

Lawrence, New York, April 12, 2010

A Regular Meeting of the Board of Building Design of the Incorporated Village of Lawrence was held on Monday, April 12, 2010 at the Lawrence Village Hall, 196 Central Avenue, Lawrence New York 11559 at 7:29 P.M.

Those members present were: Chairperson Benjamin Sporn
 Member Eva Staiman
 Member Barbara Kupferstein
 Alternate Member Myrna Breitman
 Alternate Member Shoshana Weinstock

Those members absent were: Member Ronni Berman
 Member Barry Pomerantz

Also present were: Thomas P. Rizzo, Secretary Board of Building Design and Gail Daniels, Building Department.

Chairperson Sporn called to order the regular meeting of the Board of Building Design at 7:29 PM. Proof of posting for the meeting was submitted. Five members of the board were present for a quorum. The meeting was called to order with the following members present: Chairperson Sporn, Member Staiman, Member Kupferstein, Alternate Member Breitman and Alternate Member Weinstock. Before the meeting proceeded Mr. Rizzo informed the Board that Mr. Goldman Attorney to the Board of Building Design had contacted him and explained that he was delayed in court. Mr. Rizzo expressed Mr. Goldman's apologies; for not being at the meeting and Mr. Goldman would make every effort to attend the meeting but requested that the meeting proceed without him. Chairman Sporn noted this and the meeting proceeded without Mr. Goldman being present.

Upon motion by Member Staiman and seconded by Alternate Member Breitman with the following vote cast:

Ayes: Chairman Sporn, Member Staiman, Alternate Member Breitman and Alternate Member Weinstock. (Alternate Member Kupferstein abstained from voting as she did

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not attend the last meeting of the Board of Building Design) The March 1st 2010 Minutes were approved as submitted.

The agenda included twelve new applications and one prior application. Mr. Rizzo asked Chairman Sporn if he wished to take the applications in order, Chairman Sporn stated that the applications would be heard in the order as on the agenda.

The following new applications were considered:

Jeret – 164 Harborview N. – Install 6 foot high beige PVC fence to replace existing fence on side property line. Chairman Sporn noted that the new fence was to be beige in color which matched the Board of Building Designs guide lines regarding PVC fence colors, and that the new fence would be 6 feet high as was the existing fence being replaced. No one appeared before the Board to support or oppose the application.

Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to approve the application as submitted.

Jedwab – 25 Bayberry Rd – Install backup electric generator. The members reviewed the application; Chairman Sporn noted that the generator complied with the zoning code for setbacks. Mrs. Staiman asked how far the generator would be from the side line. It was explained that the distance from the side of the house where the generator would be located to the property line was 20 feet. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to approve the application as submitted.

Minnis – 25 Bayberry Rd – Install backup electric generator. The members reviewed the application and discussed the front, rear and side yard setbacks for the property. No one appeared before the Board to support or oppose the application. Members Sporn,

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Staiman, Kupferstein, Breitman and Weinstock voted unanimously to approve the application as submitted.

Rokosz – 50 Meadow Ln. – Install additional paving for a circular driveway. The Board members discussed the application. It was explained that Meadow Lane is a County road. The applicant should have to get permission from the county for the second curb cut and not the Village of Lawrence. The only permit that the Village of Lawrence would be issuing would be for the additional paving for surface coverage. The Board questioned whether the proposed additional surface coverage complied with the zoning regulations regarding allowable lot coverage. The proposed paving does comply with zoning regulations. The Board reviewed the proposed landscape plan for the proposed circular driveway. The Board had a lengthy discussion regarding the Board of Building Design's guidelines for circular driveways and the proposed guidelines from the Mayor and Board of Trustees and how this proposed circular driveway compared to both. The Board members noted that Meadow Lane is a very busy street and understood the request; but the proposed circular driveway did not comply with the guide lines. The Board discussed denying the application, and a possible suitable option to replace the requested circular driveway. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to defer the application with the suggestion that the applicant install a turn around space in the front yard in place of a circular driveway. By deferring the application the applicant can amend or revise the application and resubmit to the Board of Building Design.

Fistel – 100 Cumberland Pl. – Replace existing wood fence with a new 6 foot high white PVC fence. Mrs. Weinstock explained to the other Board members that she would recuse herself and would not review this application due to the fact that she resides on

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Cumberland Place. Chairman Sporn noted that the application was to replace an existing six foot high fence which several members did not have a problem with but noted that the proposed fence was a white PVC-type fence which did not comply with the Boards' guidelines regarding PVC fence colors. The Board noted that a beige or tan fence in a matte finish was agreeable to the Board of Building Design. The Board was advised that the property owner was present; Mr. David Fistel came forward and identified himself as the property owner of 100 Cumberland Place. Mr. Fistel explained that the location of the property at the end of a cul-de-sac, adjacent to the rail road tracks and that there was no real vehicle traffic that would be blinded by sun light or other lights reflected off of a white PVC fence. Several Board members questioned Mr. Fistel as to the height and materials of the existing fence that was to be replaced. Chairman Sporn explained that the more important issue regarding white PVC fences is that it changes the look of the Village from a rural country looking area to a more urban area. Chairman Sporn explained that is why the Boards' guidelines list so many colors other than white for PVC fences and why the fences are now made in colors other than white. Mr. Fistel pointed out that there are many other homes in the area with white PVC fences but admitted that those fences may have been put up years ago and noted that a white PVC fences were less expensive then colored PVC fence and cost is a factor to him. Several other Board members expressed agreement with Chairman Sporn: fences in colors other than white, was a look that was more in keeping with the feel of the Village of Lawrence. Mrs. Kupferstein offer the possibility of installing a wood stockade fence and painting the wood fence white which would not be as plastic looking. Fistel though that the cost of installing a wood fence and painting it white would be expensive also. When Mrs. Breitman questioned why the Board would be allow a six foot high fence in this location, it was explained that the six foot height existed and that what was being changed was the

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material of the fence. Mr. Fistel pointed out that the existing fence was six feet high and that due to the proximity of his property to the train station he would like to keep a six foot high fence. Members Sporn, Staiman, Kupferstein and Breitman, voted to approve the six foot high PVC fence but in a color other than white. Mrs. Weinstock had earlier recused herself and did not vote on this application.

Diamond – 7 Holly Ln. – Install swimming pool, equipment, fence, paving and rear yard deck. The Board reviewed the application and plans and discussed the application. The Board asked questions about the granted variances. The Board discussed whether there was a need for a six foot high fence all around the back yard. Mrs. Staiman asked if a color sample for the paving stone was provided for review. She also stated that the proposed fence did not look like a wood fence; Building Department will confirm that the fence to be installed is a wood fence. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Kupferstein, Breitman, and Weinstock voted unanimously to approve the application for the pool and paving and equipment with the condition that the pool fence can be six feet high on the rear property line only, the fence on the side property lines and in the two side yards can only be five feet high.

Kaufman – 191 Harborview S. – Additions and alterations to existing residence and add garage space. The members reviewed the application and the submitted material samples. The Board members questioned the rear roof deck and the stairs to the roof deck. Mr. Uri Kaufman came forward and identified himself as the property owner. Mrs. Kupferstein questioned where the dividing line between the stone siding and the stucco siding would be on the building. The Board discussed the colors for the house with Mr. Kaufman. When the Board questioned why a certain wall had no windows, it was explained that a bath backed up to the wall at one location so there was no window on

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that wall and the other location the room had windows on the side and rear of the house. The Board in general thought that the front entrance was out of character with the rest of the house and not in proportion to the house. Mr. Kaufman explained that the house was of a Mediterranean style but not lavish in design. Mrs. Kupferstein and Mrs. Staiman suggested that iron grills be added under the second floor front windows to match the iron grills at the first floor front windows. Mrs. Kupferstein questioned the mullion design on the windows themselves. Mr. Kaufman explained that the use of only horizontal mullions on the windows was to improve the view from all of the windows, especially the windows that looked out to the water. Large plate glass windows would be expensive so windows with only horizontal mullions were chosen. When Mr. Rizzo asked the Board if they were going to defer the application to the next meeting, the Board stated that most likely the application could be approved conditionally with the applicant changing the plans to include the Boards' requested changes. Mrs. Staiman and Mrs. Kupferstein again stated that the front porch looked out of scale and suggested that the porch roof be raised up to be in proportion with the house. Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to conditionally approve the application, with the conditions that the front porch roof be raised higher over the front entrance, that iron grills be added under the second floor front windows.

Cohen – 5 Regent Dr. – Second floor addition above existing one story. The members reviewed the application, Mrs. Breitman asked what the addition was for and Mrs. Staiman advised her that as per the owner, the addition was for a closet. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to approve the application as submitted.

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Feder – 126 Lakeside Dr. E. – Second floor addition to residence and interior and exterior alterations. The members reviewed the application and the submitted material samples, the green siding, white trim and dark roof single. Mrs. Staiman asked what the existing brick and stone on the front of the house looked like since no pictures of the existing brick and stone were submitted. The whole house will be resided to match. The Board was concerned that the new materials colors needed to match the existing brick and stone. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to conditionally approve the application. The Board requested a photo of the existing brick and stone to see if it will match the proposed/approved siding color.

Abittan – 9 Keewaydin Rd. – Additions and alterations to existing residence. The members reviewed the application. A letter from the architect indicated that the finish materials for the new work would match the existing house. Mrs. Kupferstein excused herself and left the meeting temporarily and did not participate in the review of the Abittan application. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Breitman and Weinstock voted to approve the application as submitted, Mrs. Kupferstein did not vote.

Goldner – 22 Herrick Dr. – Two story front addition, second floor addition, one and two story rear addition and complete interior and exterior alterations to existing residence. The members reviewed the application and the submitted material samples. Mrs. Staiman thought that the proposed brick was too red to be used on the house and did not match the chosen colors for the siding material and the chosen stone siding. Chairman Sporn questioned the new dormers on all four sides and questioned if the existing house had attic dormers and if any other homes on the block had attic dormers. Ms. Susan Goldner came forward and identified herself as the property owner and Mr.

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John Macleod identified himself as the architect for the project. Mr. Macleod expressed to the Board that he and the applicant would be willing to adjust the coloring of the stone. Mrs. Breitman questioned how close the rear addition would be to the existing pool and Mr. Macleod explained the distance between the addition and the pool. Chairman Sporn again questioned if the house would have dormers on all four sides and wondered if other homes on the block had attic dormers and Mrs. Kupferstein questioned why some dormers are labeled dummy dormers and other are not, Mr. Macleod explained that the dormers would allow light into the attic space. Mrs. Breitman questioned what the new attic height would be. Mr. Macleod explained that the plans had been adjusted during the variance meeting due to concerns from neighbors. When Mr. Sporn questioned if the existing house had any dormers, Mr. Macleod explained that the existing house had two rear dormers, a gable and a shed dormer and the front had a gable end structure the looked like a dormer. The Board again requested that other brick samples be provided. The Board was advised that another person wished to make a statement about this application. Chairman Sporn explained to Ms. Goldner and Mr. Macleod that the Board may have additional questions regarding the application. Mrs. Annette Klein came forward and identified herself as Mrs. Goldners' neighbor on the right side. Mrs. Klein stated that at the beginning of the block the homes are all English Tutor style, that this house is massive and will be out of character, that there are other homes styles at the end of the block that are not English Tutor style but they are proportioned to the property size, this house will not be in proportion. Mrs. Klein described the house as an eye sore on the block; the house will be too high and stick out too far and would block her view. She questioned why would she have her view blocked after over twenty years in the Village of Lawrence, noting that this house will not be inline with the front of the other houses, also why should Ms. Goldner be allowed to have a four floor house and such a

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massive house. Mrs. Klein thanked that Board for listening. Ms. Goldner asked to address the Board of Building Design again. Ms. Goldner explained that all of these issues had been addressed by the Board of Zoning Appeals and that the board deemed this plan appropriate and her architect had explained that her home would not block light to Mrs. Klein. Ms. Goldner asked Mrs. Klein if she had numbers regarding the proportions of other homes on the block. Mrs. Klein stated that others on the block were upset about this house and she could get a petition. Ms. Goldner said that this meeting was just about the cosmetic review of the house. Chairman Sporn explained that the Board understood both of their points of view and appreciated the fact that both provided their comments. The Board explained to Mrs. Klein that this board dealt with the look of the building. Mrs. Breitman asked if Mrs. Klein had any recourse regarding the granted variance. Mr. Rizzo explained that Mrs. Klein could take legal action against the Board of Zoning Appeals regarding its decision and this had all been explained to Mrs. Klein before. The Board discussed the attic dormers again. Mr. Macleod stated that there were two attic dormers on each side of the house that matched the front dormers and these side dormers were seen as you passed the house but Mr. Macleod offered to only have one dormer on each side of the house. Mrs. Kupferstein thought that only one dormer on each side would not improve the look of the house and Mr. Macleod again asked for two dormers on each side of the house. The Board held a lengthy discussion about the attic dormers and Mrs. Breitman stated that the dormers did make the house look very tall and made the house look even more like it was a three story house and that removing some of the dormers would make the home look less massive. Mr. Macleod offered to change the roof and have a gabled roof with windows on the side of the house but that change of plan may have to go back to the Board of Zoning appeals, and then the idea was abandoned. Mr. Macleod asked if the Board would agree to the proposed

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design if the attic dormers on the side of the house were deleted from the design. The Board discussed Mr. Macleod's idea and Chairman Sporn stated that the Board could approve the plan if the side attic dormers were removed from the design. Mr. Macleod agreed to remove the side dormers. Mrs. Staiman reminded Mr. Macleod that the Board still wanted to see new brick samples and Mr. Macleod agreed to provide new brick samples for the Board to look at. Mrs. Klein again stated to the Board that the house did not look enough like a Tutor style home, Mrs. Klein provided a copy of a proposed drawing of the Goldner home from an earlier design and asked the Board why they did not build this design. The Board looked at the drawing and noted that the final design did not look that much different from this earlier design and that this final design was the one that had gone to the Board of Zoning Appeals which granted the variance. Chairman Sporn, to sum up the decision on this application, stated that the attic dormers would be removed from the side elevations of the house and a different brick sample would be submitted for review that better matched the proposed stone to be used on the residence. Chairman Sporn polled the Board regarding the application. Mrs. Breitman voted to request a new brick sample and to remove the attic dormers from the sides and rear of the design, Mrs. Staiman voted for a new brick sample to be submitted and to remove the attic dormers from the sides of the design only. Chairman Sporn voted for a new brick sample to be submitted and to remove the attic dormers from the sides of the design only. Mrs. Kupferstein voted for a new brick sample to be submitted and to remove the attic dormers from the sides of the design only and Mrs. Weinstock voted for a new brick sample to be submitted and to remove the attic dormers from the sides of the design only. One member of the Board voted to remove the dormers from the sides and rear of the design and four members voted to remove the attic dormers from the sides only. The application is approved with the conditions that a new brick sample must be submitted for

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review and that the attic dormers must be removed from the design on both sides of the house.

Lyons – 405 Barrett Rd. – One and two story rear/side addition, second floor addition, above existing one story, alter garage space and alter roof. The Board reviewed the application and material samples submitted and questioned what areas of the house are being added too and what areas would be altered. The Board asked about the roof height and the ceiling height in the attic space. The architect for the project, Mr. John Macleod, was present in the room from an earlier application reviewed by the Board. Mr. Macleod provided information regarding the proposed height of the building and the proposed ceiling height in the new attic space. The Board noted that the design included attic dormers on the front and rear of the altered roof and it was noted that attic dormers are a feature of homes in that area. Members Sporn, Staiman, Kupferstein, Breitman and Weinstock voted unanimously to approve the application as submitted.

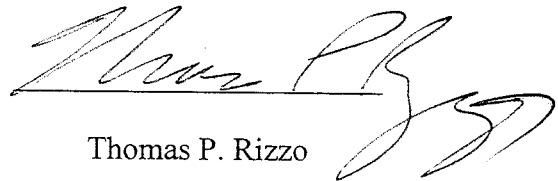
The following prior application was considered:

Rabinowitz/Salomon–5 Andover Ln. – One story front addition, two story rear additions, second floor side and rear additions and interior alterations, applicant amended the plans per comments from the Board of Building Design and applicant amended the plan. The Board reviewed the revised plans. The architect changed a window on the second floor front elevation drawing as requested by the Board of Building Design. The applicant also enlarged the second floor side addition which altered the roof and side elevation drawing. No one appeared before the Board to support or oppose the application. Members Sporn, Staiman, Kupferstein, Breitman, and Weinstock voted unanimously to approve the application as amended.

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There being no further business Chairman Sporn asked for a motion to adjourn, Mrs. Breitman made a motion to adjourn, the motion was seconded by Mrs. Staiman, the meeting adjourned at 9:17 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.


Thomas P. Rizzo