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INCORPORATED VILLAGE OF LAWRENCE
BOARD OF BUILDING DESIGN

Village Hall
196 Central Avenue
Lawrence, New York

May 3, 2010
7:30 p.m.

APPLICATION: Scharf
 15 Keewaydin Road
 Lawrence, New York

P R E S E N T:

MR. BENJAMIN SPORN
Chairman

MS. MYRNA BREITMAN
Member

MS. EVA STAIMAN
Member

MR. BARRY POMERANTZ
Member

MS. SHOSHANA WEINSTOCK
Member

MR. RONALD GOLDMAN, ESQ.
Village Attorney

MR. THOMAS RIZZO
Building Department

MS. GAIL DANIELS
Building Department

Mary Benci, RPR
Court Reporter

1 MR. RIZZO: Mr. Chairman, I'd like to offer
2 proof of posting for tonight's meeting.

3 CHAIRMAN SPORN: It's dated April 19th, 2010.
4 Please be advised that the next meeting of the
5 Board of Building Design of the Incorporated
6 Village of Lawrence will be held on Monday,
7 May 3rd, 2010, beginning at 7:15 p.m., at the
8 Lawrence Village Hall, 196 Central Avenue,
9 Lawrence, New York.

10 May I make a suggestion?

11 MR. RIZZO: Yes, sir.

12 THE COURT: That since we have a court
13 reporter here and we have one public hearing, that
14 we take the public hearing first and then go to
15 the more mundane agenda.

16 MR. RIZZO: Would you like to ask for a
17 motion?

18 MR. GOLDMAN: A motion to do that, take it
19 out of order?

20 CHAIRMAN SPORN: Yes.

21 MR. GOLDMAN: The Chair is making a motion.
22 Does the Board concur?

23 MEMBER BREITMAN: Okay.

24 MEMBER POMERANTZ: I second it.

25 MEMBER STAIMAN: Okay.

1 MR. GOLDMAN: It's unanimous to take it out
2 of order.

3 Although the Board sets its own order anyway,
4 but I understand that the matter before the Board
5 for a public hearing, albeit the record should
6 reflect that all matters before the Board are
7 heard publicly, and the public obviously is
8 welcome under the Open Meetings Law to every
9 single consideration of every matter before this
10 Board. What we're saying by a public hearing is
11 that this particular matter is a decision that was
12 rendered before by the Board, and now the
13 applicant is asking the Board in public to engage
14 them in a dialogue as to discussion as to the
15 findings of the Board prior. That's what we mean
16 by public meeting, and that in fact it's being
17 recorded.

18 Thank you, Mr. Chairman.

19 CHAIRMAN SPORN: You're welcome. Thank you.

20 MR. RIZZO: If the representatives for Mr.
21 and Mrs. Scharf is present, if they can come
22 forward and identify themselves for the record.

23 MR. MACLEOD: John MacLeod, representing the
24 Scharfs.

25 MR. GOLDMAN: Hi, Mr. MacLeod. And you're

1 serving in what capacity, please?

2 MR. MACLEOD: I prepared the plans and the
3 design for the residence.

4 MR. GOLDMAN: Licensed architect?

5 MR. MACLEOD: I'm a British licensed
6 architect and my associate is a New York licensed
7 architect.

8 CHAIRMAN SPORN: Let me just at the outset
9 say do we understand correctly that you've
10 received a zoning variance for use of dormers that
11 are nonfunctional in the sense that it will not be
12 a third floor living space but at most a storage
13 area?

14 MR. MACLEOD: That is correct.

15 CHAIRMAN SPORN: Thank you.

16 MR. GOLDMAN: If I may, is that a commitment
17 that was made to the Board of Zoning and Appeals?

18 MR. MACLEOD: Yes, it was.

19 MR. GOLDMAN: And was that -- that was when
20 the variance was granted, that was the element
21 that was considered by the Board of Zoning Appeals
22 in the granting of the variance, that commitment?

23 MR. MACLEOD: I believe so.

24 CHAIRMAN SPORN: Okay, thank you.

25 Mr. MacLeod.

1 MR. MACLEOD: So we're here this evening to
2 request that you reconsider your decision of the
3 last meeting which removed the dormers on the side
4 of the building, on both sides, which we felt were
5 a continuity of the overall design and added to it
6 which created a complete structure, as opposed to
7 now it is missing those elements which we felt
8 completed the whole picture.

9 On this block there are no other houses of
10 this particular style with dormers all the way
11 around, but within one or two blocks there are
12 several other of a similar nature and we feel that
13 we should be allowed to do the same sort of style
14 without any objection.

15 And as you stated, this was reviewed by the
16 Board of Zoning Appeals, and they did give us
17 permission to have all of these dormers on the
18 roof, and so we're requesting that you reconsider
19 your decision.

20 CHAIRMAN SPORN: I'd like to make a
21 statement. There is a difference between the
22 jurisdiction of the Board of Zoning Appeals and
23 the Board of Building Design. We look at the
24 matter purely from an aesthetic standpoint. So
25 that when the Board of Zoning Appeals grants

1 dormers, it's not necessarily granting them as
2 shown, but approving the concept, and then we're
3 here just to look at it from the aesthetic
4 standpoint.

5 MR. MACLEOD: So could I ask you then, if you
6 consider the house as a whole, would you not think
7 that the continuity of the design on all four
8 sides of the building might be more appropriate
9 than having two blank sides as opposed to -- yes.

10 MEMBER BREITMAN: I'd like to know the reason
11 why there are two dormers on the side of the
12 house.

13 MEMBER STAIMAN: On the right elevation.

14 MEMBER BREITMAN: On the right elevation. It
15 seems to me that they are off balance, leaving a
16 blank area. Do you see?

17 MR. MACLEOD: Yeah, I agree with you, and
18 perhaps one more would be --

19 MEMBER BREITMAN: Perhaps one more would
20 be --

21 MR. MACLEOD: -- would balance out that side.

22 MEMBER BREITMAN: If we agree that dormers
23 should go around.

24 MR. MACLEOD: Actually, I think you're right.
25 I think it would look more balanced if that

1 picture was completed on that side.

2 MR. GOLDMAN: Why wasn't that considered
3 then?

4 MR. MACLEOD: I'm not entirely sure. But we
5 would be more than happy to add that into the
6 picture if that was something that you would be in
7 favor of.

8 CHAIRMAN SPORN: Any comments?

9 MEMBER BREITMAN: No.

10 MEMBER STAIMAN: No. That's the only one I
11 thought about.

12 CHAIRMAN SPORN: Any comments?

13 MEMBER POMERANTZ: No.

14 MEMBER WEINSTOCK: I think it looks
15 beautiful.

16 CHAIRMAN SPORN: We've gone back to the
17 street and we found that Keewaydin is very
18 interesting. Even though there isn't one other
19 house with a dormer, it's been pointed out to me
20 that no two houses are alike on that street. And
21 I agree that with a third dormer it would look
22 more balanced, or if you have any other
23 alternative I'm agreeable to that.

24 MEMBER STAIMAN: That's fine.

25 MR. MACLEOD: I think that a third one there

1 would actually balance it out and make it more --
2 more balanced, as we do have three on the other
3 side, actually.

4 CHAIRMAN SPORN: Yes, right.

5 MR. GOLDMAN: Can I just interrupt.

6 MR. MACLEOD: We have three on the back,
7 three on the front of a certain nature.

8 MR. GOLDMAN: If I might, without speaking
9 for the Board though, does the applicant
10 understand that were this Board to grant the
11 dormers, irrespective of the numbers, that's up to
12 them, that that would not be in any way
13 interpreted by you or your client to supersede the
14 prior condition that notwithstanding one dormer,
15 ten dormers, a hundred dormers and a million
16 points of light and air and all that stuff, that
17 it still would not be used for occupancy but only
18 for storage?

19 MR. MACLEOD: Yes, we understand that.

20 MR. GOLDMAN: And that that would be enforced
21 by the Building Department.

22 MR. MACLEOD: Yes.

23 CHAIRMAN SPORN: All in favor?

24 MEMBER BREITMAN: Aye.

25 MEMBER STAIMAN: Aye.

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CHAIRMAN SPORN: Aye.

MEMBER POMERANTZ: Aye.

MEMBER WEINSTOCK: Aye.

MR. RIZZO: Mr. Chairman, one question.

MR. GOLDMAN: Was it unanimous?

MEMBER BREITMAN: Yes.

MR. RIZZO: That includes the rear dormers,
because you're approving the rear dormers, the
sides and the front?

CHAIRMAN SPORN: Yes.

MEMBER POMERANTZ: That's correct.

MR. MACLEOD: Thank you very much.

MR. RIZZO: Mr. Chairman, that closes the
public hearing, and we'll go on with the regular
agenda of public hearings.

(Whereupon, the hearing concluded at
7:40 p.m.)

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

Mary Benci

MARY BENCI, RPR
Court Reporter