

INCORPORATED VILLAGE OF LAWRENCE
PLANNING BOARD MEETING

Held on Wednesday, October 17, 2018

At

VILLAGE OF LAWRENCE
196 Central Avenue
Lawrence, New York 11559

A P P E A R A N C E S :

NOAH FLESCHNER, Chairman

BENJAMIN LOPATA, Member

JACQUELINE HANDEL, Member

STEPHEN MARTIR, Village Counsel

GERRY CASTRO, Deputy Village Administrator

MR. FLESCHNER: Good evening, ladies and gentlemen. We will call the meeting to order of the Planning Board. Notice was sent and we got the proof?

MR. CASTRO: Posting and publication, Mr. Chairman, yes.

MR. FLESCHNER: Okay. So proof of notice.

MR. CASTRO: I offer proof of notice and publication.

MR. FLESCHNER: There are two items on the agenda tonight, what I will refer to as 1210 Beach 2nd Street and 175 Causeway. We are going to begin with 210 Beach 2nd Street. Is the applicant here?

Hello. Good evening.

MR. BROWNE: Good evening, Chairman and members. Christian Browne, 333 Earle Ovington Boulevard. Suite is 601, Uniondale, appearing for the applicant on this application. Our project engineer is also here if you have any technical questions. I will be brief.

Just to give you an overview of what we are hoping to do for this property located at 210 Beach Avenue, correct? Beach 2nd Street. So as you know, this is a vacant lot. It's in the Business K zoning

district. It was formerly a Matzah factory. I believe that was the last use, and now it's sort of a derelict vacant property. The Business K zone does allow for multifamily residents although it contemplates a much higher density than what's proposed here.

So what's proposed here is six attached townhouse-style homes that would run along the property, and then at the end of the property, as you see on your site plan on the north end of the property, there would be a parking area provided with seven parking spots. Each -- the homes would also have parking underneath, so there would be a total of 15 parking spaces for the entire development.

The reason we have to come before you -- and by the way, I should mention we were before the Zoning Board of Appeals earlier this year, and in July of this year the Zoning Board granted us a number of variances that we needed in connection with the project including the rear-yard variance, a side-yard variance and also a variance to allow for the use. It's a little bit of an odd situation because the Business K allows for multifamily development but I believe it's 50 --

MR. CASTRO: Correct.

MR. BROWNE: It requires that you have a minimum of 50 units, which is a little unusual. That's usually the maximum, but we are only proposing six with a parking lot. So those variances were granted back in July. We now need to come before you really in what I consider more or less a technical matter because in order to convey these as condo-style units, each must, as you know, have its own tax lot, and the common areas must also be accounted for including, most importantly, the parking lot.

So if the application is approved, we will be able to file a map with Nassau County delineating the new tax lots, and we will be able to convey these six homes. They are single-family-style attached homes, as I said, with parking underneath and the common parking area. There is a nice setback in the backyard. They will each have a little terrace area, the area will be fully landscaped. I believe the Village has received extensive engineer plans dealing with the draining and usual engineering concerns that you would have, so we are happy to answer any questions about that if you have any, but that's really the crux of the application is we are seeking permission to create these tax lots so that we can file a map and be able

to convey these homes and start the project.

MR. FLESCHNER: Okay.

MR. MARTIR: Mr. Chairman, just I am looking at the letter dated July 30th of 2018. This was a letter from the Board of Zoning Appeals. One of the requirements in that as per Section 212-23.1, Subdivision 9, a traffic plan must be submitted to this office and is subject to the approval of the Planning Board. Was there a traffic plan submitted because we don't have one on file?

MR. BROWNE: Not that I know of. I don't know.

MR. VILARDI: I thought there was a traffic plan in the original Zoning Board hearing. I will have to check.

MR. BROWNE: We can certainly get you a traffic and parking.

MR. FLESCHNER: So we can consider it subject to --

MR. MARTIR: Subject to receipt.

MR. BROWNE: If we don't have one, we have to get you a traffic and parking study.

MR. VILARDI: I believe it's in the Zoning Board package, Mr. Chairman.

MR. FLESCHNER: So we will consider it subject

to the receipt of traffic plan. Okay. Is there anyone who wishes to speak on this application? Anyone in the audience? Is there anyone who wishes to speak on -- anybody on the committee have any questions?

MS. HANDEL: No. I think he has been clear about everything.

MR. FLESchNER: Do I hear a motion to approve?

MS. HANDEL: I make a motion to approve this application.

MR. LOPATA: Second.

MR. FLESchNER: Any discussion?

MS. HANDEL: No.

MR. FLESchNER: All in favor? Aye.

MS. HANDEL: Aye.

MR. LOPATA: Aye.

MR. FLESchNER: Unanimously approved.

MR. BROWNE: Thank you so much. Gerry, if we have to submit anything, just let us know. Have a good evening.

MR. FLESchNER: Okay. Second item.

MR. MARTIR: Just before we call the second item, the last item, just so the record is clear, the Zoning -- a full environmental assessment form was submitted to the Zoning Board of Appeals, and they are

the lead agency so we don't need to make a declaration.
Pursuant to SEQRA.

MR. FLESCHNER: Okay. Ladies and gentlemen, item 2, Maurice and Esther Deutsch. Who is here for the applicant?

MR. MAYERFELD: My name is Stanley Mayerfeld, architects on the project. Along with my partner, Joe Rothschild. Mr. Deutsch is also here in the audience. If need be, he could answer any questions, sir.

MR. FLESCHNER: That's who?

MR. MAYERFELD: The owner of the property, Mr. Deutsch. Good evening. So we are talking about the subject property. The subject that we want to talk about tonight is the proposed subdivision of 175 Causeway. 175 Causeway, if you look at the drawings, there is a number of structures on the existing lot. There is a lot of existing noncompliances, and the house is a very, very old house. What we are proposing is to take down the existing structure and we are proposing a new -- a new house. Because of the size of the lot and because of the way the zoning codes are written, it made more sense as opposed to having to go for a Zoning Board variance to subdivide the lot and to make two separate lots, which would be in complete compliance to the zoning codes. The primary lot, the primary purpose of this entire project is to build a

single-family house for Mr. Deutsch and his family, and the second lot will also be used for his use. There is a -- I -- there may be some concern about subdivision especially off like the previous application. This is not a subdivision. This is not being sold to a developer. This is both lots will be maintained by Mr. Deutsch and his family, and currently there is -- on the second lot, there is an existing structure. There is a pool house there which we are proposing for that structure to remain, and there is an existing pool which will accessory to that structure is also subject to remain. What will be taken down again is the primary residence and there is an existing garage, detached garage, which is sitting in the front yard and that's going to be taken down.

So I just want to make clear that this is for personal use. This is not for redevelopment as to be sold to a developer and the proposed condition will be in full compliance. Both the lot size and on the structures that are being proposed on these lots will fit with all the setback and other requirements dictated by the Zoning Code.

MR. MARTIR: So just so I know the Board is looking at the right plan, we are looking at A-4 on the

plans that you submitted. Is that what you proposed?

MR. MAYERFELD: Well, there are two A-4s. The one you are looking at now I believe is the later A-4.

MR. FLESchNER: A-4.

MR. MARTIR: The last page.

MR. MAYERFELD: Is the proposed condition. We have a couple of sheets. We wanted to make it a very clear story what's going on. The first sheet, A-1, is existing survey, existing conditions. We see the setbacks, you see what's drawn on the building.

MR. FLESchNER: What is the date that you filed A-4?

MR. MAYERFELD: A number of months ago.

MS. HANDEL: It says 8/8.

MR. MAYERFELD: Back in August.

MR. FLESchNER: Have there been any changes to that date?

MR. MAYERFELD: Well, since there has been a recent change, just because there was discussion about that, the second lot was more of a technical issue because again the primary concentration was always about the main residence. As you are going through this process, very recently, you recall hey, wait a second, there is only a pool on the second lot. The

pool can only be -- it's an accessory structure that's going to be accessory to the other structure. So the question was was the existing pool house that's currently there, could that be considered a primary residence or does it have to be something larger. So we recently made another submission saying, you know, if we need to make the second -- on the second lot the structure larger, we will do so, but again if that is something the Board feels, you know, there is an obligation to approve subject to that submission, obviously, the applicant will agree to do so.

MR. FLESCHNER: Clarification --

MR. MARTIR: You are proposing a two-story -- two-story, single-family dwelling on the second?

MR. MAYERFELD: Right. If required by the Board.

MR. ROTHSCHILD: More of a pool house, guest, one bedroom, small kitchen.

MR. FLESCHNER: So I need a clarification. If the purpose of this subdivision is not to subdivide the property and it's not to sell off the property --

MR. MAYERFELD: Correct.

MR. FLESCHNER: -- then why do you need to

subdivide the property?

MR. MAYERFELD: Because the setback issues. When the lot is over 40,000 square feet, the aggregate side yards have to be 70 feet. Now, in walking the property and being in discussion with the owners over developing some drawing, the owners and us as architects, we developed a plan where the front entrance, instead of being on Causeway, would rather be on Barrett because of the views, the way the sunlight comes in, because of, you know, what you are looking at. So shifting the house 90 degrees, if you keep it as one lot, your house becomes, you know, very, very narrow. All of a sudden, you don't have architecturally the same layout as if with a subdivision it could go wider. So it's really having an aggregate side yard of 70 feet versus aggregate side yard of 40 feet. So that's why we know.

MR. FLECHNER: So the Board would like to see a rendering of what this proposed new operation is going to look like.

MR. MAYERFELD: I mean, if that's what the Board would require --

MR. FLECHNER: The Board has discussed this and feels it would like to see a rendering and that

should not be difficult today. If they could make guns on a fax machine, then we should certainly be able --

MR. MAYERFELD: Is it typical for the Board?

MR. FLESCHNER: No but in this case it is because we are changing something that doesn't appear to have a real need other than shrinking of the offset. Correct?

MR. MAYERFELD: Right. I mean, again our proposal is to -- is completely as of right.

MR. FLESCHNER: Is completely --

MR. MAYERFELD: -- as of right. We are not seeking any variances. The proposal is avoiding variances. Again, I don't think we are changing the character of the neighborhood. It's just we want to do the subdivision, and the size of the lots will be comparable to other lots in its area. So I don't think this is going to be anything that's --

MR. FLESCHNER: Then it shouldn't be a problem to give us a rendering.

MR. MAYERFELD: I mean, the rendering, okay, if that's --

MR. FLESCHNER: The other item that we have seen is that you had made some minor changes the last two weeks.

MR. MAYERFELD: Yes.

MR. FLESCHNER: And some of the neighbors felt they did not get an adequate notice and opportunity to see those plans prior to this meeting.

MR. MAYERFELD: So if I could reverse back, I was actually away. This happened over the holidays. I was out of town. My office just responded to the call from the Building Department. You know, we could -- let's pause that for a moment. Let's pause that second submission and go back to the submission that was viewed by the public. That was on file with the Village for a while. We are okay with that submission. That submission of having the -- that pool house, the existing structure and the pool house, if that's the way the Board is more comfortable with on the second lot -- we will call it Lot B -- the applicant is comfortable with that as well.

MR. MARTIR: I am just not understanding. In the sense if you are going to knock down the house that's currently there, why couldn't you build essentially the same exact house?

MR. MAYERFELD: Because of the setbacks.

MR. ROTHSCHILD: It's noncompliant currently.

MR. MAYERFELD: Currently all these structures

are completely noncompliant, and once you take down the house, you can't say I was grandfathered in. Once you take down the house, your new structure has to meet the Zoning Code. We are making --

MR. FLESchNER: I thought that's why people leave a chimney.

MR. MAYERFELD: You need a little more than that. You need a little more than that.

MR. MAYERFELD: Let's make this very clear. We are not looking to play games. This is not a game issue. Right now the existing condition, there are a number of noncompliances. There exist noncompliances. The proposed condition will be 100 percent in compliance to all of the zoning codes.

MR. FLESchNER: Wonderful. So when can you submit a rendering to us?

MR. ROTHSCHILD: A rendering meaning the design?

MR. FLESchNER: We would like to see what this new proposed two properties are going to look like.

MR. MAYERFELD: We have the plans.

MR. FLESchNER: An actual physical rendering because --

MR. MAYERFELD: I am unclear. A rendering of

the property or rendering --

MR. FLESCHNER: Rendering of the house, any construction you are going to do there. Changing anything that's on there right now.

MR. MAYERFELD: Right. I mean, I have to talk to the client. We are still in the design process. I mean, if this was typical of the Planning Board, then I would say fine, we would have to comply with that, but as you know, as you work through design drawings right now, we are at the very early preliminary stage. You know, for us as architects, you know, as you can imagine, we get paid in increments. This design will obviously be a charge and a cost to the client and it's at a risk. The client is unsure whether this is going to be approved. So we are going to make some final decisions very early on in the game. You know, just maybe it will get approved.

MR. FLESCHNER: So hold onto that because maybe we will see where we are going because there have been -- you know, the purpose of the Planning Board you understand, and the purpose of the people behind you obviously they are here to speak on the issue.

MR. MAYERFELD: We are here.

MR. FLESCHNER: Minus, plus, but we are going

to find out what the -- it is the feeling of this Planning Board so far and the information that it has that we would like to hear from the people or from the neighbors who are present. However, it is our thinking, based on what we have received from neighbors who are not here so far and so I do want to see that second set of plans that you say now you are willing to withdraw. So it was our feeling, not knowing that you were going to withdraw that, that basically we were not going to give you a decision tonight. So therefore, it's going to be -- it will reappear at the next Planning Board meeting. The people who are assembled here tonight, it's your choice if you wish to speak on the issue tonight or whether you want to hold it and talk at the next meeting. Either pro or con, whichever you are here for. It's your choice.

MR. MAYERFELD: Can I go back for a second?

MR. FLESCHNER: Please. Sure.

MR. MAYERFELD: Recap. You are suggesting that since we made the second application, people in the public did not have a chance to view it or they wanted to view it?

MR. FLESCHNER: They wanted, they weren't aware of it. They would have looked if they knew.

MR. MAYERFELD: We are happy to get either one approved tonight. Either one. It was my impression that -- correct me, if I am wrong, again, and you will hear, we are being absolutely honest. We have nothing to hide. That the second application that was made since it was not done in time because our initial application, the drawings are anybody from the public can come in and they can view it and since it was made after a certain period of time, the public did not have a chance to view those drawings. Right? And the public review in the public hearing wasn't based on the second application but rather was based off the first application. That being the case, people were served notice. The Planning Board I understand does not meet very often and we are here tonight.

MR. FLESCHNER: We meet as often, by the way, as we have to meet.

MR. MAYERFELD: It took us a while to come here tonight. Whatever the case may be. We are happy to, you know, discuss any -- you know, the plan that was at the public -- at the public disposal. I feel like it's unfair to say, you know, if someone from the public who had an opportunity to come tonight and discuss a certain type of project that maybe if -- the people from

the public are obviously welcome to come tonight.

MR. FLESCHNER: There is the public who lives within the 500-foot radius and the general public of Lawrence. We are more concerned with the public that lives within that 500-foot radius.

MR. MAYERFELD: But they were served notice.

MR. FLESCHNER: So you want to withdraw it?

MR. MAYERFELD: If the Board is more comfortable --

MR. FLESCHNER: I don't know if that's going to be the answer.

MR. MAYERFELD: If the concern is -- maybe everybody is for it.

MR. FLESCHNER: Maybe.

MR. MAYERFELD: We are happy to address all the concerns.

MR. FLESCHNER: Is there anything else you want to add to what you said so far?

MR. MAYERFELD: Myself, no. I am here to answer any questions that the public may have.

MR. FLESCHNER: Fine. So let me see what our resident taxpayers of Lawrence have to request, add. Ladies and gentlemen, the floor is yours. Raise your hand and we will recognize you.

MR. MANDEL: Hi. I am Steve Mandel. I live at 340 Barrett Crossing. I live within 500 feet of this site. I have been a resident for 30 years. I always felt that this particular property was one of the properties that made me appreciate the back of Lawrence for what it is. When you drive up Causeway and you see the magnificent front yard and the columns, it really makes a statement for the neighborhood and I don't want anything to happen to that area that gets to be -- to look more like Brooklyn than the back of Lawrence. So from what this gentleman said, he said that the main reason why he has to get these plans approved is because the current house violates the current zoning laws. If he came in here and asking for a variance so he can tear down the house and build one home with a magnificent front yard that will satisfy the new variance code, I would be very happy to allow that or have you guys allow that, but I don't know why he needs to subdivide. Sounds like the subdivision is -- he is preparing for a future sale of the property. Maybe initially it will be used by his family, but to me I don't understand why he needs to subdivide and that's what makes me worry that he is really going to condense the neighborhood and make it look more like Brooklyn.

MR. FLESchNER: Thank you, Mr. Mandel. Yes, sir.

MR. FRANK: Mr. Frank, 209 Causeway. My grandfather bought the house that we live in now which is perpendicular to Nairagansett on Causeway. We bought the house from the grandparents to grow our family. I wholeheartedly agree with the Mandels that the staple of the community has been that house and that front lawn and the front door actually facing Barrett needs to be the staple of this community, and subdividing it is only holding a carrot out to sell one piece off. So I agree it should be one house.

MR. FLESchNER: Thank you, sir.

Yes, sir.

MR. MINERVA: Mr. Chairman, I may be a few minutes. I am counsel. I don't know if you want to take the residents first.

MR. FLESchNER: I would like to take residents first. Thank you.

DR. COHEN: Shall I go to the front?

MR. FLESchNER: Please. In the front.

DR. COHEN: My name is Dr. Cohen. I live 115 Barrett Road. I came, like all other people, from Brooklyn to have a little bit room. Little bit

breathing room. Now, if we keep subdividing every lot, we are going to be like Brooklyn again. I mean, are we going to subdivide the golf course too? When is it going to end, the subdivision? Then if we keep subdividing all the lots, then we are going to definitely lower our value of our houses. Definitely. I mean, this is not going to continue like that.

You know, the first thing you see when you come to back of Lawrence, you see that house and you think it is historical, you know, because it's beautiful. I don't know why they have to knock it down and subdivide it. So I am against it. Thank you so much.

MR. FLESCHNER: Just one second. Let me assure all the residents here, we discussed this in our work session that one of the duties and one of the objects of the Planning Board is to maintain the character of the Village of Lawrence on the one hand. And on the other hand, it's also our job to do what the residents legally are entitled to do. So it's a very difficult balance. We have -- we may have made mistakes in the past. But we are very cognizant of the fact that 175 is a very important posture of Lawrence. It's seen from different crossroads. It's seen from the golf course. It's that beautiful piece of

property. It's a beautiful house on it. It's probably one of the more beautiful visible houses that we have in Lawrence. There is no question of that and we on the Planning Board recognize this and we -- but we also have to look at the rights of the owner of that property. So but rest assured that we are fully cognizant of our obligation.

Any other residents wish to speak? Yes, sir.

MR. ALTHEIM: Yes. Barbara and Phillip Altheim.

MR. FLESCHNER: Come to the middle, please.

MR. ALTHEIM: So we bought the Lefrak house 35 years ago at 270 Pine Crossing which we have noted have received many awards over the years as one of the most beautiful homes in landscaping and in beauty on the property. Now, this home at 175, that too is a beautiful piece of property. And I think there is a story here that's yet to be told. Why do they want to subdivide? If he can guarantee he could build that house, he can come out further and do something with that house, but why does he want two pieces of property? Fourteen years ago, Russell Friedman sat in this room with the Mandels and myself, and he wanted to build in the front of his home, which is a magnificent piece of

property that was always known as the Bernstein home, and he still is upset, Russell, that it's still being called the Bernstein house and God bless the Mandels, how he investigated that this couldn't happen. And today Russell is not here, but he would say it's the best decision he ever made. He couldn't think of looking out the front of his home and looking at another house. So this has to stop. Because there is a motive behind this which really is not being told. Why do you need to subdivide? So that your family can build another house in front of this property? That can't happen. You can't bastardize -- excuse me -- the back of Lawrence. It's a beautiful, beautiful place. We came here 35 years ago and we love it as all these other people here do and you can't do this to us at 175. And you yourself keep saying it's the first entrance to the back of Lawrence. And this is a motive that has not been reached yet and it's terrible.

MR. FLESCHNER: Yes, sir, in the back.

MR. MINERVA: We are going to wait until the residents --

MR. FLESCHNER: Oh, you are two for the price of one?

Yes. Mrs. Mandel, I figured.

MRS. MANDEL: Yes, since I am sitting next to Mr. Mandel. I would like to say to reenforce this is a landmark building because I think it's one of the oldest constructions in the Village of Lawrence and it's magnificent and it's part of the reason why we bought our home. But I listened to the voices of the architects, and they said well, we are not developers, we are not selling to a developer. But I think all along the seller had this in mind of development, did not tell the owner why they are buying. What is the difference if I hire a developer versus I am the developer? I act as the contractor versus the subcontractor? I think the owner all along wanted to buy this to develop to sell off that parcel with another house and I think it will destroy the character and I think it's a lack of integrity. If I am going to buy a home here and I am going to buy it with the sole goal of subdivision and building and selling off to profit from it, then I should declare it. Maybe the original owner would never have sold that house. I know I wouldn't have.

MR. FLESCNER: Thank you. Yes, sir.

MR. GREENFELD: Thank you. Barry Greenfeld at 231 Barrett Road. I don't want to be redundant. I

just want to add my voice and my thoughts to my neighbors to say that I agree with them and we support -- we meaning me and my wife, we support our neighbors and we feel it shouldn't be subdivided. We need to hear much more information as to what the true plans are.

MR. FLESCHNER: Thank you very much. Any other residents wish to speak at this time? No? Okay. You will have an opportunity if you want to talk after -- who are you the attorney for?

MR. MINERVA: The attorney for the neighbor immediately adjacent easterly to 175 Causeway, Mr. and Mrs. Eric Lipton.

MR. LIPTON: I am the resident. 185 Causeway Road. I am right next to Mr. Deutsch and Mrs. Deutsch.

MR. MINERVA: Dominick Minerva, 107 South Central Avenue, Valley Stream, attorney for Mr. and Mrs. Lipton.

We are in opposition to this subdivision for a few reasons. First, I would note that the original plan that was filed in our opinion was insufficient. It did not show the proposed reuse of this property as a single-family dwelling lot, and without the proposed reuse, it's not in conformity with the zoning. We only received the new plans that shows the house now, so we

didn't get much time to review it, but we would certainly agree with the Board that we would like to see a rendering and see what's actually going to be built there. Current plans with the house that exists today, the subdivision line is going right through the house. So I am not sure if that can be approved because it's not zoning compliant as it exists today with that house there. I would also note that if they are building a one-family compound, I am not sure why they would need to subdivide it unless they are, as they indicated, trying to circumvent having to go for a variance because they would be violating setbacks. Once it's subdivided, there would be no legal restriction to sell it to a third party.

Lastly, I would note that in the event that the Board was inclined to grant this, there were three conditions that we feel that would help to somewhat minimize the negative impacts on my client. That would be one, that the revised plans where they are showing a 35-foot setback to the proposed new dwelling be a condition and a covenant on the deed that they must maintain that as the minimum setback regardless of the height of new development building. Two, that all the existing trees along the easterly property line that

is shared with my client be preserved. And three, that they be prohibited for filing for any variances to build houses or structures larger than permitted by the Zoning Code, and I just ask if my client has anything he would like to add as well.

MR. LIPTON: So I would like to add some words on a personal level. My wife and I have been residents of Lawrence for over 20 years. We purchased the residence of 185 Lawrence, which is a neighbor to Mr. and Mrs. Deutsch at 175 Causeway and also a neighbor to Mr. and Mrs. Frank, and I can tell you on a personal level that what attracted my wife and I to be in the back of Lawrence is the actual beauty and size of the properties and the land. Furthermore, about actually upkeeping the properties and land and I can tell you even Mr. and Mrs. Frank are a testament to that and my wife and myself where we spend tremendous amounts of time and money upkeeping our properties to ensure the character of what the back of Lawrence is as other residents have mentioned as well.

Furthermore, what I find very concerning about it is -- and again, Mr. Deutsch and Mrs. Deutsch are very nice people, but upon him moving in, he was welcomed into the community, but after a short period

of time, he personally approached me about purchasing a section of the property and if I wouldn't purchase that section of the property, then he would go ahead and flip it to a developer and develop on that site. And that really concerns my wife and I and our two young children because we have invested tremendous amounts of money into our home. And also if you look at what the Friedbergs who previously sold the property to Mr. Deutsch, they never intended, never wanted to subdivide. This one beautiful piece of property, if they knew today that this was going on, they would be here fighting about it, so on and so forth.

But it's shameful because if the argument is that they want to keep the one-lot property, there is no reason whatsoever why they need a subdivision, and I really hope that you as a board take this very, very seriously because as you have said, Mr. Chairman, previously that mistakes have been made, and this is one of the times that the Board, the Village and you can hear -- see here from all the residents that are voicing their opinion that a mistake should not be made. And yet, at the same time, yes, each individual, each resident has rights, but at the same token, the surrounding neighbors -- and I am a direct surrounding

neighbor -- has an impact and effect. Thank you for your time.

MR. FLESCHNER: Thank you.

MR. DEUTSCH: May I speak?

MR. FLESCHNER: You are a resident too.

MR. DEUTSCH: I am a resident, yes. Thank you everyone for coming out tonight. It's nice to finally meet all my neighbors. My name is Maurice Deutsch, and I live at 175 Causeway. I have not met most of you but I have met some of you, but I will address you if it's okay. I assume I need to be facing this way.

I do have some letters here from people within the required area that have no problem with the subdivision. But I would like to address a recent comment that was just made by Mr. Lipton. We will start with the most recent comment, then move on from there. Mr. Lipton and I actually had a discussion when I first moved in a little bit different than he represented up here. That was that he didn't know that 175 Causeway was for sale and I told him that it wasn't for sale and that we had approached the property owners because we loved the property, just like everybody else here seems to love the property, and we loved the front yard and we loved everything about it, just like

everybody else here did. That's what attracted us to this piece of property. Mr. Lipton said that he had plans to extend his house and that he would do a lot better if he had a piece of my property because it would give him the ability to do what he needed to do, and I said, you know what, I have no problem. We are looking to build and knock down this house. If you want a piece of it, I am willing to entertain it. That's not a problem. We haven't yet decided what we are going to do with this house.

It was literally within two months of me moving in. I had absolutely no clue what we were going to do, what we were allowed to do. Neither had we spoken to any architect at that point. We weren't even sure if we were going to keep the existing house and apply for a renovation for it. It's only in the recent time that we approached the architects and said you know what, we would like to take a look at maybe building something beautiful on this property while maintaining and preserving its appearance where that front yard would be affected very, very, very little. Our plan is to actually make a much larger property facing exactly over the golf course where people from the golf course, people driving down will still be able to see a

magnificent structure with a large front yard. We are not even allowed to build in that front yard because it is a flood zone and it slopes down, so that was never even part of what we were looking to do.

Our architects said based on what you want to build, it would only make sense based on the existing code because one of the first things -- and they will attest to that -- when they came to the house, my wife and I said to them we do not want to go for any variances. We want to do things as of right. So please tell us based on the code how can we get the best piece of property that we want to build here. And the recommendation was that you need to subdivide the property in order to get the setbacks that you need to build the home that you want.

So I appreciate the fact that you mentioned that as a homeowner who paid handsomely for this house, I do have rights and I want to stay within those rights, and I should be entitled to do what is within my right to do. And there is no ploy here whatsoever to try and -- first of all, we are not building anything to block the house. You will still see a magnificent structure when you are driving into Back Lawrence. It will be a more beautiful structure than what's there

right now when you see the renderings.

And I understand the appreciation for what is there from 1908, but you don't have to live in the house from 1908. I do and I believe a house from 1908 needs to be upgraded. That's just the simple facts and so that is the reason that we purchased this property and that we would like to continue -- I'm sorry -- I didn't mean to --

MR. FLESCHNER: I'm sorry. It's my fault.

MR. DEUTSCH: And I have a complete appreciation not just from Back Lawrence. I moved from Brooklyn to Back Lawrence not to create another Brooklyn but simply to be able to build for myself what I have a right to do, and I didn't think that Back Lawrence was the type of place that just because somebody said I don't like what you are doing, if it's within our right to do so, that we wouldn't be able to.

And so while I fully appreciate that there is a house sitting there from 1908, I have to live in that old house from 1908 and there is a lot of things that are not working well in that house from 1908. And so we need to upgrade and so we need to put a new structure there and we did not want to go for any variances.

It's just very funny to me when it serves

somebody else's purpose to have a little bit more land that's adjacent to them, everything is fine because they want to build a bigger house, but when I want to build a bigger house, it becomes a problem. And I do have some letters of support here from my neighbors if you are interested in seeing this even though you are not going to make the decision tonight. Or perhaps you will. I will be happy to submit them.

MR. LOPATA: Why would you not go for a variance? If you got the variance, you would be able to accomplish everything you want to do.

MR. DEUTSCH: Because I don't believe in variances. I believe I do things as of right.

MR. FLESCHNER: But if you went for a variance --

MR. MAYERFELD: The job of an architect in this village and many other villages as well, so when going for a variance one -- as you know, you have a bunch of tools in front of you. How can you avoid a variance. Variance you have to show hardship. What's our hardship? That we want to knock down a house from 1908 and build a new house? I don't know if the Board would consider that a hardship. And also you have to go ahead. It's our duty to look at other means to

accomplish this without applying for a variance and this is a very plausible plan that again is as of right, full rights of the owner. I know there has been also a lot of hearsay, it's a lot of rumors what's actually going on. The owner has represented himself. He said he has the same interest. I am happy -- it's nice to see a room full of people come out and say listen, I care about my neighborhood, we want to maintain a certain character. And Mr. Deutsch feels the same exact way, but as we approach and look at this property, it's our duty to look at it as, you know, from a technical side from the way the Zoning Code was written and the Zoning Board how they act. And the subdivision again is completely within the rights of the owner and conforms with all the codes.

MR. FLESHNER: If you went to the Board of Zoning Appeals, two things can happen. Either they will give an approval or they will turn you down. In the case they turn you down, you can always come back to the Planning Board at that time, but it's my feeling as chairman of this committee -- and I think I speak the words of the rest of the members of the Board -- that we have been sitting -- at least Jackie and I have been on this Planning Board -- I am going

to guess, I am not sure -- 15 years at least, probably longer. I have never seen a turnout basically all in opposition by the 500-foot -- so many. So we have got to really --

MR. MAYERFELD: I understand that.

MR. FLESCHNER: -- look to see what's going on here.

MR. DEUTSCH: May I just say something? I would have been very happy to bring along my contingency of approved people.

MR. FLESCHNER: But the fact that so many are against it --

MR. DEUTSCH: I have three times the amount.

MR. FLESCHNER: But we still have to look, and since it could be accomplished -- because frankly I think that we in Lawrence have the most lenient -- I think the Zoning Appeals Board would approve moving a house to Brooklyn. I think they have approved everything that has ever come to them. I think that they are the most liberal zoning appeals board that I have seen in Lawrence in the last -- I am here 57 years. Okay. I have never seen this. Whatever goes there, they approve. And it's not my job. I am on a different committee but that's the most obvious thing,

and I hear what you are saying that because of the size of the property, the size of your setback is very restrictive whereas if your property was smaller -- if you went to the Zoning Appeals Board and you said, listen fellows, here I am with these situations, I want to build this new house, and I don't want to have such a big setback, let me have -- and explain, the odds are -- and I am a betting man -- you are going to get it. And this way the rest of the residents wouldn't have -- remember what Mr. Roosevelt said. The only thing we have to fear -- you should know this -- is fear itself. We are afraid of the unknown. Maybe they are going to subdivide it, maybe they are going to make townhouses. Who knows what they are going to do? And the neighbors are afraid of it. And frankly, so are the members of the Board. Because, you know, you can accomplish this by going to the Board of Zoning Appeals, asking, and if they give it to you, great, and if they don't, you can always come back. And the odds are you are going to get it, and that would take away the fear from everybody in this room.

MR. MAYERFELD: I don't want to disagree with that, but a lot of the comments from the public was about the character of the house, right? A number of

people talked about the character of the house and how it sits in the property, so on, so forth. Regardless if we -- Mr. Deutsch could have -- we could have made a separate application, have it conform with the zoning the way the lot stands right now, and the house could have been taken down. Or fine, even if we go ahead with your scenario, whatever the scenario may be, as Mr. Deutsch said, this is an old house from 1908. The house, unfortunately, it's not landmarked and he is the owner. He has the right to take it down and it sounds like the house will come down so I think that takes down maybe half the comments from the public. The concern is that we are going to be losing something of character, something that's been part of Lawrence for X amount of years. In either case, that's not going to be part of the picture.

So I think those -- you know, we talked about the comments from the public. I think half those comments can be put on the side. The other set of comments again, I just really thought it is unfair for them to be hearsay what his intentions are. Just what their intentions if they owned the property what they would do but again -- and if he in good faith is making an application, that is completely as of right. I also

want to point out, the second lot is actually larger -- the proposed second lot is larger than both adjacent pieces of property. I believe Mr. Lipton --

MR. DEUTSCH: The lot is larger than Mr. Lipton's lot.

MR. MAYERFELD: The proposed second lot will be 23,000 and change. The adjacent lot the current lot is 21 and change.

MR. LIPTON: So no reason to subdivide.

MR. MAYERFELD: There is a concern about we are making these lots in really small lots. These lots, the second lot will be as lots no one else thought of before tonight being too big or too small. Will be of complete character to the Village of Lawrence.

MS. HANDEL: I would like to say something. I have looked at all these drawings, and the setback on the original versus, the setback on the fourth one is a huge different amount of space and what people in this audience are saying is when they drive down the Causeway and they get to Barrett Road, they see this magnificent expansive land with a house set back, and it looks like here you are taking it as if you are in the front of Lawrence, not the back of Lawrence.

MR. DEUTSCH: It will still be there, the

entire front land.

MS. HANDEL: I am not saying there won't be grass.

MR. DEUTSCH: We can't build on that.

MS. HANDEL: I am probably the only person in this room who has slept in this house.

MR. DEUTSCH: Besides me.

MS. HANDEL: In the 1950s, my very dear friend lived there and I slept there often. So I know the house. Not like you do because you live there but in a different way. So yes, to me, you are entitled to take it down but --

MR. MAYERFELD: We are entitled to move it closer.

MS. HANDEL: But the amount of moving it closer versus one drawing to another is vast.

MR. FLESCHNER: From the existing.

MR. MAYERFELD: Why should Mr. Deutsch be penalized because he has -- if he has something within his right, why should he be penalized that you can't do something because the neighbors are dictating what he could build on his property?

MS. HANDEL: I am just saying he is changing the character of the land, the character of the village by

doing what this proposal is showing, and that is why we would like to see a rendering of what he intends to do.

MR. MAYERFELD: The rendering again, is it of the house, is it of the property?

MS. HANDEL: Well, the whole thing. What are we going to look at? We are not going to approve something that we don't approve of.

MR. DEUTSCH: I have nothing to hide.

MR. MAYERFELD: I am kind of working on the fly. If Mr. Deutsch agrees to this, would the Board feel more comfortable --

MR. FLESCHNER: I think you have two choices. You can submit it to us this evening or you can take a step back and rethink our proposal of taking it to the Board of Variance and seeing if they can satisfy your requirements allowing you to build your house with better setbacks than would be required without subdividing. It's your call. I would suggest to you that that is a better option than asking us tonight to make a decision right now because the feeling of this board right now, if we were to make a decision, would not be -- I don't think in your favor, okay? That's just the feeling I get from talking to them at this

point. So it's your call. It's your call.

MR. MAYERFELD: Is there another option?

MR. MARTIR: You can either ask for it to be tabled --

MR. DEUTSCH: Table it, submit renderings, or ask for a decision tonight.

MR. FLESCHNER: You can ask for a decision tonight. It's your prerogative to do that and we can either assess and vote on it or tell you no, we are going to postpone it, but I am telling you as a piece of what I think is good advice, go to the Board of Zoning Appeals. If you really are interested in only developing your property and not doing anything other than what you are proposing to do today -- and bear in mind so that everybody here knows, unfortunately, whereas the Zoning Board can issue variances with A, B, C, D, G, and F, we cannot. Even though you can promise, it's worthless. Not that your promise is worthless but it's not legally binding for the next 142 years. Okay? So we have got to be very careful what we approve.

As of this moment, as I said the feeling would not be to approve it the way it stands now. Maybe with renderings. Maybe. Maybe with a change of heart of

a lot of residents. Maybe with a feeling that this is certainly not going to encumber and push onto other people's properties. Maybe. But the simplest answer is go to the Board of Zoning Appeals. Because then you don't need any of this nonsense. If they approve what you want, build. You don't have to subdivide, your neighbors won't bother you, you will be fine. Your call.

MR. DEUTSCH: Well, my call was to get what was rightfully mine, but I hear what you are saying and obviously if the community pressure is swaying the Board in one direction, then I think we have to reconsider where we are going with this but --

DR. COHEN: Sell it and buy a new one.

MR. DEUTSCH: You want to buy it?

MR. FLESHNER: I am not buying it but only direct the chair.

MR. ALTHEIM: What will the rendering do if you don't have an architectural plan that you could see how big the house is both this way or this way and how much?

MR. FLESHNER: That will be part of the rendering.

MR. MAYERFELD: That's already been submitted.

MR. ALTHEIM: We haven't seen that.

MR. MAYERFELD: This is a scale of drawing.

MR. ALTHEIM: How much of a setback has he taken with the architectural drawing?

MR. MAYERFELD: Setback, if you look at the zoning calculation, has been included on the drawings. We didn't just draw a box. You know, we put thought into this.

MR. FLESCHNER: You can sit.

MR. MAYERFELD: I just want to know -- it seems we have to respond to the public. So I am happy to answer your questions, and if your concern is about the size of the house or the setbacks, that's -- you know, I can sit with you afterwards.

MR. FRANK: The concern is the second house. The second house.

MR. FLESCHNER: The second house is the concern.

MRS. GREENFELD: Why do you need to subdivide if you just need a house and a pool?

MR. MAYERFELD: There is -- the way that the Zoning Code was written is that there are two -- I will just give you a little background. Gerry will correct me if I say anything not in line. There is zones, Zone A, AA, B, so on and so forth and that's a whole list

of requirements and if you look at the drawings, we kind of list the zoning requirements that is in Zone A, but in addition to that, you have to look at the size of the property. And the size of the property has a whole another set of requirements that may differ from the zone that you are in.

So with the way the lot stands now, the zone and the size of the property don't align. If you look at the numbers, they don't align. If you go ahead and make the lots I guess more appropriate with the zone what the zone really is, then the zones and all the setbacks line up perfectly.

So it's just because of this -- the way the Zoning Code was written, then we would -- it makes more sense to keep it in line with the Zone A.

MR. CASTRO: If I may make a suggestion, it's a little difficult to understand in verbal. In writing, why don't you depict on the next submission one of the items in addition to the rendering that the Board may ask for the setbacks required as the lot is being merged in two lots. It's easier to see it on a paper to see how -- what your restrictions are.

MR. MAYERFELD: Okay. That's a good suggestion.

MR. ALTHEIM: Why can't it be put on the computer so it can be sent to the residents on a PDF and open it up ourselves to see what --

MR. MAYERFELD: I don't know. I defer to the Board. I think there is certain procedures how to submit. Also, currently there is a number of structures on this property. There is the primary residence, there is a detached garage, which let me say is very close to the street, and there is an existing pool house. You know, just number of structures I am just thinking about leverage for the client that if he goes to the Zoning Board, they should be able to maintain the same amount of structures on this property as one continuous -- again, we haven't discussed this with my client, but this is, you know -- again, the property has a certain value to it. And bringing it to the Zoning Board and having to lose that value is a consideration that Mr. Deutsch will have to --

MR. FLESCHNER: What value are you using?

MR. MAYERFELD: Right now there is three structures on the property. I don't know if --

MS. GREENFELD: So you want to make the pool house into a regular house?

MR. MAYERFELD: If I want to make the pool house

into a guest house, would you --

MR. LIPTON: There is an existing guest house. There is no reason whatsoever if you went to the Zoning and they start -- instead of subdividing, they would consider Mr. Deutsch's request because he wants to have his family stay there instead of subdividing and not ruining the character of the back of Lawrence.

MR. MAYERFELD: Are you suggesting he keep the structure?

MR. LIPTON: I am suggesting you do your job as a professional.

MR. MAYERFELD: Can I respond?

MR. MINERVA: If I can clarify my client's comment, he is suggesting that, yes -- you would -- if you have to fix up the guest house and maybe slightly expand it so you have a second guest house, not go for a variance, not go for a subdivide, we probably wouldn't have as much objection if you are going to build a new house confirming that you need side yards or front yard setback.

MR. FLESCHNER: In that case, he wouldn't be here at all.

MR. MAYERFELD: So you are posing your idea how my client should use his property, and I think it's

unfair for the neighbors to say why don't you go to the Zoning Board and get that approved and maybe you will go ahead and make that your guest house.

MR. FRANK: The beautiful part of living in Lawrence here is we have a voice and we live here of the various things you heard tonight and that voice is saying we don't want another house so it can be sold later. If it's going to be a second house, not a guest house, right, a second house, you can sell to another family.

MR. MAYERFELD: Correct.

MR. FRANK: That's what you hear tonight.

MR. MAYERFELD: And I understand that concern and I understand that, but let me make this clear. Again, as you can tell, I am not an attorney; I am an architect. My client did not hire a whole set of attorneys to subdivision. That's not his intent. That's not his intent. If I could just calm everybody's nerves --

MR. FRANK: You can't but I will take your card because I might want to subdivide too so --

MR. FLESCHNER: Excuse me. Hello? Let's stop right now.

MR. MAYERFELD: I believe you are being a

little condescending.

MR. FRANK: I am not.

MR. FLESCHNER: You are out of order, please, and you have not been recognized. Thank you.

Mr. Henner. Please rise and introduce yourself.

MR. HENNER: My name is Lester Henner. I am a neighbor but not close that I qualified to get one of your letters. I also never spent a night in Brooklyn, so I don't want to be tainted with any of the Brooklyn stuff that was set forth tonight. I want to make the following suggestion to you. I think if -- I'm sorry you are not a lawyer because an architect thinks in certain fashions which are, you know, very admirable, but if you were a lawyer, you would have heard what was being told to you and you would have said let's adjourn and we will follow the chairman's suggestion. So since you didn't and I am not representing you -- I represent one of the adjacent owners -- follow the chairman's suggestion and adjourn for another day. Okay? And it's not a question of the neighbors are forcing you to do things you don't want. And all I have heard as of right, as of right.

He made a suggestion. I want to be blunter

about it. I was on the Zoning Board. The Zoning Board is still chaired by Lloyd Keilson? And it will be forever chaired by Lloyd Keilson, but Lloyd is a reasonable fellow and I think that you don't have to file a whole zoning application, spend tens of thousands of dollars. Ask Mr. Keilson, have a meeting, and discuss what you would like to do, and he will guide you whether or not -- you know what, this is going to fly or this is not going to fly and you don't have to have meetings with 50 people coming and beating you up and he will give you a very good idea. I don't necessarily agree with the part that you said that they approve everything, but since I stepped off two years ago, it's gotten a lot more liberal since some of us stepped off. But having said that, that's good news for you. I think that if you called Keilson and said, you know, I want -- we want to discuss what we would like to do, he would meet with you. It's an important project in this community. Obviously, I don't know if calls were made. I called nobody to come down here, but you see if they called people, you could have a whole lot of people down here tonight and maybe you can get something resolved that's worthwhile for you instead of battling the neighbors and battling the

Board and it won't cost you lots of money to meet with Keilson. Just over a Coke. Actually, I am saying it to you more than I am saying it to him.

MR. FLESHNER: Thank you, Mr. Henner. Thank you, gentlemen.

MR. MAYERFELD: Closing remarks? Just to reiterate, we are not looking to battle the neighbors. Mr. Deutsch wants the same thing as the rest of you. He wants to have a beautiful neighborhood, and for some reason if you don't believe me, that's okay. I guess but there is no intention to sell off this property for another use. Another individual.

MS. HANDEL: Thank you. I make a motion that we table this and adjourn the meeting.

MR. LOPATA: Second.

MR. FLESHNER: The meeting is adjourned and you will be notified if there is another meeting.

(Time noted: 8:39 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

I, YAFFA KAPLAN, a Notary Public within and for the State of New York, do hereby certify that the foregoing record of proceedings is a full and correct transcript of the stenographic notes taken by me therein.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of October, 2018.

YAFFA KAPLAN