference.

18 MEMBER GOTTLIEB: So you're taking it from  
19 the higher number. Does the 271 include a patio  
20 or the 52 that was granted previously?

21 MR. TAVARES: That would be surface coverage.

22 MEMBER GOTTLIEB: I'm just taking the  
23 existing and adding in 301 and I get 2,221.

24 MR. TAVARES: You're saying 1,974?

25 MEMBER GOTTLIEB: I remember 1974.

1 MR. TAVARES: The existing building coverage  
2 right now that we have is 1,974 square feet.

3 MEMBER GOTTLIEB: So I'm looking at my report  
4 which I believe you prepared says 1,920.

5 MR. TAVARES: Oh, okay, okay, you're right,  
6 you're right, yes. It's 1,920, yes, correct,  
7 correct, that is the existing condition.

8 MEMBER GOTTLIEB: And then we're just adding  
9 in 301?

10 MR. TAVARES: 301, that's what it is.

11 MEMBER GOTTLIEB: To get 2,221 total?

12 MR. TAVARES: Yes.

13 MEMBER GOTTLIEB: Permitted is 2,100, so I  
14 get 121 overage?

15 MR. TAVARES: All right, sir, that's correct.

16 MEMBER GOTTLIEB: The only difference might  
17 be there was 50 feet was previously added during a  
18 different application not before us.

19 MR. TAVARES: Yes, exactly.

20 MEMBER GOTTLIEB: So is that 50 feet  
21 something that was not included that you're  
22 including it now?

23 MR. TAVARES: That's why I did the other 74,  
24 yes, the 1,974 which is included in this. I did  
25 include it in this application because we do have

1 the permit for it and it's under construction.

2 MEMBER GOTTLIEB: So that's the other 50  
3 feet?

4 MR. TAVARES: Yes, that's the other 50 feet.

5 MEMBER GOTTLIEB: So we go back to your  
6 number of 171.

7 MR. TAVARES: Yes. So the 170 overage --

8 CHAIRMAN KEILSON: It's 171.

9 MR. RYDER: Yes, stay with 171.

10 CHAIRMAN KEILSON: 8.1 percent?

11 MR. TAVARES: Yes.

12 CHAIRMAN KEILSON: Okay, 8.1 percent.

13 MR. TAVARES: 8.1 percent.

14 CHAIRMAN KEILSON: Surface coverage.

15 MR. TAVARES: With respect to the surface  
16 coverage, what we have done is removed the -- it's  
17 10 by 556 square feet.

18 CHAIRMAN KEILSON: I don't want to hear that.  
19 I want to hear the net.

20 MR. TAVARES: The net is -- we're reducing it  
21 by 560 square feet.

22 CHAIRMAN KEILSON: I don't want to know what  
23 you're reducing it. I want to know what you're  
24 asking for.

25 MR. TAVARES: It's 3,188 square feet, which

1 is less than the required 3,272, so no variance.

2 CHAIRMAN KEILSON: There's no request for a  
3 variance.

4 MR. RYDER: No variance.

5 CHAIRMAN KEILSON: Eureka. Next, how about  
6 the rear-yard setback, is that changing?

7 MR. TAVARES: No. The rest of the  
8 application remains the same, both the first two  
9 items are the ones that were at variance there.  
10 They were also asking for the rear-yard setback  
11 relief from the required 30 feet to 22.96 feet  
12 proposed, and relief of the side yard  
13 height/setback ratio from the required 2.2 to 2.4  
14 on the east side, and 3.1 on the west side. Also,  
15 the rear yard height/setback ratio from required  
16 0.74 max to 1.4 proposed.

17 CHAIRMAN KEILSON: Okay. So I'm going to  
18 summarize for the Board's purposes on the building  
19 coverage requested 8.1 percent overage, nothing on  
20 surface area coverage, rear-yard setback is  
21 dropping from -- well, the existing is 37 feet,  
22 permitted is 30, you're dropping down to 23 feet.  
23 And on the height/setback ratio for the side is  
24 the same as existing, and on the rear yard  
25 height/setback ratio of course is a significant

1 increase because of whatever the building max is  
2 at. So why are we building this?

3 MR. TAVARES: All right. The subject  
4 property which is a 6,921 square foot parcel  
5 located on the north side of Sterling Place 160.12  
6 feet west of Sealy Lane, the property as it is  
7 currently improved is 3,238 square foot --

8 CHAIRMAN KEILSON: Again, with all due  
9 deference, we all can read. Can somebody  
10 summarize. We have volunteers from the audience.  
11 Why don't you come forward.

12 MS. MAZA: Good evening, Stephani Maza.

13 CHAIRMAN KEILSON: For purposes of the  
14 stenographer, introduce yourself.

15 MS. MAZA: Stephani Maza. I've lived at this  
16 address for eight years, approximately. I moved  
17 in with my husband Chaim to the property. We had  
18 at the time three grandchildren. We now have  
19 seven, we're blessed; however, we don't have  
20 enough room. We need some den area, some living  
21 space to congregate when our three children and  
22 seven grandchildren frequently join us, very  
23 frequently join us, sometimes on a twice or three  
24 times a weekly basis. And we are looking to  
25 extend our den area to include enjoyable living

1 space for all of us to congregate and enjoy. I  
2 have a picture of the existing den.

3 CHAIRMAN KEILSON: That's okay. In essence,  
4 the expansion is attributable solely to the new  
5 den?

6 MR. TAVARES: Yes.

7 MS. MAZA: And upstairs to enlarge the master  
8 bedroom.

9 MR. TAVARES: We have a second-floor master  
10 bedroom addition we're proposing.

11 CHAIRMAN KEILSON: Okay.

12 MEMBER GOTTLIEB: Do you have any letters of  
13 support from neighbors? And I specifically ask  
14 because you're building 15 feet into the backyard  
15 and you're going 15 feet deeper into the side  
16 yard. The length of the house is expanding 15  
17 feet -- 14 feet.

18 MR. TAVARES: On the side yard?

19 MEMBER GOTTLIEB: Alongside the house you're  
20 building 14 feet deeper, so it affects your  
21 side-yard neighbor to the left and it affects your  
22 rear-yard neighbor. Do you have any letters of  
23 support?

24 MR. TAVARES: We did not get any letters of  
25 support.

1 MS. MAZA: I don't anticipate that it would  
2 be problematic, and I could get several letters.  
3 We've had verbal conversations with several of our  
4 neighbors.

5 MEMBER GOTTLIEB: It's just those two that  
6 are most affected that I was concerned with.

7 MS. MAZA: I spoke with the house to the  
8 east, with the neighbors east of our house that  
9 would affect, if we go back it affects them, or  
10 are you talking about directly in back of us?

11 MEMBER GOTTLIEB: Well, I meant the house to  
12 the left.

13 MS. MAZA: She stays in Florida. She  
14 probably just got back. She's in Florida for the  
15 season, an elderly woman. Chances are -- and her  
16 backyard is a complete forest, so I don't think  
17 that would be problematic for her, but I could  
18 certainly check.

19 MEMBER GOTTLIEB: In the instructions to get  
20 a variance isn't it you're supposed to contact  
21 your neighbors or just a letter?

22 MS. MAZA: We sent letters. We sent letters  
23 as was required.

24 MR. RYDER: That's the 300-foot radius that  
25 they notify the neighbors.



1 MEMBER GOTTLIEB: I know that. I've been  
2 there.

3 MS. MAZA: She's I believe 87 years old. I  
4 could definitely engage her in a dialogue, if  
5 that's something that's required here.

6 MEMBER SCHRECK: Is that Sloyer?

7 MS. MAZA: Yes. And Kadish is to the other  
8 side. I've already had a conversation with them  
9 and it's not a problem for them.

10 CHAIRMAN KEILSON: Any further questions from  
11 the Board?

12 (No response.)

13 CHAIRMAN KEILSON: Anyone in the audience  
14 left interested in speaking to the matter?

15 (No response.)

16 MEMBER GOTTLIEB: Are we running out of  
17 audience?

18 CHAIRMAN KEILSON: We are running out of  
19 audience participation.

20 MS. MAZA: No pictures?

21 CHAIRMAN KEILSON: No, we don't want  
22 pictures.

23 MS. MAZA: Thank you.

24 CHAIRMAN KEILSON: Okay. In the future, if  
25 you ever appear before us in such a fashion we're

1 going to send you on your way; do you understand?  
2 It's 10:00 at night, we're reconstructing it for  
3 you. Having said that --

4 MR. TAVARES: Thank you.

5 CHAIRMAN KEILSON: -- taking into  
6 consideration the benefit to the applicant as  
7 opposed to any detriment to the community, we are  
8 pleased to say that based on our analysis of the  
9 numbers, we've been able to rationalize why we  
10 should consider giving it to you, and now we just  
11 need the assent from the Board.

12 Mr. Ganz.

13 MEMBER GANZ: For.

14 CHAIRMAN KEILSON: Mr. Schreck.

15 MEMBER SCHRECK: I've been in the residence,  
16 I'm familiar with the den area. I'm going to vote  
17 for.

18 CHAIRMAN KEILSON: Mr. Gottlieb, have you  
19 ever been in the den area?

20 MEMBER GOTTLIEB: I've not been in the den.  
21 Maybe I'll be invited to the new den.

22 In the absence of any neighbors' displeasure  
23 or any neighbors showing up in opposition, I'm  
24 going to assume that they were all notified  
25 properly and there was no opposition, and I will

1 vote for.

2 CHAIRMAN KEILSON: Mr. Hiller.

3 MEMBER HILLER: For.

4 CHAIRMAN KEILSON: Okay. And I think in  
5 light of the reconstructed numbers we can find  
6 that it's palatable and acceptable and probably  
7 very much needed, and so we wish you well. I vote  
8 for as well. You have two years. You're actually  
9 in the middle of construction.

10 MR. TAVARES: Well, it's already in the  
11 middle of construction in the other part of it.

12 MR. RYDER: If I may, Mr. Chairman.

13 CHAIRMAN KEILSON: Yes, please.

14 MR. RYDER: I will need revised plans to  
15 reflect the numbers.

16 MR. TAVARES: Yes, I'll get that to you.

17 CHAIRMAN KEILSON: It's very important.

18 MR. TAVARES: No problem.

19 CHAIRMAN KEILSON: That is extremely  
20 important.

21 MR. TAVARES: Thank you very much.

22 CHAIRMAN KEILSON: Thank you.

23 MS. MAZA: Thank you. Good night.

24 (Whereupon, the hearing concluded at  
25 10:00 p.m.)

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

Mary Benci

MARY BENCI, RPR  
Court Reporter

## 1 INCORPORATED VILLAGE OF LAWRENCE

## 2 BOARD OF APPEALS

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

6 June 24, 2015  
7 9:44 p.m.

8 APPLICATION: Verschleiser  
9 190 Briarwood Crossing  
10 Lawrence, New York

## 11 P R E S E N T :

12 MR. LLOYD KEILSON  
13 Chairman

14 MR. EDWARD GOTTLIEB  
15 Member

16 MR. MARK SCHRECK  
17 Member

18 MR. JOEL GANZ  
19 Member

20 MR. DANIEL HILLER  
21 Member

22 MR. KENNETH A. GRAY, ESQ.  
23 Village Attorney

24 MR. MICHAEL RYDER  
25 Building Department

Mary Benci, RPR  
Court Reporter

1 CHAIRMAN KEILSON: The matter of  
2 Verschleiser.

3 MR. HOPKINS: Mr. Chairman, before I go on  
4 the record, could I make a request. I brought a  
5 copy of my old petition, not the new application  
6 that I submitted. Would you have a spare copy?  
7 And I apologize.

8 CHAIRMAN KEILSON: No, we don't have any  
9 spare copies.

10 MR. HOPKINS: It's unbelievable.

11 MR. RYDER: You're looking for the petition?

12 MR. HOPKINS: Yes, thank you, sir.

13 Good evening, Mr. Chairman, members of the  
14 Board. My name is Michael Hopkins, from the firm  
15 of Hopkins & Kopilow, attorneys for the  
16 applicants, the Verschleisers.

17 Before we begin, I have a letter here signed  
18 by the neighbor on the south side.

19 CHAIRMAN KEILSON: Mr. Hopkins, why don't we  
20 get to the substance before you give us neighbors'  
21 letters. This is a very controversial matter we  
22 have before us tonight, and therefore, I'm a  
23 little concerned that the applicant is not here.

24 MR. HOPKINS: I can explain it.

25 CHAIRMAN KEILSON: I'm sure it's a valid

1 reason.

2 MR. CAPOBIANCO: His daughter was married.  
3 They have it over at the bistro, so if we all want  
4 to go.

5 CHAIRMAN KEILSON: We'll be happy to join  
6 them, over a steak.

7 MR. CAPOBIANCO: I think so. He would be  
8 happy doing that.

9 MR. HOPKINS: Mr. Chairman, they're not here  
10 for the reason stated by Mr. Capobianco.

11 CHAIRMAN KEILSON: I'm very happy for them.  
12 You'll send our felicitations on the very happy  
13 event.

14 MR. HOPKINS: Is it the Board's preference?  
15 Obviously, I'd love to have my clients here. I  
16 only found out a few moments ago that they would  
17 not be attending tonight.

18 CHAIRMAN KEILSON: I think considering the  
19 seriousness of the matter and some of the  
20 activities that have gone on regarding this  
21 matter, I think it -- I think if I were the  
22 applicant I would be here to -- or I'd want  
23 certainly an opportunity to defend some of the  
24 activities, if they need to be defended.

25 MR. HOPKINS: Well, under those

1 circumstances --

2 MR. CAPOBIANCO: I think we'll adjourn.

3 MR. HOPKINS: Under those circumstances and  
4 with the Board's permission can we continue this  
5 hearing?

6 CHAIRMAN KEILSON: Sure.

7 MR. HOPKINS: The reason why I phrase it like  
8 that, Mr. Chairman, so we don't have to re-notice  
9 and republish it, if that meets with your  
10 permission.

11 CHAIRMAN KEILSON: For sure.

12 MR. CAPOBIANCO: The only thing, Mr. Ryder, I  
13 wanted to mention and bring up is the issue you  
14 found in the field, because the house is under  
15 construction and it's pretty much up already,  
16 framed.

17 MR. RYDER: The building height?

18 MR. CAPOBIANCO: The building height of just  
19 the turret. The building height of the main roof  
20 is fine, we established that. The height of the  
21 turret, the one that -- the point that goes up, we  
22 found it to be eight and ten inches higher, if we  
23 know where grade is. I mean, we're trying to  
24 figure out where the grade is.

25 MR. RYDER: This is what I'd like to do.



1 There's a couple of things going on.

2 MR. CAPOBIANCO: That's why I wanted your  
3 opinion on how to handle this.

4 MR. RYDER: Let's have a field inspection and  
5 come up with a definitive number and a proposal  
6 and bring it up at the next hearing. Would that  
7 be okay?

8 MR. CAPOBIANCO: Should I have that done by a  
9 surveyor?

10 MR. RYDER: From the mean grade.

11 MR. CAPOBIANCO: The problem is did they  
12 establish their mean grade?

13 MR. HOPKINS: Therein lies the rub.

14 MR. RYDER: There's no rub.

15 MR. CAPOBIANCO: I can go from what we drew  
16 as the main grade on the approval and try to  
17 establish that in the field and then measure from  
18 there up. I think it's about eight inches,  
19 something like that, over the 30 feet, but that's  
20 to the peak. I mean, they could just cut it off  
21 and make a flat section, but I think the main roof  
22 is fine.

23 MR. RYDER: What if they cut it off, that's  
24 not a bad idea. Then you wouldn't have to be  
25 here.

1 MR. CAPOBIANCO: You know what, let's meet  
2 out there.

3 MEMBER GOTTLIEB: But Mike, you still need to  
4 know if the ridge on the main house is conforming  
5 before you cut off the turret.

6 MR. RYDER: Exactly. That's why I want to  
7 meet in the field. I'm not 100 percent sure about  
8 the ridge.

9 MR. CAPOBIANCO: The turret is higher.

10 MR. HOPKINS: Mr. Chairman, the next meeting  
11 is?

12 CHAIRMAN KEILSON: July 22nd.

13 MR. HOPKINS: July 22nd.

14 MEMBER GOTTLIEB: Before you gentlemen  
15 disappear, when you reconvene, I found --  
16 unfortunately, I found the application a little  
17 bit hard to follow. Could you put on your  
18 request, on your code relief what was already  
19 granted and what you're asking for so I could just  
20 oppose them side by side.

21 MR. CAPOBIANCO: That's why I brought the  
22 two. I brought the previously approved site plan  
23 with me tonight for that reason, but we'll do it.

24 MR. HOPKINS: It will be done.

25 CHAIRMAN KEILSON: I want to offer the caveat

1 that if work was done that's at variance with the  
2 variances, we will be looking quite askance at it.  
3 Okay, we'll leave it at that.

4 MR. HOPKINS: Fully understood.

5 MR. CAPOBIANCO: Totally.

6 (Whereupon, the hearing concluded at  
7 9:48 p.m.)

8 \*\*\*\*\*

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

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Mary Benci

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MARY BENCI, RPR  
Court Reporter

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