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APPLICATION FOR ZONING VARIANCE
IN THE MATTER OF
JOSHUA JACOBS
580 Kensington Place
Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

November 15, 2022
7:05 p.m.

B E F O R E
MEIR KRENGEL, Chairman
SHIFRA EDELMAN, Board Member
JARED CLARK, Board Member
DAVID SHTEIERMAN, Board Member
YOEL GOLDFEDER, Village Attorney
WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Joshua Jacobs

2 CHAIRMAN KRENGEL: Good evening,
3 everyone. First case this evening is Case
4 Number 23 of 2022, application Joshua Jacobs,
5 580 Kensington Place, designated Section
6 39/Block 271/Lot 317. The property is R1,
7 one-family zone. The applicant has proposed a
8 two-story side yard addition. Applicant seeks
9 variance from Cedarhurst Code Section
10 265-38.C, building area. This Board has
11 determined that the application is a Type II
12 Action pursuant to Section 613.3 of the New
13 York State Department of Environmental Control
14 Regulations and does not require an
15 Environmental Impact Statement. The village
16 attorney will now read a statement.

17 MR. GOLDFEDER: Mr. Chairman, members of
18 the Board, for the record, we have been
19 provided with proof of the mailing and
20 publication in the local newspaper of record,
21 of all notices of this hearing as required by
22 law. Accordingly, jurisdiction has been
23 obtained over all necessary parties, and this
24 Board has jurisdiction to hear this appeal.

25 Pursuant to New York State General

1 Proceedings - Joshua Jacobs

2 Municipal Law Section 809, on September 24,
3 2022, a non-collusion affidavit has been duly
4 executed by the applicant, Joshua Jacobs,
5 wherein he stated that there are no other
6 persons or entities involved in this
7 application that are employed by or connected
8 to the Village of Cedarhurst, its officers, or
9 employees, which would in any way constitute a
10 conflict under the law.

11 Pursuant to an agreement between the
12 Village of Cedarhurst and Nassau County
13 Planning Commission, the Nassau County
14 Planning Commission has been given notice of
15 this application and has waived consideration
16 thereof. Mr. Chairman, members of the Board.

17 CHAIRMAN KRENGEL: Will the applicant or
18 his representative please step forward? Off
19 the record for a second.

20 (Discussion off the record.)

21 CHAIRMAN KRENGEL: Ready?

22 MR. L. JACOBS: Good evening. Name is
23 Leonard W. Jacobs. I am an architect
24 registered to practice in the State of
25 New York. I have an office in 9 Clubside

1 Proceedings - Joshua Jacobs

2 Drive in Woodmere. And I am here with my
3 client and homeowner of the subject property,
4 Joshua Jacobs. There is no relationship. But
5 he told me if we do well he will adopt me.

6 I want to, first of all, thank the Board
7 for giving us the opportunity to make a
8 presentation and also want to thank Wayne
9 Yarnell and the entire office staff for
10 navigating us through the variance process.
11 In the beginning -- I think we go back, I
12 don't know, must be about three or four years,
13 we started working on a couple of things. We
14 were in the preliminary mode and what seemed
15 to be happening at that time as our kids grow
16 up and family members come home to the house
17 or sometimes there are just more family
18 members that join the house, there are people
19 in the family that will not travel on
20 Saturdays. What happens? We need more room
21 in the house.

22 Another thing that was thrown into the
23 mix in addition to that was the famous or
24 should I say infamous COVID-19 where we heard
25 all sorts of stories, but it crossed over into

Proceedings - Joshua Jacobs

1
2 architecture, engineering, and construction
3 where people were working now out of the
4 house. They call it working out of the house
5 or working remote, and we finally said, you
6 know, in addition to what we are doing, we
7 have all these preliminaries, let's do that
8 and upgrade the house to what it should be.

9 And as we worked again at plans, we
10 discovered that we were kind of running out of
11 footprint, running out of space, and so we
12 decided that we would go for a variance on
13 that section, you know, the percentage of lot
14 occupied, 265-38.C. The third -- by the way,
15 the 30 -- the 265 actually means the percent
16 of lot occupied. We are allowed in the Zone
17 R1 30 percent of the lot. And no matter how
18 hard we tried, we tried very hard, we could
19 not keep it at 30 percent. We went to 31.02.
20 That's exactly 31 percent and about a
21 fraction. And we hope that the Board acts
22 favorably and lets us do what we are doing.

23 I would like to point out that the
24 project right now has three modules on the
25 house. If you look at the house, you will see

1 Proceedings - Joshua Jacobs

2 the garage door, an entry, and then a dining
3 room. We are going to add another wing almost
4 the same width, 11 feet, come back 44 feet,
5 and then a strange thing happens. The client
6 had purchased property, acquired property
7 right next door. Property got bigger and we
8 now have on the side -- left-hand side of the
9 house to the property line is almost 21 feet.
10 All we are required is 6 on one side, 10 on
11 the other side. New code. Used to be 6 and 6
12 and 12.

13 CHAIRMAN KRENGEL: Essentially you are
14 asking for a little over 1 percent?

15 MR. L. JACOBS: Yes, 1 percent. We are
16 asking for an additional 71 and a half square
17 feet of house.

18 CHAIRMAN KRENGEL: That's on the main
19 floor, the pantry, the study?

20 MR. L. JACOBS: Well, yes, the two
21 offices, the office is -- the work station
22 will be on the first floor, and we massaged
23 the second floor a little. We moved the
24 master -- going to move the master suite to
25 the back and have a guest suite, you know, for

1 Proceedings - Joshua Jacobs

2 relatives and other family members in the
3 front. It's just a swap.

4 CHAIRMAN KRENGEL: Okay. Got it.

5 MR. L. JACOBS: There are no visions of
6 grandeur. This is a very, very modest --

7 CHAIRMAN KRENGEL: Are you gutting the
8 house and reconfiguring the inside?

9 MR. L. JACOBS: No, not at all. Not at
10 all. We are adding to the house. Gutting --
11 I wouldn't use the word "gutting". We are
12 going to move an entryway to a bedroom, move a
13 door, move a window.

14 CHAIRMAN KRENGEL: So the only variance
15 you request is for lot coverage?

16 MR. L. JACOBS: The lot coverage
17 occupied.

18 CHAIRMAN KRENGEL: Thank you. Is that
19 your case?

20 MR. JACOBS: Thank you. We love the
21 neighborhood. Joshua Jacobs, 580 Kensington.
22 Just thank you again for your service. We
23 love the neighborhood. We are not adding any
24 bedrooms. We just want to get a little more
25 space for the house, add a pantry, add a

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Proceedings - Joshua Jacobs

couple of things that over the years we found were I guess missing from what we would have originally designed. We hope you guys can accommodate us.

CHAIRMAN KRENGEL: Anyone here would like to speak in favor of this application? Anyone would like to speak against this application? Okay. The Board will now take a vote.

MR. SHTEIERMAN: Approved.

MR. CLARK: Approved.

MS. EDELMAN: Approved.

CHAIRMAN KRENGEL: Approved.

Application is approved. Thank you.

(Time noted: 7:13 p.m.)

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Proceedings - Joshua Jacobs

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 27th day of November,
2022.

YAFFA KAPLAN

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Proceedings - Ruchama and Jonathan Frisch

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF
RUCHAMA AND JONATHAN FRISCH
351 Atlantic Avenue

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

November 15, 2022

7:14 p.m.

B E F O R E

- MEIR KRENGEL, Chairman
- SHIFRA EDELMAN, Board Member
- JARED CLARK, Board Member
- DAVID SHTEIERMAN, Board Member
- YOEL GOLDFEDER, Village Attorney
- WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Ruchama and Jonathan Frisch

2 CHAIRMAN KRENGEL: Second case this
3 evening is Case 24 of 22. This application is
4 Jonathan Frisch, the applicant and property
5 known as 351 Atlantic Avenue, designated as
6 Section 39/Block 424/Lot 10. The property is
7 in R1 Zone, one-family zone. The applicant
8 proposes to construct an in-ground pool. The
9 applicant seeks variance from Cedarhurst Code
10 Section 265-125, location restricted. This
11 Board has determined that the application is a
12 Type II Action pursuant to Section 613.3 of
13 the New York State Department of Environmental
14 Control Regulations and does not require an
15 Environmental Impact Statement. The village
16 attorney will now read a statement.

17 MR. GOLDFEDER: Mr. Chairman, members of
18 the Board, for the record, we have been
19 provided with proof of the mailing and
20 publication in the local newspaper of record,
21 of all notices of this hearing as required by
22 law. Accordingly, jurisdiction has been
23 obtained over all necessary parties, and this
24 Board has jurisdiction to hear this appeal.

25 Pursuant to New York State General

1 Proceedings - Ruchama and Jonathan Frisch
2 Municipal Law Section 809, on August 30, 2022,
3 a non-collusion affidavit has been duly
4 executed by Andrew Braum on behalf of the
5 applicant, wherein he stated that there are no
6 other persons or entities involved in this
7 application that are employed by or connected
8 to the Village of Cedarhurst, its officers, or
9 employees, which would in any way constitute a
10 conflict under the law.

11 Pursuant to an agreement between the
12 Village of Cedarhurst and Nassau County
13 Planning Commission, the Nassau County
14 Planning Commission has been given notice of
15 this application and has waived consideration
16 thereof. Mr. Chairman, members of the Board.

17 CHAIRMAN KRENGEL: Will the applicant or
18 their representative please step forward?
19 State your name.

20 MR. BRAUM: Good evening. My name is
21 Andrew Braum, B-R-A-U-M. I am a licensed
22 engineer in the State of New York, and my
23 office is at 1924 Bellmore Avenue, Bellmore,
24 New York 11710.

25 CHAIRMAN KRENGEL: Please state your

1 Proceedings - Ruchama and Jonathan Frisch
2 case.

3 MR. BRAUM: Good evening, Mr. Chairman.
4 Good evening, ladies and gentlemen. My name
5 is Andrew Braum. I am an engineer as I
6 mentioned, and I am representing Mr. And
7 Mrs. Frisch, 351 Atlantic Avenue. If you
8 notice the property, it actually has three
9 front yards. The address is on Atlantic
10 Avenue, and they also have frontage on Center
11 Street and on Oak Court. So your village code
12 prohibits a swimming pool from being in the
13 front yard. So this becomes a technical rear
14 yard being that Atlantic Avenue is the front
15 of the house.

16 CHAIRMAN KRENGEL: Technical front yard?

17 MR. BRAUM: Technical front yard, yes, I
18 apologize. So we have located the pool as you
19 can see there on the plot plan. The swimming
20 pool meets and exceeds all New York State
21 codes and standards. In addition, the owners
22 are requesting to put a living fence all the
23 way around which would adequately screen in
24 the pool. In discussing this with the
25 Building Department, we were told that that

1 Proceedings - Ruchama and Jonathan Frisch
2 would be approved by the Architectural Review
3 Board.

4 CHAIRMAN KRENGEL: That would have to go
5 before the Architectural Review Board. I
6 can't say it would be approved. It would be
7 submitted to the Architectural Review Board.

8 MR. BRAUM: Right. However, it would
9 not only provide adequate screening for the
10 homeowners, it will also provide adequate
11 screening.

12 CHAIRMAN KRENGEL: As per code the fence
13 could be up to --

14 MR. YARNELL: Six feet.

15 CHAIRMAN KRENGEL: -- six feet.

16 MR. BRAUM: So that's why we -- if this
17 Board is favorable to approve this, we will
18 appear before the Architectural Review Board
19 to seek their approval.

20 CHAIRMAN KRENGEL: So the variance you
21 are seeking is due to the fact that the pool
22 will be 10 feet from the property line?

23 MR. BRAUM: Correct.

24 CHAIRMAN KRENGEL: Where we need 25 I
25 believe it is.

1 Proceedings - Ruchama and Jonathan Frisch

2 MR. BRAUM: And the fact that it's
3 located in a front yard. So it's actually
4 both.

5 CHAIRMAN KRENGEL: Just one thing we
6 noticed on the plan. If this application will
7 be approved, you have your machinery 8 feet
8 from the property line. It has to be I
9 believe a minimum of 10 feet from the property
10 line. EQH?

11 MR. BRAUM: Okay.

12 CHAIRMAN KRENGEL: That would have to be
13 10 feet. That would have to be a minimum 10
14 feet from the property line, Wayne, correct?

15 MR. YARNELL: Well, if it was a rear
16 yard setback, then it has to be 10 feet from
17 the rear yard setback, but this is technically
18 his rear yard so I would say that --

19 CHAIRMAN KRENGEL: It's practically his
20 rear yard. Technically a front yard.

21 MR. YARNELL: Correct. Then it should
22 adhere to the 10 foot.

23 MR. BRAUM: If the Board is inclined to
24 approve it this evening, I would stipulate or
25 however the wording is that we would change

1 Proceedings - Ruchama and Jonathan Frisch
2 that to 10 feet and resubmit that to the
3 Building Department.

4 CHAIRMAN KRENGEL: There are no other
5 variances being requested nor have there been
6 any other variances in the construction of
7 this house, correct?

8 MR. BRAUM: I don't know about the
9 construction of the house because I was not
10 privileged to that, but nothing else as it
11 relates to this pool.

12 CHAIRMAN KRENGEL: There has been no
13 other variances?

14 MR. YARNELL: No.

15 CHAIRMAN KRENGEL: The house is being
16 built as of right?

17 MR. YARNELL: Yes.

18 CHAIRMAN KRENGEL: Thank you very much.
19 Is that your case?

20 MR. BRAUM: It is. Thank you.

21 CHAIRMAN KRENGEL: Does anyone on the
22 Board have any questions about the case? Is
23 there anyone in the audience that would like
24 to speak in favor or against this application?
25 Okay.

1 Proceedings - Ruchama and Jonathan Frisch

2 The Board will now take a vote. I will
3 make a motion to approve.

4 MR. SHTEIERMAN: Approved.

5 MS. CLARK: Approved.

6 MS. EDELMAN: Approved.

7 CHAIRMAN KRENGEL: Approved.

8 MR. BRAUM: Thank you very much.

9 (Time noted: 7:19 p.m.)

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Proceedings - Ruchama and Jonathan Frisch

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 27th day of November, 2022.

YAFFA KAPLAN

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Proceedings - Barry Halpern

APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

BARRY HALPERN
435 Rugby Road

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

November 15, 2022
7:20 p.m.

B E F O R E

MEIR KRENGEL, Chairman

SHIFRA EDELMAN, Board Member

JARED CLARK, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Barry Halpern

2 CHAIRMAN KRENGEL: The third case this
3 evening is Case Number 25 of 2022. The
4 application of Barry Halpern, parcel known as
5 435 Rugby Road and designated as Section
6 39/Block 323/Lot 33. The property is in an R1
7 Zone. That being proposed is to construct a
8 two-story addition with a rear wood deck. It
9 also seeks to eliminate a one-car attached
10 garage. The applicant seeks a variance from
11 Cedarhurst Code Section 265-40.A and B, front
12 yard, 265-42, rear yard, 265-8, garages
13 required. This Board has determined that the
14 application is a Type II Action pursuant to
15 Section 613.3 of the New York State Department
16 of Environmental Control Regulations and does
17 not require an Environmental Impact Statement.
18 The village attorney will now read a
19 statement.

20 MR. GOLDFEDER: Mr. Chairman, members of
21 the Board, for the record, we have been
22 provided with proof of the mailing and
23 publication in the local newspaper of record,
24 of all notices of this hearing as required by
25 law. Accordingly, jurisdiction has been

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Proceedings - Barry Halpern

obtained over all necessary parties, and this Board has jurisdiction to hear this appeal.

Pursuant to New York State General Municipal Law Section 809, on July 31, 2022, a non-collusion affidavit has been duly executed by the applicant, Barry Halpern, wherein he stated that there are no other persons or entities involved in this application that are employed by or connected to the Village of Cedarhurst, its officers, or employees, which would in any way constitute a conflict under the law.

Pursuant to an agreement between the Village of Cedarhurst and Nassau County Planning Commission, the Nassau County Planning Commission has been given notice of this application and has waived consideration thereof. Mr. Chairman, members of the Board.

CHAIRMAN KRENGEL: Will the applicant or his representative please step forward? Please state your name and address.

MR. LEEPER: I am Monte Leeper, architect located at 414 Foxhurst Road in Oceanside. I am here on behalf of Barry and

1 Proceedings - Barry Halpern

2 Robin Halpern.

3 CHAIRMAN KRENGEL: I would like to note
4 that the applicant is on Zoom telephonically
5 if we need him to participate in the hearing.

6 MR. LEEPER: Thank you. Barry and Robin
7 Halpern, owners of the residence located at
8 435 Rugby Road, are requesting variances from
9 the Zoning Code for the purposes of increasing
10 the living area of their home. The Halperns
11 purchased the home in 2013 and have five
12 children ranging ages from 1 to 13. They
13 purchased the home after Hurricane Sandy and
14 were unaware of the flood level that the storm
15 achieved.

16 The proposed reconstruction is to
17 increase bedroom and living space for the
18 family of seven. This includes changing the
19 interior layout and expanding over the current
20 garage and storage space to make the first
21 floor one level instead of a split and to
22 increase the area of the second floor. The
23 reconstruction of the second floor and
24 renovation to the interior and addition to the
25 rear of the dwelling has nothing to do with

1 Proceedings - Barry Halpern

2 the code against Section 265-40.A and B for
3 front yards as the existing front yard on
4 Rugby Road for the existing first and second
5 floors of the current home is 22.52 feet which
6 is 2 feet, 5 and three-quarter inches less
7 than the allowable 25 feet on Albermarle Road,
8 the other street of this corner property.

9 The existing setback for the existing
10 first and second floor is currently 19.97 feet
11 which is 5 feet 3/8 inches less than the
12 allowable 25 feet. The proposed renovations
13 do not exceed the existing footprint, do not
14 decrease the current front yard setback of the
15 existing first and second floors, but the
16 second floor will complete the shape of the
17 second floor area at the east end of the home
18 where there is now a staggered upper floor
19 above the garage. Since a second floor is
20 defined in the New York State Building Codes
21 as a finished floor greater than 6 feet above
22 the adjacent grade, this floor is considered a
23 second floor, not a split room of the first
24 floor just for clarification.

25 There is also the deficiency from

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2 Section 265-42 for rear yards. Where a rear
3 yard is required to be no less than 25 feet,
4 the proposed first and second floors comply
5 with a distance of 25.48 feet. However, the
6 proposed rear deck will have a setback of 9.43
7 feet. The deck will be located at the first
8 floor level where it still preserves the
9 majority of the rear yard as open lawn space
10 but will probably get the majority of outdoor
11 open space used by the family since the
12 children will use it as a supervised play
13 space, easily viewed from the kitchen, and the
14 deck space was designed to accommodate the
15 size of the family's traditional Succah.

16 The last deficiency to be addressed is a
17 lack of required garage in the proposed
18 design. The current garage has never been a
19 useable space and was a token area only to
20 meet the requirement without the ability to
21 actually fit a vehicle into it. Because of
22 the requirements by FEMA to have an approved
23 flood map amendment in this case meant that
24 the owners applied for a conditional letter of
25 map amendment or CLOMA which took nearly two

Proceedings - Barry Halpern

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2 years to receive so that it meant covering the
3 existing garage area because the land was
4 originally made lower to create a garage
5 access point. The condition of the CLOMA
6 amendment requires that this land in front of
7 the garage will be filled in at the garage
8 entry and the parking spaces will remain to
9 accommodate the family's two vehicles as they
10 always have. The required addition of a
11 garage at a higher level without interfering
12 with flood requirements therefore presents a
13 practical difficulty and unnecessary hardship
14 taking up at least 200 square feet of greater
15 land coverage and increases the cost of the
16 Halperns for something that is not needed.

17 The proposed plans presented this
18 evening meet several of the criteria of New
19 York State Zoning Law regarding variances:
20 Namely that the proposed addition and
21 renovations does not negatively impact on the
22 health, safety, or welfare of the neighborhood
23 or community by such granting of the
24 application; whether the benefit sought by the
25 applicant could be achieved by some method

Proceedings - Barry Halpern

1 feasible for the applicant to pursue, which I
2 am stating that the proposed design solution
3 is not attainable by any other means since the
4 proposed work to increase the living space
5 allows the family of seven, including five
6 young children between the ages of 1 and 13 to
7 have adequate bedroom space, play space,
8 living and cooking areas, and will help
9 mitigate flood requirements and address energy
10 costs by improvements proposed, also allowing
11 the outdoor sitting space and an area of the
12 proposed rear deck for their Succah.
13

14 As to whether the requested variance is
15 substantial and it is not substantial since
16 the lot area coverage is under the required
17 maximum lot area allowed. As to whether the
18 proposed renovation in addition will have an
19 adverse effect or impact upon the physical or
20 environmental conditions of the neighborhood
21 which the proposal will not since it is at the
22 rear of the property from both streets, is
23 high enough to be mitigated from flood damage,
24 and is an architectural enhancement to the
25 subject residence. And whether the alleged

1 Proceedings - Barry Halpern

2 difficulty is self-created which it is, from
3 the standpoint that an addition of this nature
4 would not solve every problem imposed by
5 nature, but which it is not by the fact that
6 the weather is not a self-imposed hardship but
7 this aesthetically pleasing proposal resolves
8 the hardship in a simple, functional, and
9 attractive way.

10 Allowing the place for this young family
11 with small children the use of a home in a
12 practical way avoids flood problems for their
13 weather protection and convenience. The
14 home's enhancement actually meets another
15 important criteria of New York State Zoning
16 Law, namely that it benefits the homeowner,
17 the surrounding neighborhood and the
18 community.

19 And for these reasons the Halperns
20 respectfully request that the variances be
21 granted. That's my case.

22 CHAIRMAN KRENGEL: Thank you. Can you
23 just clarify again for the record, reason to
24 close -- to remove the garage?

25 MR. LEEPER: Can you -- I'm sorry.

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2 CHAIRMAN KRENGEL: Can you clarify for
3 the record the reason to remove the garage?

4 MR. LEEPER: The reason to remove the
5 garage is that the land in front of the garage
6 currently is at a point, it's too low for the
7 flood level requirement in order to bring the
8 house out of the current flood zone.

9 CHAIRMAN KRENGEL: Currently the house
10 is in a flood zone. You are proposing to
11 bring it out of the flood zone?

12 MR. LEEPER: It brings it out of the
13 flood level that it's currently in.

14 CHAIRMAN KRENGEL: Thank you.

15 MR. LEEPER: That was, by the way, the
16 purpose of the CLOMA. I don't know if you
17 have it I believe in the record. I don't know
18 if they need to see it.

19 MR. YARNELL: I explained it to them.

20 MR. LEEPER: It was very involved.

21 CHAIRMAN KRENGEL: Anybody on the Board
22 have any questions?

23 MR. SHTEIERMAN: So with the basement
24 entry, you still have a place for water to get
25 in in case of flood?

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2 MR. LEEPER: At the higher level, yes.

3 In other words, it's at a level higher than
4 the flood level. So in other words, if the
5 flood waters were to achieve that height which
6 is above the flood elevation, then yes, it
7 could make it into the stairs. The stairs are
8 not at the level.

9 MR. SHTEIERMAN: The basement is below
10 the floodplain, and the stairs inside are
11 below the floodplain?

12 MR. LEEPER: That's correct.

13 MR. SHTEIERMAN: So in case of a Sandy,
14 that would be the entry point of water instead
15 of the garage?

16 MR. YARNELL: If I can point out if the
17 flood level rose higher than 8, then the water
18 would go down the stairs to the basement. If
19 the flood level was 7.5 or lower, it would
20 not. The garage right now is at 6.something.

21 MR. SHTEIERMAN: Got it.

22 CHAIRMAN KRENGEL: Any other questions?

23 MS. EDELMAN: So at this point the
24 garage is more of a risk if there was another
25 Sandy than the basement?

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2 MR. YARNELL: The potential for water,
3 that would be the lowest point for water to
4 infiltrate the house.

5 CHAIRMAN KRENGEL: And the house was
6 damaged during Sandy?

7 MR. LEEPER: That's my understanding.
8 The current owners were not the owners during
9 Sandy. I asked them. They are not aware
10 exactly how much water there was.

11 CHAIRMAN KRENGEL: Anybody in the
12 audience who would like to speak in favor of
13 or against this application?

14 The Board will take a vote.

15 MS. EDELMAN: Approved.

16 MS. CLARK: Approved.

17 MR. SHTEIERMAN: Approved.

18 CHAIRMAN KRENGEL: Approved.

19 MR. LEEPER: Thank you.

20 MR. HALPERN: Thank you very much.

21 (Time noted: 7:30 p.m.)

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Proceedings - Barry Halpern

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 27th day of November,
2022.

YAFFA KAPLAN

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