

Lawrence, New York November 7, 2011

A Regular Meeting of the Board of Building Design of the Incorporated Village of Lawrence was held on Monday, November 7, 2011 at the Lawrence Village Hall, 196 Central Avenue, Lawrence New York 11559.

Those members present were:                      Chairperson Benjamin Sporn  
   Member Eva Staiman  
   Member Barry Pomerantz  
   Member Barbara Kupferstein (arrived late)

Those members absent were:                      Member Ronni Berman

Also present were: Thomas P. Rizzo, Secretary to Board of Building Design and Gail Daniels Building Department. Chairman Sporn called to order the regular meeting of the Board of Building Design at 7:15 PM. Proof of posting for the meeting was submitted. The minutes of the September 19, 2011 Board of Building Design meeting were submitted to the Board for approval. Upon a motion by Member Staiman and seconded by Member Pomerantz with the following vote cast: Ayes: Chairman Sporn, the minutes of the September 19, 2011 Board of Building Design meeting were approved as submitted.

The meeting agenda included ten new applications and four prior applications.

Chairman Sporn stated that the applications would be reviewed in the order listed in the agenda.

*The following new applications were considered:*

**Katz – 1 Regent Dr.** – One story rear addition to existing residence. The Board reviewed the plans and the application. Mr. Henry A. Monteverde came forward and identified himself as the architect for the project, present on the behalf of Mr. & Mrs. Katz, he described the addition to the house. While Mr. Monteverde began his

Lawrence, New York November 7, 2011

presentation to the Board, Member Kupferstein arrived and took her place with the other Board members. Mr. Monteverde described the space inside the addition and the exterior finish materials. The raised section of roof with the standing seam metal roof would have windows high up to let light into the connection space between the existing house and the new addition and would have windows on both sides to look out into a little court space on either side. Mr. Monteverde explained that the property owner requested some kind of break between the existing flat roof section of the house and the new flat roofed addition. Member Pomerantz suggested a railing around the flat roof of the addition. Mr. Monteverde stated that if Mr. Pomerantz was suggesting a railing, it could be added. Member Staiman stated that the new addition and the existing section of the house would create a large area of flat roof. Member Pomerantz questioned why the addition would have a flat roof which was prone to leaks. Mr. Monteverde explained that was the design the property owner wanted. The Board Members and Mr. Monteverde had a long discussion regarding the roof. Several Board Members suggested changing the roof and lowering the height of the roof connecting the existing house and the addition. Mr. Monteverde explained that lowering the roof of the connection would require lowering the windows close to the level of the flat roof which might cause water leaks around the windows. Mr. Monteverde stated he could change the slope of the pitched roof on the connecting section between the house and the addition and he could add a matching railing to the flat roof of the addition if required. The Board briefly discussed the addition of a parapet wall on the addition. Member Kupferstein noted that the large flat roof and size of the addition gave it a non residential look. It was pointed out that a variance was granted regarding this application and changing the roof might require going back to the Board of Zoning Appeals. Chairman Sporn discussed with the other

Lawrence, New York November 7, 2011

Board Members that this application went for a variance and the surrounding property owners had been informed of the variance request and had a chance to look at these plans and attend the meeting. In addition, the Board of Zoning Appeals approved the variance. The Board Members discussed the idea of adding a railing to the flat roof and Chairman Sporn reviewed all of the ideas discussed. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the plan for the addition with the change of a railing around the flat roof of the addition; the railing to match the existing railings on the building. The motion was seconded by Member Kupferstein, with the following votes cast, Chairman Sporn yes and Member Staiman no. The votes with amendments were as follows: In favor - Chairman Sporn, Member Pomerantz and Member Kupferstein, Against- Member Staiman. The motion was passed. Mr. Monteverde thanked the Board.

**Herskovitz – 28 Herrick Dr.** – Second floor front addition, second floor side and rear addition and interior alterations. The Board reviewed the application and plans. Mr. John Macleod came forward and identified himself as the designer for the project representing the property owner Hanna Herskovitz. Mr. Macleod explained that the project was to add bedrooms and baths to the home and update the 1970's style of the home and change the exterior of the house to be more in keeping with the style of homes on the street but keep the look simple. Mr. Macleod explained the new finish materials to be used and changes to the exterior of the house. He stated that the new windows would match the existing windows not being changed. The Board Members briefly discussed the attic space and Mr. Macleod stated that the attic space was to be an unfinished,

Lawrence, New York November 7, 2011

unconditioned space for storage. Member Kupferstein asked if the windows would have mullions/grills. Mr. Macleod explained that the existing windows in the home that would not be changed did not have mullions and the owner preferred the clean look of the casement windows without mullions/grills. No one else appeared before the Board to support or oppose the application. The Board Members conferred on the application. A motion was made by Member Pomerantz to approve the proposed addition as submitted to the Board. The motion was seconded by Member Staiman with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Mr. Macleod thanked the Board.

**Zuckerman – 12 Muriel Ave.** – Two story front and rear addition, rear deck addition and interior alterations. The Board Members reviewed the plans and application. Mr. John Macleod came forward representing the property owners Mr. & Mrs. Zuckerman. Mr. Macleod described the existing house as 1960's style split level home that was being enlarged and changed to a center hall colonial style. He discussed the new finish materials, roofing, trim and color samples. Member Staiman asked if the bottom half of the house would be brick. Mr. Macleod explained that a cultured stone was to be used on the lower portion of the house and around the front bay window and the bay window may have a copper roof depending on the cost; if not copper the bay window roof would be the same roof as on the house. Member Kupferstein asked Mr. Macleod to clarify where the stone would be used. He explained that the stone would be used on the bottom three feet of the house on the left side and the bottom four and a half feet of the house on the right side of the house and stone siding on the bay window. Member Staiman asked if the windows over the garage space could be made longer and lower the sill height of those windows. Mr. Macleod explained that was a bedroom space with windows facing

Lawrence, New York November 7, 2011

the front and for privacy they wanted to keep the windows smaller also that space was part of the original split level of the home that was being kept as a half level on the way to the new second floor. Mr. Macleod also explained that there was space to extend the bottom of those windows over the garage six inches lower. Member Kupferstein questioned if the same siding was to be used on all sides of the house which Mr. Macleod confirmed. No one else appeared before the Board to support or oppose the application. The Board conferred on the application. A motion was made by Member Staiman to approve the application with the condition that the sill height of the front windows over the garage door will be lowered. The motion was seconded by Member Pomerantz with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Mr. Macleod thanked the Board.

**Konigsberg – 1 Marbridge Rd.** – Two story addition, upper level deck addition and interior alteration. The Board reviewed the application and plans. Mr. Phil Konigsberg came forward and identified himself as the property owner and Mr. Carlos DeFonseca identified himself as the architect for the project. The Board members asked if there were any material sample to review. Mr. DeFonseca explained that the addition would be a one story addition with a raised basement with the finish materials to match the existing finishes on the house and the new deck would be wood with a trex decking material. The Board Members questioned if there would be any work to the front of the house and Mr. DeFonseca explained that the windows on the front would be replaced and possibly the front door also. The Board Members confirmed with the architect that the addition was on the rear and the deck on the Meadow Lane side of the house. Member Kupferstein questioned if there would be anything below the raised deck and would the deck supports

Lawrence, New York November 7, 2011

be metal or wood columns. Mr. DeFonseca confirmed that the space under the deck would be open and the deck support columns would be wood. The Board Members briefly discussed existing landscaping on the property with the owner and the architect and if the new deck could be seen from Marbridge Road. The Board Members again questioned the space under the deck and Mr. DeFonseca and Mr. Konigsberg confirmed for the Board that there was an existing door from the grade level basement out to an existing concrete patio which would be partly under the new deck and maybe some new paving under the deck. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the application. The motion was seconded by Member Staiman, with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Mr. DeFonseca thanked the Board.

**HAFTA– 33 Washington Ave.** – Gym addition and interior alterations. The Board reviewed the application and plans. Mr. John Capobianco came forward and identified himself as the architect for the project. Mr. Capobianco explained that the intent was to match the design of the existing building and match the design banding of the existing building in the new addition, match the stucco and brick as best possible. The windows look operable but are fixed and the addition would have a flat roof with a white roofing material to reflect heat. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the application for the addition as submitted. The motion was seconded by Member Staiman with the following votes cast: Member Kupferstein yes and Chairman Sporn yes.

**Usher – 114 Hards Ln.** – Install a four foot and six foot high solid khaki colored PVC fence on the side property line. The Board reviewed the application and the location of the requested fence. Chairman Sporn noted that the subject property had a professional office with an entrance to that space at the rear of the house; the Board discussed the need for the requested six foot high fence. Chairman Sporn noted that the Board usually only approves a five foot high fence on a side property line. The Board Members agreed that they did not see the need for the requested six foot high fence. No one appeared before the Board to support or oppose the application. The Board members conferred on the application and discussed the color of the fence and whether the fence material had a matte finish. A motion was made by Member Staiman to approve the application for the four foot high fence and approved only a five foot high fence, khaki in color with a matte finish. The motion was seconded by Member Pomerantz with the following votes cast: Member Kupferstein yes and Chairman Sporn yes.

**Passmore – 111 Barrett Rd** – Install a six foot high green chain link fence on part of rear property line with green privacy screening. The Board reviewed the application and the location for the fence. Mr. Craig Passmore came forward and identified himself as the property owner; he stated he had a copy of his neighbor's survey which would help clarify why the fence is being requested. Mr. Passmore explained that the neighbor had a swimming pool on the other side of the fence and that his fence was damaged by a tree and needed to be replaced but that the neighbor's pool was adjacent to his rear yard where this was his only private area so he wanted to install a six foot high fence.

Member Pomerantz stated to the other Board members that it was also being requested to

Lawrence, New York November 7, 2011

install the green privacy screening material in the fence. Member Staiman questioned if this was a new fence and Mr. Passmore explained that there was an existing fence in this location but he was requesting to replace it with a six foot fence. The Board members noted for the record that they do approve six foot high fences on rear property lines. Member Pomerantz questioned if the existing fence had the privacy screening installed, Mr. Passmore stated that the existing fence did have the screening material installed. Member Kupferstein stated that it appeared that the proposal was not to replace the entire existing fence. Mr. Passmore stated that was true, some of the existing four foot high chain link fence would stay and was hidden by bushes on the neighbor's property. Member Staiman asked if the fence could be extended to the corner of the property on the right side, Mr. Passmore stated that was the original plan for the fence. Chairman Sporn asked Mr. Passmore to review the plan submitted by the fence company so see if the proposal for the fence is correct. Mr. Passmore explained that the plan was for the fence to start at the corner of his property and end as shown on the submitted drawing. The Board and Mr. Passmore discussed the fence and determined that the drawing submitted by the fence company was not accurate and Mr. Passmore agreed to have the six foot high fence start at the rear right corner on the rear property line. No one else appeared before the Board to support or oppose the application. A motion was made by Member Staiman to approve the fence application as amended; the fence is to extend to the right rear corner of the property on the rear line. The motion was seconded by Member Pomerantz with the following votes cast: Member Kupferstein yes and Chairman Sporn yes.

Lawrence, New York November 7, 2011

**Glaubach – 3 Firethorn Dr.** – One story side and rear additions, second floor addition and alteration. The Board reviewed the application and plans. Mr. Andrew Scheer came forward identified himself as the architect and representing Mr. & Mrs. Glaubach the property owners. Mr. Scheer reviewed the plans with the Board explaining the location of the additions and the alterations to the home and discussed the siding, stone, roofing and colors to be used on the home. Chairman Sporn asked questioned about the roof design for the front addition, Mr. Scheer noted that the roof design was to comply with zoning code. Member Staiman questioned if the front door was to be changed and if the existing window shutters would be kept. Mr. Scheer explained that the existing front door would not be changed, but the existing window shutters would be removed and not replaced. Member Staiman asked if the owners would put shutters back. Mr. Scheer stated that the property owners were adamant about not having window shutter on the house; he stated that the plan was to put nicer trim around the windows and submitted a revised drawing indicating the proposed trim. The Board members discussed the elevation drawings and asked if the existing round vent on the front of the house would remain; Mr. Scheer explained that the vent was not functioning and would be removed. Members Kupferstein and Staiman questioned the size of the eve returns at the corners of the roof on the front elevation. Mr. Scheer explained that he was adding the returns to the eaves to give character to the front of the home and he could reduce the size of the eve returns. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Kupferstein to approve the application with the condition that the size of the eve returns on the front roof must be reduced in size. The motion was seconded by Member

Lawrence, New York November 7, 2011

Staiman with the following votes cast: Chairman Sporn yes and Member Pomerantz yes.

Mr. Scheer thanked the Board.

**Lyons – 405 Barrett Rd.** – Install raised mound septic system in front yard with retaining wall around. The Board reviewed the application plan. Maria Miro of Rabco Engineering came forward representing the property owners Mr. & Mrs. Lyons. Ms. Miro explained that the application tonight was to improve the septic system for the property. The existing septic system was too low and sitting in water, the water table is high. In addition, the changes to the system would bring it up to comply with the New York State codes and the Nassau County Health Department codes. The changes involved raising the septic system, back filling around the new system and installing a retaining wall around the septic system in the front yard. Ms. Miro explained that the wall would be about four feet high made of a block in natural tones with evergreen shrubs and flowering plants. Member Staiman questioned if the wall would go all around the property, Ms. Miro explained that the retaining wall and raised septic system was only being built in a part of the front yard and not other areas of the property. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the application for the installation of the septic system and retaining wall as submitted. The motion was seconded by Member Staiman with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Ms. Miro thanked the Board.

**Lowinger – 22 Causeway** – Install a five foot six inch high custom fence and gate in side yard area at driveway. The Board reviewed the application and drawings. Edda

Lawrence, New York November 7, 2011

Elias came forward representing Mr. & Mrs. Lowinger. Ms. Elias explained the requested fence and gate at the driveway, the colors and materials that the fence will be made of, and lights that will be on the fence columns. The Board members and Ms. Elias discussed the requested fence height of five foot six inches high. Ms. Elias explained that the height of the fence was to keep it in scale with the rest of the house. The Board held a long discussion about the fence. Each Board member expressed their opinions regarding the requested fence and gate. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application and the general consensus was to approve the fence for five feet high only. A motion was made by Member Staiman to approve the application for the fence and gate at five foot high. The motion was seconded by Member Pomerantz with the following votes cast: Member Kupferstein yes and Chairman Sporn yes.

*The following prior applications were considered:*

**Lowinger – 22 Causeway** – Amend previously approved elevation drawings for an addition. Edda Elias came forward representing Mr. & Mrs. Lowinger. Ms. Elias explained that the request was to amend the prior application for the addition by adding a pergola and roof deck to the addition, with a canvas cover for the pergola that would be removed seasonally. It would be a place to sit with a steal cable railing around the area with a faux boxwood shrub encasing the cable railing to make the area look more garden like. Ms Elias presented a color sample for the pergola which would match the previously discussed new fence and submitted a photo of what the faux boxwood rail would look like and stated the cable railing would disappear in the faux boxwood. Ms. Elias also had a model of the roof deck area and the pergola and railing. Member

Lawrence, New York November 7, 2011

Staiman asked questions about the railing with the faux boxwoods and held a long discussion with Ms. Elias regarding the railing. The Board Members discussed the railing among themselves. Member Kupferstein asked additional questions regarding the pergola, the canvas cover and the lighting of the roof deck area. Ms. Elias discussed the light with the Board and explained when the lighting would be used. Member Staiman discussed her concerns regarding the roof deck with the other Board members. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the application. The motion was seconded by Member Kupferstein with the following votes cast: Member Staiman stated that she would abstain from voting on this application, Chairman Sporn voted yes on the application. The motion was passed. Ms. Elias thanked the Board.

**Heller – 10 Dogwood Ln.** – Amend previously approved wall/fence application. The Board reviewed the application and fence plan. Mr. Richard Bienenfeld came forward identifying himself as the architect for Mr. & Mrs. Beth & Ben Heller residing at 10 Dogwood Lane. Mr. Bienenfeld explained that the request was to extend an existing rear wall along Meadow Lane. The previously approved application was for a wall, which has been built, was for a perimeter masonry planter backed up by a masonry wall which raises six feet about the planter. There was a section of six foot high wall built even with the front of the planter; the wall was built this way to preserve the trees in this area. Mr. Bienenfeld referenced his description of the area to photos of the existing area and photos enhanced to show what the area would look like with proposed additional plantings installed and the new wood wall. The photos were submitted to the Board Members and

Lawrence, New York November 7, 2011

explained that the plan was to back up the six foot wall with a wooden wall which would rise three feet to be even with the masonry wall and be behind plantings. Mr. Bienenfeld explained that the wood wall would provide additional. The Board Members reviewed the drawings of the existing and proposed masonry and wood walls and discussed the proposal with Mr. Bienenfeld and the applicants request for additional privacy and security. Mr. Bienenfeld explained that the new wall would be built of wood so not to damage the existing tall trees and the additional plantings to be installed. The Board Member questioned the height of the wall, Mr. Bienenfeld stated that the new wall would be three feet higher than the front wall but the new wood wall would be located six feet back from the existing masonry wall and would not be seen due to the plantings between the two walls. Member Staiman questioned the total height of the new wood wall and what the Villages feeling might be about the wall. Mr. Rizzo stated that it had been explained to Mr. Bienenfeld that the wall would have to comply with the Village of Lawrence fence code and the Building Department would review the plan and might interpret the fence height differently than Mr. Bienenfeld. Mr. Bienenfeld discussed the height of other existing fences that abut Meadow Lane from other properties and discussed with the Board the previously approved masonry planters and walls on top of the planters for the Heller property. Chairman Sporn expressed the opinion of the Board members stating that the Building Department would review the fence height issue. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the application to amend the previous application to add the additional wood wall. The motion was seconded by Member Staiman with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Mr. Bienenfeld thanked the Board.

**Lowy – 13 lakeside Dr W.** – Amend previously approved elevation drawings of additions and alterations. The Board reviewed the application and drawings. Mrs. Laura Lowy came forward and identified herself as the property owner. Mrs. Lowy explained that there were changes to the plans. The front portico had been removed, the color for the brick for the siding was changed and the windows were changed from double hung type to casement windows. Mrs. Lowy explained that the change was part financial to remove the portico but more, they wanted a simple more understated look to the house. Member Staiman asked about the changed front entrance, Mrs. Lowy explained that it would now be a recessed door with a stone border; additionally the red brick looked more colonial so the brick color was changed. Member Staiman discussed the roofing color with Mrs. Lowy and stated that she would like to see the roof material and the color. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Staiman to approve the amended elevation drawings and materials for the application with the condition that a roofing sample be submitted to the Board. The motion was seconded by Member Pomerantz with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Mrs. Lowy thanked the Board.

**Gulkowitz – 62 Sutton Pl.** – Amend application, change finish materials on all sides of the residence to match. The Board reviewed the application and drawings. Mr. Ari Brown came forward representing the property owners, Mr. & Mrs. Gulkowitz of 62 Sutton Place. He explained that the issue tonight was to address a structural concern with the aesthetics of the home. The residence is a combination of a solid brick structure and

Lawrence, New York November 7, 2011

part frame and stucco finished section of the home. Mr. Brown explained that at some point in the history of the home the building was painted and a previous owner had the home sand blasted to remove the paint, unfortunately sand blasting the brick made the solid exterior brick walls of the house porous. The owners have an approved permit from the Village for a rear addition with an acrylic stucco finish. The rear of the home is already part brick and part existing stucco. The owners brought to the builders' attention that in parts of the home that are solid brick, water was entering the interior rooms due to the porous brick. Mr. Brown explained that with a solid brick house the exterior walls are two layers of brick with the plaster applied to the inside of the brick walls, there is no way to replace the exterior brick because it supports the structure. The idea is to apply the acrylic stucco finish to the whole house and give it the look of cast stone over the whole house. Several Board Members commented that the submitted drawings did not clearly indicate what the home would look with the stucco finish. Mr. Brown stated that the submitted drawings indicated what the home would look like, solid stucco on the top portion of the home and cast stone look on the bottom half of the home. Mr. Brown explained that the new stucco finish over the brick would allow the addition of insulation to the exterior walls. Currently, the house was 40 percent stucco finish. The Board and Mr. Brown held a long discussion regarding the change to all stucco. Several Board Members did not have a problem with the idea but wanted to see a more detailed drawing of what the home would look like with the new stucco finish. No one else appeared before the Board to support or oppose the application. The Board members conferred on the application. A motion was made by Member Pomerantz to approve the amended finish material for the application with the condition that more detailed drawings of what the home will look like with the stucco finish will be submitted to the Board. The

Lawrence, New York November 7, 2011

motion was seconded by Member Staiman with the following votes cast: Member Kupferstein yes and Chairman Sporn yes. Mr. Brown thanked the Board.

There being no further business the meeting was adjourned at 9:05 PM.

This is to certify that I, Thomas P. Rizzo, Secretary to the Board of Building Design, have read the foregoing minutes and the same are in all respects a full and correct record of such meeting.

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Thomas P. Rizzo

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