

Lawrence, New York May 9, 2011

A Regular Meeting of the Board of Building Design of the Incorporated Village of Lawrence was held on Monday, May 9, 2011 at the Lawrence Village Hall, 196 Central Avenue, Lawrence New York 11559 at 7:15 P.M.

Those members present were:	Chairperson Benjamin Sporn
	Member Ronni Berman
	Member Eva Staiman
	Member Barry Pomerantz
	Member Barbara Kupferstein

Those members absent were: None

Also present were: Thomas P. Rizzo, Secretary to Board of Building Design and Gail Daniels. Chairperson Sporn called to order the regular meeting of the Board of Building Design at 7:20 PM. Proof of posting for the meeting was submitted.

The minutes of the April 4, 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 votes cast: Ayes: Chairman Sporn, Member Berman, Member Staiman, Member Pomerantz and Member Kupferstein, the minutes of the April 4, 2011 Board of Building Design meeting were approved as submitted.

The meeting agenda included four new applications and one prior application. Mr. Rizzo advised Chairman Sporn that one new application and one prior application were submitted late and were not on the prepared agenda. Mr. Rizzo asked the Chairman if the Board would review the two additional applications after the prepared agenda was completed, Chairman Sporn decided that the Board would review the two late applications after the agenda items were reviewed. Mr. Rizzo advised the Board that the first application was Alpert of 455 Mistletoe Way.

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The following new applications were considered:

Alpert- 455 Mistletoe Way – New residence with attached garage, pool house, paving, driveway, curb cuts and swimming pool. The Board reviewed that application and plans. A Board member asked if there was a landscape plan for the property, Mr. Rizzo advised that Board that landscaping had been discussed at the Board of Appeals hearing and it was the owners intent to maintain as much of the existing landscaping as possible. Mr. Rizzo advised the Board that the architect was present tonight and attended the Board of Appeals hearing and could discuss the landscaping. Mr. Warren Meister came forward and identified himself as the architect for the project. Mr. Meister explained that a landscape plan had not be developed yet but it was the intent to keep the present property very park like, as it is now and before construction begins all of the existing trees that are to be kept will be marked, additionally it was the plan to plant more trees along the three streets that abut the property but the type of trees had not been chosen yet. Mr. Meister submitted three different color renderings of the proposed new residence; he also submitted material and color samples for the siding, roofing, windows and trim for the Board to review. The Board members questions which street the front entrance would face and Mr. Meister explained which street the front entrance, side entrance and garage entrance would face. The Board and Mr. Meister discussed the style of the house and the different finish materials and colors chosen and explained that the style of the house would be Mediterranean. Several Board members questioned the height of the chimneys saying that they looked very high. The architect explained that by code the chimney had to be a prescribed height about the roof, about three feet and then there was a cap over the top of the open chimney, the total height would be about thirty six feet high. Several Board members questioned if that was the lowest the chimneys could be. Mr. Meister

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stated the chimneys could be kept to thirty-six foot height; the chimneys were not a major design statement. The Board discussed the proposed location for the pool, pool paving and pool house. The Board Members asked about the existing curb cuts on the Mistletoe Way side of the property, Mr. Meister explained that presently there were two curb cuts on that side, one curb cut is the existing driveway entrance used to access the property now, that was to be kept for a small parking area, the other curb cut on that side accessed the carriage house was to be closed and removed. Chairman Sporn asked about the carriage house and Mr. Meister explained that it was to be kept. Mr. Rizzo asked to clarify, that the existing curb cut and parking for the carriage house was to be removed? Mr. Meister explained that the carriage house was to be used by the applicant and his family and there was no need for the curb cut and parking area. The Board discussed the granted variances with the architect. The Board noted that the front entrance looked very small compared to the size of the house, the architect explained that the Tuscan style of the house had understated entrances; additionally this is the style the applicant wanted. Mr. Rizzo noted that an earlier design included a covered front entrance but that added to the building coverage and so to comply with the request for the variance building coverage was reduced by removing the covered entrance. The Board asked when construction was to begin; Mr. Meister stated that they hope to begin construction in August. The Board asked if a final landscape plan may be ready by then, Mr. Meister did not know if one would be ready by then. Several Board members stated a concern regarding a landscape plan. Mr. Meister stated that per the variance requirement that after the location of the house is staked out that he and Mr. Ryder, Building Department Superintendent, would walk the property and tag each existing tree that could be kept on the site. Chairman Sporn suggested that the Board could conditionally approve the

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application pending the submission of a landscape plan for 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 proposed new house, pool house, paving and curb cuts with the conditions that the chimneys of the house must be lowered as much as possible and that a landscape plan must be submitted to the Board of Building Design for review within six months. The motion was seconded by Member Berman, with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes and Member Staiman yes and Member Kupferstein yes.

Eisenberg – 3 Copperbeechn Ln. – New residence with attached garage, paving for driveway and patio, relocate one curb cut and one additional curb cut. The Board reviewed the application and plans. Mr. Meister identified himself as the architect for this project and stated that this house was of a more modest smaller scale compared to the previous application. Mr. Meister explained that the home fronted on Copperbeechn West and the back on Copperbeechn East. Mr. Meister explained that the area had tutor style homes and the plan was to give this home a tutor look and feel and explained the finish materials and colors to be used on the new house to achieve that look and style. Several Board members stated that the front door looked very small but another Board Member noted that the door could not be made wider due to interior closets on both sides of the front door. Mr. Meister explained that the door was three feet four inches wide and eight feet tall. Several Board Members discussed the addition of side light windows to the front door with stained glass in the closets. Mr. Meister stated that there were budget issues on this project that might affect altering the front door. One Board Member asked

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about changing to a double door but it was discussed that the interior closets did not provide room for double doors and tutor style homes did not have double doors. The idea was offered that the frame around the door could be enlarged to make the door appear larger. A Board Member asked if tutor style homes had window shutters, Mr. Meister stated some do. The Board Member asked if the applicant would consider the addition of shutters, Mr. Meister stated he was not sure about the owners' feelings about shutter, but stated that shutters on single windows look appropriate but on double or triple windows shutter were just decorative. Several Board Members asked if stone could be used on the home. Mr. Meister explained he would love to use stone on the home but again it was a budget issue. Mr. Rizzo asked the Board about the requested circular driveway, if the Board would address the driveway now with the house or only review the house now and then question landscaping on the property. Mr. Meister stated that there would be landscaping as the adjoining property owners do not want to see this property. Mr. Meister explained that at the variance hearings there were concerns expressed regarding sight lines and seeing into homes. Mr. Meister explained that at the present time as you enter Copperbeech Lane from Broadway the corner of the subject property is heavily landscaped and that would be kept and that the existing driveway would move over and the area between the curb cuts would be planted with a hedge. Mr. Meister stated that at the variance hearing the neighbors were very concerned about landscaping and the applicant agreed to heavily landscaping the property. The Board asked if the property had the lot coverage to allow the paving for the circular driveway. Mr. Rizzo stated that the driveway paving complied with zoning. Mr. Meister explained that there was no variance required for lot coverage. The Board reviewed the circular driveway and discussed the setbacks for the driveway. Mr. Rizzo asked if the Board would consider

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approving the house for now and ask for additional information on the driveway and a better landscape plan when reviewing the driveway at a later date. One Board Member asked if anything about the circular driveway would change. Mr. Rizzo stated that the driveway may not change in shape but a better landscape plan with more information regarding bushes and other plantings may help the Board regarding the circular driveway. Another Board Member stated they would like to know the paving materials for the driveway also. No else one appeared before the Board to support or oppose the application. The Board Members conferred on the application. A motion was made by Member Berman to approve the house with a request widening the trim around the front door and reserved decision regarding the circular driveway until the Board gets a more developed plan on the driveway with paving materials. A more developed landscape plan for the whole property and the area of the circular driveway was requested as well. The motion was seconded by Member Staiman with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes, Member Staiman yes, and Member Kupferstein yes. Mr. Meister thanked the Board.

Chen Ng – 345 Mulry Ln. – Install six foot high solid almond colored PVC fence on both side property lines, on the rear property line and in west side yard area and a three foot high spaced picket fence on the front property line. The Board reviewed the fence application, for the property at the intersection of Mulry Lane and William Street. Mr. Rizzo advised the Board of Building Design members that the Board of Trustees is discussing making William Street, which presently is a one-way street, into a two way-street, which would affect the amount of traffic on William Street. Mrs. Ng came forward with her daughter and identified herself as the property owner. Miss Ng

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translated for her mother. Miss Ng stated that previously William Street was temporarily made two-way street for a while. Mr. Rizzo advised Mrs. Ng and Miss Ng that recently they may have received a notice of a public hearing by the Board of Trustees to discuss the proposal to widen part of William Street and making it a two-way street. The Board reviewed and discussed the requested fence, no Board Members stated an objection to the six foot high PVC fence on the rear property line adjacent to the Village of Lawrence parking lot, but a Board Member noted that the request for a six foot high fence on the side property lines was contrary to what the Board normally approves for side property lines. The Board members discussed that in the past, regarding a corner property located on a busy street, the Board has approved six foot high fences on the side line abutting the busy street. Several Board Members agreed that William Street was a busy road. The Board discussed the request for a three foot fence on the front of the property and noted that they do not normally approve front yard fences, but it was pointed out that many of the homes on Mulry Lane have front yard fences. The question was asked if the existing bushes on the property line would be removed to install the fence. Miss Ng discussed the question with her mother and explained that the request was to install the fence on the outside of the existing bushes. The Board stated that it would be nicer if the fence was installed behind the bushes. The Board Members had a long discussion regarding the fence and the bushes. It was noted that the side yard adjacent to William Street was very narrow and if the requested six foot high fence was installed behind the bushes the home owner would lose part of his useable side yard area which was already narrow. The Board discussed if it was possible to move the bushes back from the property line to install the fence or if the bushes could be trimmed to install the fence. The Board concluded that whatever was done, the bushes would not survive long and would die.

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Regarding the requested front yard fence the applicant's daughter explained that her mother was considering removing the bushes on the front property line and planting rose bushes or some other plants. No one appeared before the Board to support or oppose the application. The Board conferred on the application. The applicant requested to make a change and asked if the existing chain link gate at the driveway could be changed to a six foot high PVC fence to match the requested new fence, the Board was agreeable with the requested change. A motion was made by Member Staiman to approve the fence, an almond colored solid PVC fence on the rear property and William Street side property lines including the driveway gate, the six foot PVC fence is to start at a point even with the front wall of the house and go back to the rear property line along William Street. The Board approved a matching five foot high fence on the interior side property line, to start at a point even with the main front wall of the house and going to the rear property line with a five foot high matching fence and gate in the right side yard area even with the main front wall of the house. The Board approved a three foot high almond colored PVC picket fence on the front property line, on the right side property line from the front line fence back to where the approved five foot high fence would begin and on the William Street side property line, from the front property line back to where the approved six foot high fence would begin. The motion was seconded by Member Kupferstein with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes, Member Staiman yes and Member Kupferstein yes.

Amar/Sunflower Cafe – 375 Central Ave. – Outdoor dining area. The Board reviewed the application and plans. No Board Members voiced any concerns with the proposed outdoor dining area. Board Member Berman had questions regarding a mural painted

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half way up on the wall adjacent to the outdoor dining area. Other Board Members noted that, that was the wall of the adjoining building. Board Member Berman asked if the applicant could continue the mural all the way up to the top of the wall. Several Board Members stated they did not have a problem with the mural only painted on the lower section of the wall and did not feel the need to require the entire wall to be painted. The Board discussed the issue and came to an agreement that the application could be approved as submitted but with a request, but not a condition of the approval of the application, that the applicant complete the mural and paint to the top of the wall. No one appeared before the Board to support or oppose the application. A motion was made by Member Pomerantz to approve the application for the outdoor dining area as submitted. The motion was seconded by Member Staiman, with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes and Member Staiman yes and Member Kupferstein yes. Member Berman's request, that the mural on the wall adjacent to the dining area be completed to the top of the wall was noted and would be conveyed to the applicant.

The following prior application was considered:

Pockriss/Ocean Property – Ocean Ave & Narraganset Ave. – Install six foot high wood stockade fence with lattice top on Ocean Ave side of property and Narraganset Ave side of property to fill in between landscaping and install moveable black chain link fence to close off driveway for safety. Mr. & Mrs. Pockriss came forward and identified themselves as the property owners, and stated that they were coming back to the Board of Building Design to provide the additional information requested by the Board when the fence application was originally reviewed and also to clarify some issues regarding how

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the fence was approved and to request a change to the approved fence. Mr. & Mrs. Pockriss explained to the Board that they had their property lines staked out. They now know that the property line on the Ocean Ave. is along the tree line. They plan to run the fence in the tree line to make it more inconspicuous. Mr. Pockriss stated that on the Narraganset side the property is flat while the Ocean Ave side is built up so they would like the fence to be six foot high on the Narraganset side for privacy not five foot high as was originally approved by the Board. Mrs. Berman questioned Mr. Pockriss regarding the carriage house. The board first reviewed the fence application and Mr. & Mrs. Pockriss stated that the old carriage house would be fixed up; so far the work on the carriage house had not been completed. Mr. & Mrs. Pockriss stated that the contractor has been paid and fixed the broken windows but had not completed all of the work on the building yet. Mr. Pockriss continued to explain that they had young children and for privacy they would like a six foot fence on the Narraganset side of the property not five foot, also the fence was approved with no openings on the Narraganset side but their children wait for the school bus on Narraganset Ave and they wanted a gate in the fence so that the children could go to the bus. Mrs. Berman stated and the other Board members agreed that this application had already been heard and approved. Mr. Pockriss agreed that the application had been heard and approved but the approval did not state that a gate was approved in the Narraganset side fence and also that they wanted the Board to consider a six foot high fence, not the approved five foot high fence. Mr. & Mrs. Pockriss submitted a picture of the proposed fence for the Board to review and a new plot plan showing the proposed location for the new fence. Several Board members asked where the fence would be installed, Mr. Pockriss explained that on the Narraganset side that a six foot high fence would be installed beginning from the fence on the

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adjoining property on Narragansett Ave, to the carriage house on their property but the fence would be five foot high on the Ocean Ave side. Mr. Pockriss noted that the Leland cypress that they had planted had died and would be replace with a variety called Green giant, planted outside of the fence, also they planned to pull the fence on the Narragansett side in several feet from their property line so that it would be where there are existing trees. The Board reviewed the new drawings and discussed the requested changes to the fence. Mrs. Pockriss stated that they could live with the five foot high fence on Ocean Ave. but where their children play far from the house they would like the higher fence. The Board held a long discussion among themselves regarding the requested changes to the fence. Chairman Sporn summed up the sentiments of all the members and explained that the Board had approved the five foot high fence along Ocean Ave, and the Board had no issues with the request for a gate in the fence on the Narragansett Ave. side of the property but the Board was not in favor of a six foot high fence on Narragansett Ave., the Board members agreed to a five foot high fence at that location. Mr. and Mrs. Pockriss understood the Board members concerns. No else one appeared before the Board to support or oppose the application. A motion was made by Member Staiman to approve a five foot high fence on the Ocean Ave side of the property, a five foot high fence with a gate on the Narragansett Ave side of the property, in the style of fence submitted to the Board. The motion was seconded by Member Pomerantz with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes, Member Staiman yes, and Member Kupferstein yes.

Mr. Rizzo explained that the agenda items were completed and there were two applications to be heard that were submitted late and not on the agenda.

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The following prior application was considered:

Abittan– 9 Keewaydin Rd – Additions and alterations to existing residence. Dr.

Abittan came forward and identified himself as the property owner, with Dr. Abittan was his architect Mr. DeFonseca. Dr. Abittan explained that the original plan was to renovate the house and a small addition to the home but investigation indicated a large amount of termite damage to the structure and it was determined to take down most of the structure and build a New England style home. The Board reviewed the application, plans and the material samples. The Board questioned Dr. Abittan about the amount of termite damage to the house. The Board Members discussed the plans and several Board Members noted that it was a very nice house. No one else appeared before the Board to support or oppose the application. A motion was made by Member Staiman to approve the application for additions and alterations to the residence as submitted. The motion was seconded by Member Berman, with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes and Member Staiman yes and Member Kupferstein yes.

The following new application was considered:

Malek – 7 Sunset Rd. – Two one story additions and alterations to existing residence.

The Board reviewed that application and plans. Several Board Members questioned why the garage addition would have a flat roof and the need for a railing on the flat roof. Mr. Rizzo advised the Board that the flat roof was not accessible so a railing was not required but if the Board wanted a decorative railing around the flat roof that could be requested. Several Board Members suggested a pitched roof be used above the garage addition, not a flat roof. Mr. Rizzo advised that there was a second floor window and that there may not be room under the window for a pitched roof. The Board Members discussed the

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roof issue, whether the flat roof should have a railing or be changed to a pitched/shed roof. No one 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 for the additions with the condition that the flat roof above the garage addition be changed to a shed roof. The motion was seconded by Member Pomerantz, with the following votes cast: Member Pomerantz yes, Member Berman yes, Chairman Sporn yes and Member Staiman yes and Member Kupferstein yes.

There being no further business the meeting was adjourned at 8:50 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