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INCORPORATED VILLAGE OF LAWRENCE
BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

December 8, 2011
9:00 p.m.

APPLICATION: Wolfson
1019 New McNeil Avenue
Lawrence, New York

P R E S E N T:

MR. EDWARD GOTTLIEB
Chairman

MS. ESTHER WILLIAMS
Member

MR. MARK SCHRECK
Member

MR. ELY TENDLER
Member

MR. THOMAS V. PANTELIS, ESQ.
Village Attorney

MR. MICHAEL RYDER
Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN GOTTLIEB: Good evening, everyone.
2 Welcome to the December meeting of the Lawrence
3 Board of Zoning Appeals. I'm Ed Gottlieb sitting
4 in for Chairman Keilson who is not able to be with
5 us tonight. We also have sitting in Ely Tendler,
6 and Lester Henner, our alternates sitting in as
7 full serving members this evening.

8 Do we have proof of posting?

9 MR. RYDER: Yes, we do, Mr. Chairman. We
10 have proof of posting and publication.

11 CHAIRMAN GOTTLIEB: Thank you. We have one
12 case for this evening. So I'll ask Mr. Bonesso to
13 step forward and introduce himself.

14 MR. BONESSO: Thank you. Good evening,
15 Mr. Gottlieb, members of the Board. William
16 Bonesso, Forchelli, Curto, Deegan, Schwartz,
17 Mineo, Cohn & Terrana, 333 Earle Ovington,
18 Boulevard, Uniondale, New York, here this evening
19 on behalf of the applicants, Aaron and Ellen

20 Wolfson, seated here.

21 Also with me this evening is Mr. Francis Sun.
22 He is with our architect's office, Warren
23 Meister's architecture.

24 We're here this evening. The Wolfsons own
25 the property at 1019 New McNeil Avenue in the

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1 Village, and they're seeking multiple variances in
2 order to permit a two-story and attic addition to
3 their existing dwelling.

4 The Wolfsons live in the property with their
5 seven children. They are seeking the addition
6 mainly as a result of some unfortunate occurrence.
7 They have a special-needs child who after some
8 spinal surgery became a paraplegic; he's
9 wheelchair-bound. He needs the use of a
10 respirator -- and I'm sorry, yes, I will speak up.
11 He uses a respirator and he needs other
12 significant medical equipment. And the proposed
13 addition is to accommodate his needs and to
14 address the needs of the family as a result of the
15 accommodations.

16 The variances being sought by the Board are
17 front-yard setback variance. Based on the
18 calculations of the Building Department we are at
19 17 and a half feet, 25 feet is required. I will
20 point out that to the actual building we are 25
21 feet back. It is only a set of steps and a
22 landing that encroaches in the front-yard setback.
23 And on the existing house the landing and steps
24 actually get to a point of 25. So we're basically
25 asking for a two and a half foot increase in that.

1 The setback to height ratio we are asking for
2 a variance of that; permitted is 1.1. We are at
3 1.47. That has to do with the slope coming up
4 from the setback to the -- no, you measure the
5 height and the setback and you get a ratio. At
6 present the house is at 1.1 which is permitted.
7 We are asking for 1.47 because of the addition
8 coming on the front of the house.

9 We are asking for building and surface
10 coverage variances. I'll get into that in a
11 little bit. We are also asking for permission to
12 utilize and develop the attics or extend the use
13 of the attics into this front portion of the
14 building of the lot. And to extend the existing
15 permitted use of the attic into those areas with
16 heat and air conditioning, dormering and for uses
17 other than storage.

18 Now, that said, I know that the Board is
19 certainly most concerned about the question of why
20 the addition is proposed to be in the front where
21 the variances are needed for both front-yard
22 setback and for building and surface coverage and
23 for the height to setback ratio. I'd like to
24 first call up Mr. Sun, Francis Sun to address how
25 the architect's office looked at the proposed

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1 addition and considered the use of the rear of the
2 building, but then alternately settled on the
3 addition going on the front, if I may.

4 MR. SUN: Thank you. First, by looking at --
5 my name is Francis Sun, with Warren Meister
6 Architects, located 22 Kendall Drive, New City,
7 New York 10956.

8 To start with, we placed in the front because
9 it seemed the most logical place. By placing it
10 in the back part of the house which is in the
11 Queens district does not really work because of
12 the split levels. On the attic and second floor
13 is raised by five steps which is roughly three
14 feet. So right off the bat we couldn't place it
15 there. And if you're placing the front of the
16 house, placement on the right side really didn't
17 work as much because you have steps leading up to
18 the side entry and steps going downstairs. And
19 the only place that we might be able to put it is
20 the front study. But then by going up you disrupt
21 either the bedrooms or the bathrooms on the second
22 floor.

23 So we looked on the other side, the left side
24 of the house. And by placing it there probably
25 would have to be either in the dining room or

1 living room, and both it would disrupt those areas
2 and the second-floor bedrooms. And considering
3 that they need all the existing bedrooms right now
4 on the second floor for their kids, it would have
5 to be redesigned and shifted to the front so the
6 addition would still have been added in the front
7 somewhere.

8 So instead of creating two additions at the
9 house, addition and renovation, which would
10 increase the cost, decided just to limit
11 everything to the front. So by adding everything
12 in the front construction is closed off in one
13 zone and the house can still be utilized by the
14 family. And that's how we came about it.

15 MR. BONESSO: Mr. Sun, is it also true that
16 by having the elevator and the access point in the
17 front of the house that that also makes it easier
18 for the paralyzed son, the paraplegic son, to gain
19 access to the elevator to the upper floors in case
20 of inclement weather and the like?

21 MR. SUN: Yes. And also, by putting it in
22 the front you don't have to -- on that side of the
23 house which is more applicable on the left side as
24 you're facing, we don't have to increase surface
25 coverage.

1 MR. BONESSO: Now, on the proposed third
2 floor, the elevator goes up to that area and there
3 is an area that is slated to be an expanded
4 exercise room; is that correct?

5 MR. SUN: Yes.

6 MR. BONESSO: In our discussions after or
7 prior to the hearing, we talked about cutting back
8 the front extension of that area?

9 MR. SUN: Yes.

10 MR. BONESSO: Can you expand on that and
11 could you tell the Board what effect it would have
12 on the proposed -- I'm sorry.

13 MR. PANTELIS: Go ahead.

14 MR. BONESSO: What impact or what effect that
15 would have on the massing, if you will, on the
16 front of the building.

17 MR. PANTELIS: Mr. Bonesso, before he
18 answers, is it possible that he's able to
19 accompany that with some reference to his plans so
20 that we can see what we're talking about by
21 virtue --

22 CHAIRMAN GOTTLIEB: Like a color drawing
23 rendering.

24 MR. PANTELIS: Or anything that you have.
25 I'm sure you have.

1 MR. SUN: Okay. Presently --

2 MR. PANTELIS: What are we looking at now?
3 Are you making reference to sheet A7? And what
4 floors of the structure is that?

5 MR. SUN: A7. This is the attic floor plan.

6 MR. BONESSO: As proposed.

7 MR. SUN: Yes. Right now with the extension
8 on the second floor in the front we're coming out
9 roughly about fifteen feet. And this creates a
10 massing that comes up straight. And right now
11 what is actually shown is a gable roof. So by
12 concealing part of the attic and bringing this
13 wall back we can actually provide more of a hip
14 roof. Mostly on the sides in the front and center
15 partial hip because we still need to maintain the
16 ceiling attic height. So we can actually soften
17 it by giving it a small eyebrow, but again, it
18 would lessen the mass in the front more so by
19 pushing everything back.

20 MR. BONESSO: So in doing that, the resulting
21 front line of the third floor would be parallel
22 with the elevator hallway?

23 MR. SUN: Yes, it would be.

24 MR. BONESSO: Okay. And that is something
25 that can be performed to address the massing and

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1 provide for more of a setback on that top floor?

2 MR. SUN: Yes.

3 MR. BONESSO: Okay.

4 CHAIRMAN GOTTLIEB: Can you tell me, on the
5 third floor currently, there's windows up on the
6 third floor. So where are those windows sitting
7 now?

8 MR. SUN: Right now the existing third floor
9 the walls come here, and there's a dormer that
10 pops out and that is where the windows are, right
11 located in this area.

12 CHAIRMAN GOTTLIEB: So would that dormer stay
13 where it is now?

14 MR. SUN: No, it will probably come out about
15 three feet from the existing.

16 CHAIRMAN GOTTLIEB: So on the third floor it
17 would still be three feet further toward the
18 street?

19 MR. SUN: Yes.

20 MR. BONESSO: Thank you. Thank you, Mr. Sun.

21 CHAIRMAN GOTTLIEB: And then, I'm sorry, just
22 while we're looking at that, so I'm looking at the
23 front of the house right now. So the third-floor
24 dormer will be three feet further toward the
25 street?

1 MR. SUN: Yes.

2 CHAIRMAN GOTTLIEB: And the front of the
3 house will be how much further to the front? The
4 distance from where the dormer is to where the
5 first and second floor is. So in relationship
6 this will be recessed fifteen feet further back or
7 more?

8 MR. BONESSO: I think about twelve feet,
9 because I think it comes out about fifteen feet.

10 MR. SUN: Right. So it will be about twelve
11 feet.

12 MR. BONESSO: It will be recessed. The
13 third-floor dormer will be twelve feet back from
14 the front of the new portion of the house, the new
15 front facade of the house.

16 CHAIRMAN GOTTLIEB: So I'm sorry, I'm going
17 to open up my plans so I can follow along.

18 MR. SUN: A9 would be the attic floor plan
19 sheet.

20 CHAIRMAN GOTTLIEB: A9?

21 MR. SUN: Yes. It was close. I think it's
22 eight.

23 CHAIRMAN GOTTLIEB: Seven.

24 MR. SUN: My apology. Nine was the
25 elevation, that's what I meant.

1 CHAIRMAN GOTTLIEB: So the portion that
2 you've proposed to remove on the third floor is
3 approximately twelve feet by ten feet.

4 MR. BONESSO: Yes.

5 MR. SUN: Yes.

6 CHAIRMAN GOTTLIEB: And the dormer that we're
7 talking about is just going to be in that center
8 area?

9 MR. SUN: Yes.

10 CHAIRMAN GOTTLIEB: So how will you be able
11 to walk through the hallway, or is that going to
12 be a dormer reaching to the side of the house?

13 MR. SUN: I'm sorry to interrupt. That would
14 be a hip roof going back, so that part would be
15 hidden by the front section would be popping out.
16 The middle section I should say.

17 CHAIRMAN GOTTLIEB: Okay.

18 MR. BONESSO: Thank you, Mr. Sun.

19 Well, let me elaborate more on the front-yard
20 setback. The front-yard setback, as indicated,
21 the building itself will be 25 feet from the front
22 property line. The landing as proposed is six
23 feet wide and then there are four steps that go
24 down each a foot deep, and as calculated by the
25 Building Department that provides us with formally

1 and technically -- technically, a 17 and a half
2 foot front-yard setback. The impact that that
3 will have is certainly, in our opinion, relatively
4 small because it is simply the landing, simply the
5 steps. The actual front of the building will not
6 start for another eight feet or so, seven and a
7 half feet, making it a full 25-foot setback as
8 required by the code. So as much as it's a
9 technical variance, we don't believe it has a
10 significant negative impact on the character of
11 the neighborhood or the surrounding properties.
12 We have houses on either side. The house to the
13 left as you're looking at it from the street is
14 closer, will be -- will remain closer to the
15 street than our setback to the house will be, and
16 on the other side it's almost the same, it's
17 probably about another two feet back to the front
18 of the house.

19 CHAIRMAN GOTTLIEB: So speaking for the
20 Board, each us have done our own research
21 individually and each of us will have our own
22 comments to make, but I was on the street at
23 length I think yesterday morning. And one of the
24 issues that I'm having with this is this is a
25 particularly lovely street, one of the nicest

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1 streets. The houses are for the most part nice,
2 large houses. This house is already a large house
3 for this block, which is fine. But when you put -
4 the issue that I'm facing is with the bulking out.
5 It's not so much the distance which we didn't
6 touch upon yet, building coverage, surface
7 coverage. The issue is I guess the front, the
8 height setback ratio, which is another word for
9 saying the bulking out of a house. And we're so
10 much or I'm so much trying to accommodate needs
11 which are obviously quite apparent and don't have
12 to be discussed what the needs are, but I'm
13 looking at the plans and I think I counted
14 fourteen or seventeen bedrooms.

15 MEMBER SCHRECK: Fourteen.

16 CHAIRMAN GOTTLIEB: Thank you. Fourteen
17 bedrooms, which is obviously fine. There is a
18 need. We have a large family, there are visitors
19 which you haven't spoken about now, but we
20 understand we all of us have visitors that come
21 stay overnight. Is there a way to accomplish what
22 you need without the mass of -- without having
23 that massive front? I appreciate that you've
24 pushed back the dormer twelve feet, but it's still
25 three feet closer than it is now and it already

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1 looks quite massive right now.

2 MR. BONESSO: Just to touch upon some of the
3 things that you did mention, the fact that it is a
4 large family, there are seven children, one of
5 which -- one of whom is at school but does come
6 home on a regular basis. Mr. Wolfson has an
7 elderly father who just entered Alzheimer's.

8 MS. WOLFSON: That's my father.

9 MR. BONESSO: Oh, I'm sorry, that's your
10 father, I apologize. Mr. Wolfson has a father who
11 is not really able to climb stairs; he uses the
12 bedroom on the first floor. Mrs. Wolfson's
13 parents do -- are able to go up to the second
14 floor; they typically stay up there during the
15 times that they come visit, but they do come visit
16 regularly.

17 The desire was to have the front addition on
18 the second floor which would accommodate the son's
19 new bedroom, with an attendant next to it, and a
20 handicapped bedroom -- bathroom available right in
21 between, and on that corner would be a bedroom for
22 Mrs. Wolfson's parents. And then that with the
23 present layout it would allow all of the other
24 children to still be accommodated on the second
25 floor.

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1 The use of the third floor, the reason why
2 they would still like to keep the third floor is
3 to accommodate, is to provide an area for therapy,
4 for exercise. They are prepared to cut that back
5 in order to address the massing, but they still
6 would like that area in order to accommodate that
7 need. The other locations in the house, the
8 basement really can't be used for an exercise
9 room; the ceiling heights are only approximately
10 seven feet and in some places lower. The back of
11 the second floor has steps leading up to it. In
12 the beginning it's two steps and then in the back
13 it's even more, so there's a significant change in
14 height and that creates challenges for the son to
15 be able to use those when he's restricted to a
16 wheelchair. Or even if he does get some of his
17 abilities back, it's still difficult for him to go
18 change the levels.

19 So consequently, the front area is the most
20 suitable area to locate that, not to mention the
21 fact that it allows the activities associated with
22 that child's existence, the respirator, the other
23 equipment that does make noise and is not silent,
24 it gives it the ability to be kept apart from the
25 remaining bedrooms in the rear of the house so

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1 that there's a separation so as not to disturb
2 other children while they're sleeping. And it is
3 just from a layout perspective much easier for and
4 much more efficient for their son to use.

5 Now, by cutting back on the front we feel
6 that the applicants are certainly trying to
7 accommodate the concerns that have been indicated.
8 We recognize that it does still extend
9 approximately three feet more than what currently
10 exists. But it would allow the use of that third
11 floor for the needs of the paraplegic son. So
12 consequently, they're asking for that modification
13 and they're hoping that that will address the
14 massing concerns that the Board has.

15 CHAIRMAN GOTTLIEB: You know, the law does
16 not necessarily take a person's need into account.
17 There's a balance and five matters that we need to
18 take into account. And I have to tell you we're
19 all trying so hard to make this work. We want to
20 make this work. But it's very difficult because
21 we don't want to set a precedent. We've seen
22 situations in the Village happen where one house
23 gets larger, and then there's another need
24 seemingly as important to another applicant, and
25 you're familiar with that. I want to find a way

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1 to give and get with this in terms of need versus
2 want. As much as we can't have everything, we
3 want to give this child everything possible. And
4 maybe we can -- for example, and I don't want to
5 come to you and tell you what to do. It's very
6 uncomfortable for me to do that, for any of us to
7 do that. This is probably one of the toughest
8 cases that we have to face, but we do.

9 For example, could the exercise room be on
10 the second floor and can we put some of the older
11 kids on the third floor? Could -- and again, this
12 is just -- I'm not telling you what to do by any
13 means. I want to come up with something that's
14 palatable to all the Board and to the neighbors
15 who may remain silent this evening and may have
16 unspoken objections as to how the street may
17 change over the next few years with one house and
18 then another getting larger and larger.

19 MR. BONESSO: I can appreciate that. Do you
20 want to address that?

21 Mr. Wolfson, step up and give your name and
22 address, please.

23 MR. WOLFSON: Aaron Wolfson, and in case you
24 haven't heard by now, it's 1019 New McNeil Avenue.

25 I appreciate everybody taking the time out

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1 tonight coming in special and attempting to
2 accommodate our needs. All I can say to that
3 question is it's a very, very strong parenting
4 desire on our part to keep all the kids on the
5 second floor. For those of us amongst us that are
6 parents, I hope you could appreciate the desire to
7 have the kids as close eyesight range as possible.

8 And like Bill pointed out, my wife's parents
9 come more frequently than they have in the past
10 now that my father-in-law is an Alzheimer's
11 patient. And they cannot make it up to the third
12 floor either. That's --

13 MR. BONESSO: Do you also have regular guests
14 in addition to each of your parents?

15 MR. WOLFSON: All the time. The house is
16 sold out every weekend.

17 MR. BONESSO: And they use the bedrooms on
18 the third floor?

19 MR. WOLFSON: They use the bedrooms on the
20 third floor, yes.

21 MR. BONESSO: Up until now what have you been
22 doing to accommodate those needs?

23 MR. WOLFSON: The guests have been on the
24 third floor. And like I said, my in-laws have
25 been a challenge. We have been juggling it.

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1 MR. BONESSO: All right.

2 MR. PANTELIS: Mr. Bonesso, is there still
3 expansion room on the third floor as we see it to
4 have additional bedroom space?

5 MR. SUN: No, there wouldn't be anywhere
6 because the -- when you're looking at the upper
7 right part where it's storage, that goes up five
8 steps and the head/eye clearance won't cover
9 everything up there.

10 MR. PANTELIS: You would have to modify the
11 dormer.

12 MEMBER WILLIAMS: It's not the full height
13 you're saying because of the five steps?

14 MR. SUN: It's a hip roof off the existing.

15 MR. BONESSO: That would require additional
16 dormers?

17 MR. SUN: Yes.

18 MR. PANTELIS: So if I understand the sense
19 of the Board, it seems to be that the second floor
20 is -- it seems to be more acceptable as presented;
21 is that what -- that the second floor as proposed
22 seems to be more acceptable?

23 MEMBER WILLIAMS: Under the circumstances,
24 needless to say, everyone understands none of this
25 would be acceptable for the street, but under the

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1 circumstances of course.

2 MR. PANTELIS: But it's a third floor. We're
3 trying to help the applicant here understand
4 exactly what the Board's concerns are here.

5 CHAIRMAN GOTTLIEB: The first and second
6 floor bump-out is a problem for me. It's not a
7 problem. I'm sure I speak for all of us, I'm
8 being the most difficult here. But what I'm
9 trying to accomplish is putting in the second
10 floor and yet still not having that 37-foot roof
11 which under normal circumstances our height limit
12 is 30, it's pre-existing, I understand that. So
13 I'm trying to look at any way possible not to
14 bring out the third floor any further than it
15 currently is now, so that from a street sight or a
16 side line as you're driving up the street, walking
17 up the street this one house in particular doesn't
18 seem so obtrusive.

19 MR. WOLFSON: I mean, that's what we spent a
20 long time in the preconference trying to figure
21 out how to do that, and we haven't figured that
22 out.

23 MR. PANTELIS: Can we take a recess for two
24 minutes? Maybe I could speak to counsel also with
25 the Board's permission.

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1 MR. BONESSO: Yes, please, thank you.

2 (Whereupon, a recess was taken.)

3 MR. BONESSO: I'm going to have Mr. Sun
4 explain that.

5 MEMBER WILLIAMS: You can look. One quick
6 question. Let me ask you something. I just --
7 this is where the house is now.

8 MR. SUN: Right.

9 MEMBER WILLIAMS: This is what the proposal
10 is.

11 MR. SUN: Yes.

12 MEMBER WILLIAMS: Is this approximately what
13 it would be if we take off the twelve feet
14 approximately?

15 MR. SUN: Yes, on the sides.

16 CHAIRMAN GOTTLIEB: Would there still be a --
17 where the window is, unless I'm just totally --
18 where this is.

19 MR. SUN: Yes. Where the bump-out for the
20 dormer is, say this part would be coming up, the
21 bump-out would probably be hanging around here.

22 MEMBER WILLIAMS: That little thing.

23 MR. SUN: Yes, in the center, to let light
24 into the exercise room.

25 CHAIRMAN GOTTLIEB: That's this.

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1 MR. SUN: That would be there, yes.

2 MEMBER WILLIAMS: Okay.

3 CHAIRMAN GOTTLIEB: Can you estimate --

4 MEMBER WILLIAMS: We're not going to hold you
5 to it.

6 CHAIRMAN GOTTLIEB: -- what the ratio, the
7 height setback ratio would be?

8 MEMBER WILLIAMS: I could tell you what we
9 asked for if you want to know.

10 CHAIRMAN GOTTLIEB: Would it substantially
11 change from where it is now?

12 MR. RYDER: What are we going to reduce it
13 to?

14 MR. SUN: We're going to --

15 MR. BONESSO: At the 25-foot-setback what
16 will the height be? Estimate it. It won't be the
17 36 and three-quarters.

18 MR. SUN: You're talking about the height to
19 the roof, to the second floor?

20 CHAIRMAN GOTTLIEB: To the third floor, you
21 mean, or the second floor?

22 MR. BONESSO: Because the second floor --
23 basically, the way the height to setback ratio is
24 determined is you look at the setback, in this
25 case 25 feet, and then what is the height of the

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1 building at 25 feet. Presently as proposed it was
2 going to be 36, 36 and seven -- 36 feet and
3 three-quarters inches. But by taking off that, at
4 that height the ratio is 1.47. Now we're going to
5 be reducing the height. Do you have an idea,
6 Francis, of what the height will be at this point?

7 MR. SUN: I honestly don't. I don't want to
8 give a number and be off base with it.

9 CHAIRMAN GOTTLIEB: The height to the second
10 floor is still 22 feet to the top of the second
11 floor?

12 MR. SUN: That has to remain there, right,
13 because of the ceiling height.

14 MR. BONESSO: It may be 25 feet.

15 MEMBER WILLIAMS: It's silly. We're
16 concerned with the ratio. We're not concerned
17 with the numbers. We're willing to grant relief;
18 that's not the issue. We're just concerned with
19 the visual aspect of it. So I don't know why
20 we're bothering him with numbers.

21 CHAIRMAN GOTTLIEB: Well, because there was
22 an attempt to -- there was an attempt to mitigate,
23 but also to perhaps to remove one of the
24 variances. That was the nature of the question
25 was to bring the variances down, to bring them

1 down.

2 MEMBER WILLIAMS: Would it bring it down
3 considerably?

4 CHAIRMAN GOTTLIEB: Six to five.

5 MR. SUN: It would bring the massing down
6 considerably.

7 MEMBER WILLIAMS: It would bring the height
8 ratio down a certain amount?

9 MR. SUN: It will bring it down a certain
10 amount, but I don't think it will be by a lot, but
11 the massing will be helped. It's more helpful in
12 the massing end of it.

13 MR. PANTELIS: Would that conclude your
14 presentation?

15 MR. BONESSO: Unless the Board wants me to
16 get into surface and building coverage and things
17 like that.

18 CHAIRMAN GOTTLIEB: We understand this is an
19 unusual situation because you're in Queens, you're
20 in Nassau. Are you 6,500 feet, are you 1,200, 750
21 feet?

22 MR. PANTELIS: I think that's understood, but
23 I think it's good to have that on the record.
24 Just from your point of view I think the Chairman
25 has indicated that we recognize the difference of

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1 split in jurisdiction and that creates a lot of
2 that difficulty.

3 MR. BONESSO: Last thing I'll do is provide
4 you with some letters of support I have from five
5 neighbors on the street. They're indicated on the
6 back of that group of that package is a radius map
7 and I've checked in red ink the lots of the
8 property owners who gave their support.

9 MR. PANTELIS: We'll have that marked as an
10 applicant's exhibit.

11 MR. BONESSO: Thank you. That would conclude
12 my direct presentation.

13 MEMBER WILLIAMS: Mr. Meyers doesn't like
14 you?

15 MS. WOLFSON: I think he was away.

16 MR. BONESSO: She tried; he was away.

17 CHAIRMAN GOTTLIEB: Do any of the members of
18 the Board have any questions or comments? Any
19 questions or comments from the Board members?

20 MEMBER WILLIAMS: We're fine.

21 CHAIRMAN GOTTLIEB: You spoke.

22 MEMBER HENNER: She spoke for the whole
23 Board.

24 CHAIRMAN GOTTLIEB: Are there any neighbors
25 who would like to speak?

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1 MR. RYDER: I'd like to speak, Mr. Chairman,
2 if I may, regarding procedure with plans. Are you
3 going to touch on that?

4 CHAIRMAN GOTTLIEB: By all means.

5 MR. RYDER: I'd like revised plans to show
6 what the Board has discussed tonight.

7 MR. BONESSO: Yes.

8 MR. RYDER: And show the different ratios for
9 the record.

10 MR. BONESSO: For the record, we will prepare
11 a modified set of plans showing this new proposed
12 modification, and we will also provide the Board
13 not only with new calculations on the plans, but
14 I'll provide the Board with a new code relief
15 description section amending the one that we've
16 already submitted.

17 MR. RYDER: Thank you.

18 CHAIRMAN GOTTLIEB: So instead of reserving
19 decision, based upon this conversation between
20 Mr. Ryder and Mr. Bonesso, we will get a new set
21 of plans. Mike, you will verify that the plans
22 represent what was discussed here tonight.
23 There's going to be a pull-back or a push-back of
24 twelve feet on the third floor.

25 MR. RYDER: I will.

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1 CHAIRMAN GOTTLIEB: And therefore --

2 MR. PANTELIS: I would suggest although the
3 Board may choose to vote on the application, that
4 the notification letter that would typically be
5 sent out immediately not be sent out until the
6 applicant has submitted the new plans and then the
7 Board's vote can be reflected along with the
8 specifics of the new plans in case there are
9 modifications to the variance. It's not going
10 to hold the applicant up, but I think for the
11 record it's very important as we've now been
12 trying to make sure that every application clearly
13 indicates what relief was granted and on what set
14 of plans.

15 CHAIRMAN GOTTLIEB: So that letter would be
16 prepared by the Building Department.

17 MR. PANTELIS: It always is. That's our
18 notification letter. It's in effect our decision
19 letter. But that does not prevent the Board from
20 taking whatever action it deems tonight on the
21 application.

22 MR. BONESSO: That would be acceptable to the
23 applicant.

24 MEMBER WILLIAMS: Okay, want to vote?

25 MR. PANTELIS: We need a motion.

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1 CHAIRMAN GOTTLIEB: How long do you expect
2 this project to take from start to completion?

3 MR. WOLFSON: We need to do this as quickly
4 as possible.

5 MEMBER WILLIAMS: Take two years.

6 MR. BONESSO: Two years.

7 MR. RYDER: Two years. We can always close
8 it out when you're done.

9 CHAIRMAN GOTTLIEB: So with no further
10 objections or comments I suggest we take a vote.
11 I'd like to start with Mr. Schreck.

12 MEMBER SCHRECK: I will vote for, based on
13 the modifications that were present.

14 CHAIRMAN GOTTLIEB: Mr. Tandler.

15 MEMBER TENDLER: For.

16 CHAIRMAN GOTTLIEB: Mrs. Williams.

17 MEMBER WILLIAMS: For.

18 CHAIRMAN GOTTLIEB: Mr. Henner.

19 MEMBER HENNER: I have to ask a question

20 first.

21 CHAIRMAN GOTTLIEB: By all means.

22 MEMBER HENNER: I just want to know, since
23 you mentioned you like to have all the kids on the
24 second floor together, who decides who's in Queens
25 and who's in the Five Towns? I was just curious

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about that.

MS. WOLFSON: Whoever behaves the best.

MEMBER HENNER: Having said that, I'll vote in favor.

CHAIRMAN GOTTLIEB: And I will vote in favor as well.

MR. BONESSO: Thank you very much.

CHAIRMAN GOTTLIEB: So this application pending the revision has passed. Thank you for your patience.

MR. BONESSO: Thank you.

MS. WOLFSON: Thank you.

MR. WOLFSON: Thank you.

MR. PANTELIS: We stand adjourned.

CHAIRMAN GOTTLIEB: We stand adjourned.

(Whereupon, the hearing concluded at 9:55 p.m.)

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

Mary Benci

MARY BENCI, RPR
Court Reporter