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APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

ELI AND SARAH KNOLL
487 BARNARD AVENUE

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

January 18, 2022

8:01 p.m.

B E F O R E

MEIR KRENGEL, Chairman

SHIFRA EDELMAN, Board Member

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

Proceedings - Knoll

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2 CHAIRMAN KRENGEL: Good evening,
3 everybody. The first case tonight is Case
4 Number 1 of 2022. It's the application of Eli
5 and Sarah Knoll, 487 Barnard Avenue,
6 Cedarhurst, New York. The owners are
7 requesting a variance under the following
8 building codes: 265-38C Building Area;
9 265-41A Side Yards; and 265-42 Rear Yards.
10 The village attorney will now read a statement
11 into the record.

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

20 Pursuant to New York State General
21 Municipal Law Section 809, on October 3, 2021,
22 a non-collusion affidavit has been duly
23 executed by the applicants, Eli Knoll and
24 Sarah Knoll, wherein they stated that there
25 are no other persons or entities involved in

Proceedings - Knoll

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2 this application that are employed/or
3 connected to the Village of Cedarhurst, its
4 officers, or employees, which would in any way
5 constitute a conflict under the law.

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

12 CHAIRMAN KRENGEL: Will the owner or its
13 representatives please step forward. State
14 your name and address, please.

15 MR. KNOLL: My name is Eli Knoll, 487
16 Barnard Avenue, Cedarhurst, New York 11516.

17 CHAIRMAN KRENGEL: Would you like to
18 state your case? For the record, architect is
19 out due to COVID but is available by phone if
20 necessary.

21 MRS. KNOLL: He said we can call him if
22 we need, but I think he spoke to everyone or
23 spoke to Wayne.

24 CHAIRMAN KRENGEL: If you can just run
25 through the house and what variance you are

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seeking.

MR. YARNELL: If you want, you want me to go through the variances that are requested? This way they can, you know --

CHAIRMAN KRENGEL: Fine.

MR. KNOLL: Also he wanted us to bring letters of support.

CHAIRMAN KRENGEL: The Building Commissioner will explain the variances needed.

MR. YARNELL: So the first variance that is proposed is a building area variance. The village requires that the lot does not exceed or the building does not exceed 30 percent of the lot area. In this case the application shows that the lot coverage is 30 -- 34 percent. This is inclusive of covered porches as well. If you remove the covered porch, it comes to 32.6 percent lot coverage. So that's the first variance.

CHAIRMAN KRENGEL: Covered porch is in the --

MR. YARNELL: -- front.

CHAIRMAN KRENGEL: Okay.

Proceedings - Knoll

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2 MR. YARNELL: Okay. The rear steps that
3 are shown was conveyed to me by the architects
4 that these steps are below 36 inches above
5 curb elevation with no covering. Therefore,
6 it doesn't get included in the lot coverage.

7 The next variance is a rear yard
8 setback. The rear yard setback is required to
9 be 25 feet. The application shows a request
10 of 22 feet zero inches rear yard setback. The
11 next variance is for side yard aggregate.
12 Side yard aggregate is required to be 16 feet.
13 The application shows a side yard aggregate of
14 14 feet, 10 inches. Those are the three
15 variances before you, Mr. Chairman.

16 CHAIRMAN KRENGEL: The covered porch is
17 existing?

18 MRS. KNOLL: Front stoop. That's
19 existing.

20 MR. KNOLL: Covered front porch in front
21 of the door right now.

22 CHAIRMAN KRENGEL: Right now it's not --
23 there is a front door that goes right into the
24 house, correct?

25 MR. KNOLL: There is a limb with the

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coverage.

CHAIRMAN KRENGEL: That's what you are considering the covered porch?

MR. YARNELL: No. That's existing.

MR. KNOLL: The proposed porch does not extend all the way because of the variance.

(Discussion off the record.)

CHAIRMAN KRENGEL: Can you just run through quickly what you are doing in the house? Please run through the extension what the plans are.

MRS. KNOLL: Rear extension which would be like our kitchen with two bedrooms above it and the bathroom.

MR. KNOLL: Extending over the existing property in the front.

MRS. KNOLL: Over our garage.

MR. KNOLL: In the back in that extension it does extend wider in the back of the house but not wider than the current garage currently is, in terms of the neighbor. And adding a larger front porch although not extending to the end of the house. Like I mentioned, the architect felt that if there is

1 Proceedings - Knoll

2 no square feet, we should be limited.

3 CHAIRMAN KRENGEL: Thank you. Anyone
4 have any questions?

5 MR. SHTEIERMAN: No.

6 MS. EDELMAN: No.

7 CHAIRMAN KRENGEL: Is that your case?

8 MRS. KNOLL: Yes.

9 MR. KNOLL: And we have the --

10 MRS. KNOLL: Oh, the letters.

11 MR. KNOLL: The letters are from every
12 neighbor extending behind our house to the
13 sides and across the street.

14 CHAIRMAN KRENGEL: We are going to
15 accept this as Applicant's 1.

16 (Applicant's Exhibit 1, Letters, marked
17 for identification, as of this date.)

18 CHAIRMAN KRENGEL: All the letters
19 appear to be identical except for the name,
20 address, and signature. We will just read one
21 of them into the record. This is from Mr. And
22 Mrs. Bausk, 348 Barnard Avenue, dated
23 December 26th. Just note this house is
24 actually in Woodmere. This is next door to
25 you.

1 Proceedings - Knoll

2 MR. KNOLL: Right across the street.

3 MRS. KNOLL: We are on the border.

4 CHAIRMAN KRENGEL: Regarding the known
5 residents of 487 Barnard Avenue addressed to
6 the Village of Cedarhurst, Board of Zoning
7 Appeals. "To whom it may concern: We are
8 writing to you in reference to Case Number
9 2022-001. This case will be heard before the
10 Board of Zoning Appeals on Tuesday, January
11 18, 2022. We have spoken to our neighbors,
12 reviewed the plans, and understand the
13 variances being requested for this application
14 for lot coverage and all setbacks. We have no
15 issues with any of the requests and support
16 their approval. Thank you for your time in
17 this matter." And signed.

18 There is also from 477 Barnard, 484
19 Arbuckle, 467 Barnard, 357 Barnard, 344
20 Barnard, 351 Barnard, 474 Barnard, 352
21 Barnard, 488 Arbuckle, and 496 Arbuckle
22 Avenue. This will be Applicant's 1.

23 Is that your case? Thank you. You can
24 sit down.

25 CHAIRMAN KRENGEL: For the record,

1 Proceedings - Knoll

2 except one spectator, there is Ms.

3 Goldfeder -- would you like to say something?

4 Would anyone like to speak in favor of
5 this application? Would anyone like to speak
6 in opposition of this application? The Board
7 will now take a vote.

8 MR. SHTEIERMAN: Approved.

9 MS. EDELMAN: Approved.

10 MR. BLEIBERG: Approved.

11 MR. CLARK: Approved.

12 CHAIRMAN KRENGEL: The application is
13 approved.

14 (Time noted: 8:10 p.m.)

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Proceedings - Knoll

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of January,
2022.

YAFFA KAPLAN

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----- EXHIBITS -----

APPLICANT'S

FOR ID.

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Letters

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APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

JEFFREY EDELMAN AND TOBY KLEIN
461 ARLINGTON ROAD
Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

January 18, 2022
8:35 p.m.

B E F O R E

MEIR KRENGEL, Chairman

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

1 Proceedings - Edelman

2 CHAIRMAN KRENGEL: Good evening. This
3 case, the last case of this evening is Case
4 Number 2 of 2022. This case is Jeffrey
5 Edelman and Toby Klein, 461 Arlington Road,
6 Cedarhurst, New York. They are seeking relief
7 under the following zoning laws: Building
8 Height 265-36; building code 265-38C, Building
9 Area; 265-40A Front Yard; and 265-42.1A
10 Character of Roofs.

11 The village attorney will now read a
12 statement into the record.

13 MR. GOLDFEDER: Members of the Board,
14 for the record, we have been provided with
15 proof of the mailing and publication in the
16 local newspaper of record of all notices of
17 this hearing as required by law. Accordingly,
18 jurisdiction has been obtained over all
19 necessary parties, and this Board has
20 jurisdiction to hear this appeal.

21 Pursuant to New York State General
22 Municipal Law Section 809, on October 21,
23 2021, a non-collusion affidavit has been duly
24 executed by the applicant, Toby Klein Edelman,
25 wherein she stated that her sister-in-law

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2 Shifra Edelman is currently employed by the
3 Village of Cedarhurst as a member of the
4 Zoning Board and therefore will not be
5 participating in the deliberation of this
6 hearing.

7 Pursuant to an agreement between the
8 Village of Cedarhurst and Nassau County
9 Planning Commission, the Nassau County
10 Planning Commission has been given notice of
11 this application and has waived consideration
12 thereof.

13 CHAIRMAN KRENGEL: Will the applicant or
14 its representative please step forward.

15 MR. MAYERFELD: Stanley Mayerfeld and
16 Joe Rothschild, architects of this project.
17 Thank you for seeing this case this evening.
18 As you mentioned there are four variances we
19 are seeking this evening. We have a height,
20 building area, front yard, and character of
21 roofs. So we can go in order.

22 With regard to the height, when the
23 Edelmans bought this house there was the --
24 they checked out this house beforehand, and
25 the original structure did have a decent

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2 basement and when they demoed the house it was
3 a shock to all of us when the water started
4 coming in. It was a bit of a surprise. I
5 remember the phone call we got where we were
6 asked to come down to the site and see what
7 was this condition because we were not
8 expecting water to be so high.

9 If you look at the boring reports, you
10 see we did five borings. A lot this size,
11 it's small. Five borings, you know, we don't
12 do five borings. We were just trying to
13 wonder was there a certain pocket of space we
14 were hitting water. Was it something -- and
15 you see from the results of the boring the way
16 the borings are consistent, and as some of the
17 members know, that there is a high water
18 table. Even though we are not in a flood zone
19 but the water is quite high in this area.

20 So when designing the house, if you look
21 at our building section, we have a basement.
22 It's only 8 feet tall. We brought it down to
23 -- we are basically kissing the water. We are
24 going as close to the water as possible before
25 the need to start building something called a

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1 tub foundation where we have to start
2 dewatering the site. This is already a very
3 expensive foundation. We have to do something
4 called a mat slab because you don't have the
5 resistance of the ground below to push back on
6 the building. So that's how we start --
7 that's how the whole height variance came into
8 play. This is why in reality we are happy if
9 there is a whole site runoffs and happy to
10 bring the house closer to the ground because
11 in reality as the house goes, we prefer not to
12 walk up so many steps, but in reality this is
13 just the condition of the site and it was a
14 big disappointment and big surprise to
15 everybody in the area. Everybody that's
16 involved in the project.

18 Also, you will notice that other houses
19 in the area in terms of the grade, you notice
20 the neighboring properties, they do grade up
21 so it will need some work in terms of how it
22 fits into the character of the neighborhood.
23 In terms of the building area, you see we have
24 broken it down into two numbers. There is a
25 total coverage area, and there is a living

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2 area. The reason why -- and we can show you
3 some rendering as how it relates to the
4 exterior of the house because there are
5 portions of the house that instead of just
6 building a box, we have somewhat recessed
7 areas which are covered. So even though you
8 are not in the habitable areas, you are not --

9 CHAIRMAN KRENGEL: Are you referring to
10 the windows?

11 MR. ROTHSCHILD: Can I step forward?
12 Joe Rothschild. I can pass it. Feel free to
13 pass it around. There are quite a few images.
14 There are several areas in the front facade,
15 specifically solely in the front facade where
16 we have these covered conditions.

17 CHAIRMAN KRENGEL: That's Marlborough?

18 MR. ROTHSCHILD: That's Marlborough and
19 there is also the bays. The bay windows, on
20 single-story element, it's just a single-story
21 element on either side and then you have the
22 front entry which is also a single-story
23 element. The area which Stanley was just
24 referring to was the areas where we have these
25 planters whether they are real or they are

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going to be --

CHAIRMAN KRENGEL: Let's not talk about the planters.

MR. ROTHSCHILD: They come out.

CHAIRMAN KRENGEL: Let's just talk about the windows.

MR. ROTHSCHILD: The bay windows you see in here and here and the front entryway are basically on the same plane. Slightly different shapes. That's liveable area that comes forward.

CHAIRMAN KRENGEL: You are not counting that as liveable?

MR. MAYERFELD: That does count as total covered area.

CHAIRMAN KRENGEL: But it's not -- are you counting that -- when you say "nonliveable area", is that what you are saying is nonliveable area?

MR. MAYERFELD: Anything enclosed in the house is liveable. Anything outside the house is nonliveable.

MR. ROTHSCHILD: Including the bays. If I may say, that's why I was showing the

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2 rendering. There are two elements that are
3 covered. Number one, the bay front entry and
4 the other bay. Three areas where we are
5 considering that covered as liveable space
6 it's covered. There are other areas that if
7 you look closely you see that have columns and
8 the planters in certain areas that basically
9 are just the planters here are above that but
10 say here and on either side those two areas
11 are on columns that are protruding forward
12 that are outdoor solely almost like an
13 overhang with columns. It's an aesthetic
14 detail so that's a separate calculation. That
15 is something we are considering as solely a --
16 call it building coverage but it's not
17 liveable.

18 CHAIRMAN KRENGEL: Okay.

19 MR. MAYERFELD: Okay. So that brought
20 up in total number -- that does increase our
21 coverage area, and it's also due to the fact
22 that it was important to the owners to have a
23 guest bedroom on the first floor for their
24 elderly mother who is walking up steps. Quite
25 frankly it's difficult so when they have her

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2 come for the weekend or holidays, having a
3 guest bedroom on the first floor was really
4 important to them, and these couple of items
5 kind of pushed this number of coverage, the
6 percentage over what's permitted. In terms of
7 the front yard, again, we just talk about the
8 bays and the elements of the bays. If you
9 look at the site plan, you see that primarily
10 the majority of the building is sitting within
11 the required setbacks. It's just -- and we
12 are measuring our front yard up to the planter
13 but really the building itself, like the
14 windows sit further back. So there is a
15 larger --

16 CHAIRMAN KRENGEL: Do you know what it
17 is to the building?

18 MR. MAYERFELD: I know that it's only 21
19 inches at the max that those bays stick out
20 beyond the property line. Again, it's not --

21 CHAIRMAN KRENGEL: Twenty-one inches
22 encroachment.

23 MR. MAYERFELD: Twenty-one inches
24 encroachment. We are required 25 feet. We
25 are 21 inches less than 25 feet. Again, it's

1 Proceedings - Edelman

2 just as you look at the site plan, it's just
3 in those couple of elements. As you saw in
4 the rendering, they are one-story elements.
5 Again, this was an effort to -- we can just
6 build a box, but we are trying to make it
7 something that's more pleasing for our client
8 and for the village in general.

9 MR. GOLDFEDER: So some of these details
10 aren't making sense, so maybe we just need
11 clarification. The plan presented on A-1
12 indicated 21 and 2-half inches up until the
13 front of the planter?

14 MR. MAYERFELD: Correct.

15 MR. GOLDFEDER: So are you saying the
16 front of the planter to the dotted line on
17 that plan is what depth? I guess what's the
18 actual --

19 MR. SHTEIERMAN: Can I just ask this in
20 a very simplified manner? What is your front
21 yard not including the planter? It's just
22 that simple.

23 MR. MAYERFELD: At the bay it's 23.3.

24 MR. SHTEIERMAN: 23.3?

25 CHAIRMAN KRENGEL: The planter is about

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2 feet?

MR. MAYERFELD: Twenty-three feet, 3 inches to the bay. To the front of the door that does arch.

MR. SHTEIERMAN: So we have 1-foot-9 encroachment into the front yard. That's the largest encroachment in the front yard.

MR. MAYERFELD: That's by the bays. By the peak of the door to go back to that rendering, that is 29 inches. That's another 8 inches, but that's the peak of the outside of that circle.

MR. ROTHSCHILD: Basically the doorway is not square. It's bows.

MR. MAYERFELD: The door is set in a little bit.

MR. ROTHSCHILD: It's the region around the door.

MR. SHTEIERMAN: So that would be 22-foot-7 front yard?

MR. MAYERFELD: Yes. The right side of the house is at 29.1.

MR. SHTEIERMAN: In the future it would be very convenient and helpful to have these

1 Proceedings - Edelman

2 dimensions on the plan. It would help you and
3 us.

4 MR. MAYERFELD: Thank you. We want to
5 keep you on your toes.

6 CHAIRMAN KRENGEL: And the roof?

7 MR. MAYERFELD: Again, the roof, the
8 character of the roof, it's about the
9 character of the house. Again, if you look at
10 the renderings, look at the elevations, this
11 is an attempt to kind of bring down the scale
12 of the house. By bringing the style of the
13 roof lower, the windows are encroaching into
14 the roof.

15 MR. ROTHSCHILD: We want to see more
16 shingle. From a design perspective,
17 essentially this area, if you see where the
18 roof kind of tapers down beyond the window
19 line, it reads as the windows rather are
20 dormers meaning they are penetrating into the
21 roof. Really that's all over frame, we are
22 trying to see as much shingle as possible.
23 Believe it or not, architecturally from a
24 design perspective, if we were to create a
25 house with more shingles, visually the house

1 Proceedings - Edelman

2 feels actually smaller and lower.

3 CHAIRMAN KRENGEL: Where is your flat
4 roof?

5 MR. ROTHSCHILD: The flat roof is above
6 that. You are not going to see it, but you
7 are going to see the part where the roof based
8 on the pitch and style of the aesthetic of
9 this specific architecture, there is a
10 significant pitch. And then obviously if you
11 continue up, you would have less flat roof,
12 but of course, you are going higher. So the
13 idea is that basically that portion of the
14 flat roof is just above that roof line.

15 CHAIRMAN KRENGEL: The two chimneys or
16 towers?

17 MR. ROTHSCHILD: They are chimneys.
18 Aesthetic. Maybe for mechanical but it's
19 aesthetic.

20 CHAIRMAN KRENGEL: Off the record.

21 (Discussion off the record.)

22 CHAIRMAN KRENGEL: Okay. Is that your
23 case?

24 MR. MAYERFELD: That's our case. Any
25 questions?

1 Proceedings - Edelman

2 CHAIRMAN KRENGEL: Okay, thank you. Mr.
3 Shteierman, do you have any questions?

4 MR. SHTEIERMAN: Yes, I do. How are you
5 dealing with the water on this?

6 MR. MAYERFELD: Excuse me?

7 MR. SHTEIERMAN: What are you doing with
8 the water table? Where is it at and where is
9 your slab?

10 MR. MAYERFELD: So if you see in the
11 second sheet, I think it's the last sheet in
12 that slab.

13 MR. SHTEIERMAN: I do. A-9.

14 MR. MAYERFELD: We are right at -- the
15 intention is to build a mat slab. Try not to
16 dewater. The price of dewatering in a
17 basement --

18 MR. SHTEIERMAN: Well, your footing is
19 below the water level.

20 MR. MAYERFELD: Just in that one area.
21 We were told by the contractor -- correct me
22 if I am wrong -- that lowering it deeper into
23 the water becomes really, really expensive.
24 Really, really expensive. When we ran this
25 concept by him, he said this is manageable.

1 Proceedings - Edelman

2 We will work with what we have, dewater just a
3 little bit but put a mat slab versus putting a
4 full tub basement in the area.

5 MR. ROTHSCHILD: Submerged in water.

6 MR. SHTEIERMAN: So you supplied the
7 village with a boring showing the water table
8 at approximately 5 feet down, right?

9 MR. MAYERFELD: Correct.

10 MR. ROTHSCHILD: But when they dug, once
11 post demo, the water was significantly higher
12 than that. That's the concern we have. So --

13 MR. SHTEIERMAN: Where is your slab now
14 from grade? How far down is your slab from
15 grade?

16 MR. ROTHSCHILD: Well, in the front of
17 the house -- in the back of the house there is
18 a significant drop, a matter of 2 feet. This
19 is matching the borings. The issue at hand is
20 if it's truly -- if it's where the water is
21 coming from, meaning the house was demoed,
22 they did perform the borings, five borings I
23 believe and since the water has gone up and
24 then back down, but they did backfill. So at
25 this point it's going to be we are close. We

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2 are going to have to comply obviously with the
3 overall height but as low as we can go. The
4 more we can push the house down, it's better
5 because there was a basement there for quite
6 some time and then no issues.

7 MR. MAYERFELD: I think to put it
8 simply, the scale of the house as it reaches
9 out of the ground, we are not looking to
10 change the scale or make it grow a bit more.

11 MR. SHTEIERMAN: But when you find out
12 you can only go 2 feet less than you actually
13 have here on the plan, are you going to be
14 back for another variance because the water
15 table fluctuates about 2 and a half feet,
16 which is why today you don't see water,
17 tomorrow you will see water again depending on
18 the tide.

19 MR. MAYERFELD: We are here tonight and
20 if it's better, then the height will come
21 down. If it's worse, then we have to go for
22 another plan B. Plan B making the basement
23 shorter.

24 MR. SHTEIERMAN: The reason I bring it
25 up is because you are asking for a height

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variance blaming it on the water table, but the height variance wouldn't actually help you get a cellar.

MR. MAYERFELD: I mean, if the way it stands now working with the contractor, this is what we felt comfortable.

MR. SHTEIERMAN: Working with nature. The water is there.

MR. MAYERFELD: Right.

MR. SHTEIERMAN: So you have to build a bathtub and lower the house in which case you can reduce the height and reduce the variance request, or even if you were to get a variance of 30 feet high, you are not going to be able to do the cellar.

MR. MAYERFELD: I understand that.

MR. SHTEIERMAN: But that plays into the Board's decision on whether or not to give you a height variance, so it's important to know this information.

MR. MAYERFELD: If I can speak on behalf of the homeowners. If we -- if they can do a tub and make it and it's economical, it's not going to cost -- as you know, it could cost a

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2 couple of hundred thousand dollars to do, I
3 think they would prefer to have -- the goal is
4 not to have a tall house. The preference is
5 -- like I said, the homeowners were really
6 surprised when they started digging. You
7 should have seen the site that day. They dug
8 one place and thought it must be some mistake
9 and dug another place. Maybe that was some
10 type of pocket. In reality if we could bring
11 the house lower, we are happy to do so. We
12 would prefer to keep it lower. This is just
13 like you said, we are fighting with nature.

14 If we could work with -- we know this is
15 a variance. You could ask for more, but I
16 think that's I think uncomfortable for
17 everybody. Uncomfortable for the homeowners;
18 they don't want to walk up so many steps. If
19 indeed it will come the time during the
20 construction we have to modify, I don't think
21 -- there is no choice. We can't make the
22 house taller and then there will be questions
23 of dollars and cents, basement, no basement.
24 But in terms of the height I think we can say
25 we are not going to come back and ask for

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another variance.

MR. ROTHSCHILD: We are not pushing ours up.

MR. MAYERFELD: Even if there is a huge problem, the water gets taller, this is.

MR. ROTHSCHILD: We can speak on the record for the client. We are not going to come back to go for higher because they certainly don't want to go up in terms of steps of course.

MR. MAYERFELD: For the comfort of their own house.

MR. EDELMAN: That's accurate.

MR. MAYERFELD: So if the Board grants us the variance tonight, we commit, even if the water is far worse than appears on the borings, we will have to deal with it in a way that could be dealt with and certainly not from a zoning perspective and not to come back and ask for another variance.

MR. SHTEIERMAN: Can you explain the 7-foot void in the attic?

MR. ROTHSCHILD: It's solely -- it looks like some kind of space up there. They may

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2 want some cathedral space in the bedrooms.
3 That's not going to be the full 7, but it's
4 solely the exterior. I can show you again the
5 rendering, and that's something for the sake
6 of design. Literally the element if we were
7 to slice off 2 feet, you have no -- you really
8 have no -- you have no roof there visually.

9 MR. MAYERFELD: If you are asking if
10 there is any intention of building future
11 space, there is zero intention to build any
12 sort of space.

13 MR. ROTHSCHILD: So much so internally
14 we have discussed we can do either a truss
15 system even. It's solely for the exterior.
16 We even discussed if you look at the roof plan
17 of potentially just doing on the front of the
18 house and most of the house having a fold in
19 the roof, creating a fold where you see --

20 MR. MAYERFELD: We were saying even
21 sketching among ourselves that the Board will
22 be more comfortable.

23 MR. ROTHSCHILD: We were okay with
24 literally keeping that fold which lines up
25 with the other side of the house, and I would

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2 say it's about 80 percent of the roof coming
3 down and dropping that. We are okay. It's
4 really just for -- again, you are on a corner,
5 what we can do but the frontage which is the
6 more prominent aesthetic on Marlborough to
7 literally you see in cities it's almost like a
8 parapet. Basically building it up and then it
9 will drop down. It actually increases the
10 flat roof if that means anything, but we are
11 totally fine lowering it. It's totally
12 exterior.

13 MR. MAYERFELD: It's a corner property.
14 If that's going to be a deal-breaker to just
15 to put the Board the ease.

16 MR. EDELMAN: Hi, good evening. Jeffrey
17 Edelman. I live at 490 Bayview Avenue in
18 Cedarhurst. So in terms with regard to the
19 sloped roof, I have no intention whatever of
20 creating any sort of living or storage space
21 or any sort of attic whatsoever at the
22 property. That's the representation.

23 MR. MAYERFELD: I think that's the
24 concern that Mr. Shteierman is addressing.

25 MR. EDELMAN: I believe we spoke about

1 Proceedings - Edelman

2 vaulting the ceilings in the bedrooms.

3 MR. ROTHSCHILD: In some of the
4 bedrooms. Also we discussed for cost, if you
5 want that space, it's a sprinkler question.

6 MR. EDELMAN: I have no need for it. I
7 have no desire. Not in our plans at all.

8 CHAIRMAN KRENGEL: Thank you.

9 MR. EDELMAN: Not in the written plans
10 and not in our intentions, to clarify.

11 CHAIRMAN KRENGEL: Thank you.

12 MR. SHTEIERMAN: If the Board were to
13 ask you to go for a rear-yard variance instead
14 of a front-yard variance, would you entertain
15 the thought?

16 MR. GOLDFEDER: Push the house back to
17 make the front yard comply.

18 MR. ROTHSCHILD: The closer we go toward
19 Peninsula Avenue, it potentially -- it's --
20 again, it's a matter --

21 MR. SHTEIERMAN: Not according to the
22 boring.

23 MR. ROTHSCHILD: Well, the boring is
24 within a matter of inches. You are right.
25 It's a matter of inches. Assuming that there

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2 is no issue of water, it's a question of front
3 yard as opposed to the back, we did do some
4 dimensions of other houses on the block. I
5 can show you other houses adjacent. The
6 farthest point comes out to 23.2. That's on
7 448 Marlborough. That's this house right
8 here. And the other corner, it's close to
9 17.11 which is opposite corner.

10 CHAIRMAN KRENGEL: The steps?

11 MR. ROTHSCHILD: Not the steps. I can
12 show you the front of the house there.

13 MR. MAYERFELD: You have this bay by the
14 garage.

15 MR. ROTHSCHILD: The farthest point of
16 the house. Not steps. Steps are permitted
17 encroachment. It's right here where this
18 portion comes out, it's 17.11.

19 MR. SHTEIERMAN: What address is that?

20 MR. ROTHSCHILD: It's 432 Marlborough.
21 It's the corner of Marlborough.

22 MR. SHTEIERMAN: Malborough and
23 Albermarle?

24 MR. ROTHSCHILD: It's the corner of
25 Marlborough and Albermarle so the address

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is --

MR. SHTEIERMAN: Is two doors down from you.

MR. ROTHSCHILD: Three. It's the next corner.

MR. EDELMAN: Sabo, Sabo, and then Reich.

MR. ROTHSCHILD: So the farthest point. 17.11.

MR. SHTEIERMAN: To the building?

MR. ROTHSCHILD: 17.11.

MR. SHTEIERMAN: To that?

MR. ROTHSCHILD: It's 21 inches and the steps are obviously permitted encroachment. I don't know about that overhang that could be in question, but we are measuring from the bays in all fairness.

MR. MAYERFELD: It's a coincidence it's the same 21 inches. Our house is also 21 inches.

MR. SHTEIERMAN: Do you have any other front yards on that block? These two. These over here, this one, this one.

MR. ROTHSCHILD: So we measured mostly

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2 the corner. This one is facing the other
3 direction. This one also facing the other
4 direction. This one was 16 -- 16.3. We shot
5 16.3 to the house which is this, so it
6 measured, measuring from Marlborough in, 16.3.

7 MR. SHTEIERMAN: This one is compliant,
8 this one is compliant, this one is compliant.

9 MR. ROTHSCHILD: This one is not. This
10 one is.

11 MR. GOLDFEDER: That corner house on
12 Marlborough and Albermarle is a 60-by-100 lot,
13 so that whole depth of that property is 60 as
14 opposed to 100 by 100.

15 MR. ROTHSCHILD: I guess you can fill
16 that out, but you want to know the house next
17 door which is --

18 MR. SHTEIERMAN: -- on the survey right
19 there.

20 MR. ROTHSCHILD: They measure to the
21 face of where the brick protrudes. Again, the
22 farthest point of the house is 23.2. From
23 here to the sidewalk. It's the most adjacent.
24 The one right next door.

25 MR. SHTEIERMAN: It's measured to where?

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To the curb?

MR. ROTHSCHILD: Yes, to the sidewalk.

MR. SHTEIERMAN: Yes. That's it. Is it measured to the curb?

MR. ROTHSCHILD: Oh, I'm sorry.
Sidewalk.

MR. SHTEIERMAN: So the lot line over here --

MR. ROTHSCHILD: -- is before the sidewalk.

MR. SHTEIERMAN: So 23.2 to the bump out.

MR. ROTHSCHILD: Meaning it would be more severe. If I did, you would see there is a sliver of grass. It's really even closer theoretically.

MR. SHTEIERMAN: Thank you.

MR. ROTHSCHILD: Sure.

MR. SHTEIERMAN: I have no further questions.

CHAIRMAN KRENGEL: Is that your case?

MR. MAYERFELD: Yes.

CHAIRMAN KRENGEL: Okay. Thank you.
You can sit down. Is there anybody in the

1 Proceedings - Edelman

2 audience that would like to speak in favor of
3 this application? Anybody in the audience
4 that would like to speak in opposition to this
5 application? The Board will take a short
6 break and come back with a decision.

7 (Recess taken.)

8 CHAIRMAN KRENGEL: Back on the record.
9 The Board is going to propose a modification
10 to the variances requested. With regard to
11 the character of the roofs, I am going to make
12 a motion to approve it. Take a vote on that
13 variance, character of the roofs.

14 MR. SHTEIERMAN: Approved.

15 MR. CLARK: Approved.

16 MR. BLEIBERG: Approved.

17 CHAIRMAN KRENGEL: The variance of the
18 character of the roofs has been approved.
19 With regard to the front yard, we are going to
20 propose that the front yard on Marlborough
21 should stay within code, which would be
22 25-foot setback to the building. We will
23 allow up to a 2-foot encroachment for the
24 planters.

25 MR. ROTHSCHILD: Can we explain that to

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our clients?

CHAIRMAN KRENGEL: Of course.

(Discussion off the record.)

CHAIRMAN KRENGEL: The modification of the front yard setback will also reduce the building area proportionally. You will still be above the 30 percent but it would -- once you reduce the front yard variance, you will also reduce the building area. We are not going to specify a number, but it's going to be in proportion. Obviously in proportion. You are not going to take away from the front and put it elsewhere. You are going to take away from the front yard.

MR. MAYERFELD: Agreed.

CHAIRMAN KRENGEL: With regard to the height, we would propose for 31-foot height from the average curb. Off the record.

(Discussion off the record.)

CHAIRMAN KRENGEL: In addition, the chimneys will be allowed to be 3 feet above the ridge.

MR. ROTHSCHILD: Understood.

CHAIRMAN KRENGEL: And the steps behind

1 Proceedings - Edelman

2 the family room, since they are above 3 feet,
3 the maximum dimensions, they are allowed to be
4 is 3 feet long by 6 feet wide.

5 MR. ROTHSCHILD: That's standard code.

6 CHAIRMAN KRENGEL: If you want to
7 discuss, it's off the record.

8 (Discussion off the record.)

9 CHAIRMAN KRENGEL: Back on the record.
10 So we are now going to vote on our
11 modifications of the requests. With regard to
12 the height, we will grant a variance up to 31
13 feet from the average curb.

14 With regard to the front yard on the
15 Marlborough side, we will deny that variance,
16 and we will require the house be with a
17 setback of 25 feet. However, we will allow
18 the planters to encroach up to 2 feet into the
19 front yard. That will also reduce the request
20 of the building area to an unspecified number,
21 but it will obviously be in proportion, and
22 with regard to the character of the roof, we
23 have already approved that. So now we will
24 take a vote on the three modifications.

25 MR. CLARK: Approved as modified.

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MR. SHTEIERMAN: Approved as modified.

MR. BLEIBERG: Approved as modified.

CHAIRMAN KRENGEL: Approved as modified.

Thank you very much.

(Time noted: 9:18 p.m.)

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Proceedings - Edelman

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of January,
2022.

YAFFA KAPLAN

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APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

DAN AND LINDA LIVSHITZ
420 SUMMIT AVENUE

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

January 18, 2022
8:25 p.m.

B E F O R E

MEIR KRENGEL, Chairman

SHIFRA EDELMAN, Board Member

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

Proceedings - Livshitz

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CHAIRMAN KRENGEL: Back on the record.
Good evening, again. The next case is Case 3
of 2022. The application of Dan and Linda
Livshitz, 420 Summit Avenue, Cedarhurst, for
the property located at 420 Summit Avenue.
They are seeking a variance for building code,
265-42 rear yard.

MR. YARNELL: There is people downstairs
that are for this case.

CHAIRMAN KRENGEL: The village attorney
will now read a statement into the record.

MR. GOLDFEDER: Mr. Chairman, members of
the Board, for the record, we have been
provided with proof of the mailing and
publication in the local newspaper of record
of all notices of this hearing as required by
law. Accordingly, jurisdiction has been
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 November 8,
2021, a non-collusion affidavit has been duly
executed by the applicant, Dan Livshitz,
wherein he stated that there are no other

Proceedings - Livshitz

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2 persons or entities involved in this
3 application that are employed/or connected to
4 the Village of Cedarhurst, its officers, or
5 employees, which would in any way constitute a
6 conflict under the law.

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

13 CHAIRMAN KRENGEL: Will the owner or its
14 representative please step forward.

15 Prior to the owner stating their case, I
16 just want to go on the record that this Board
17 has been advised that the variances that are
18 being requested has already been done, and we
19 will go on the record on that. And please
20 state your case for the record.

21 MR. NEUWRITH: My name is Sam Neuwirth.
22 I am here representing Mr. And Mrs. Dan
23 Livshitz, owners of 420 Summit. I was
24 recently informed that this was completed.
25 Before I get to my case, I just want the

1 Proceedings - Livshitz

2 homeowner to just get up and just explain.

3 CHAIRMAN KRENGEL: For the record can
4 you state what the structure is, what the
5 variance is?

6 MR. NEUWRITH: There is an existing
7 staircase in the rear yard that's going down
8 to the cellar. We were proposing or are
9 proposing to put a -- perhaps some walls and a
10 roof with a door so we can have covered roof,
11 covered area to go down the stairs so like
12 snow and rain doesn't come down.

13 CHAIRMAN KRENGEL: How was access before
14 this?

15 MR. NEUWRITH: It was open. It was just
16 open. The staircase was there.

17 CHAIRMAN KRENGEL: The cellar doors were
18 below that staircase?

19 MR. NEUWIRTH: Yes.

20 CHAIRMAN KRENGEL: Did you expand the
21 staircase, widen it at all?

22 MR. NEUWRITH: No. Everything is
23 staying exactly the same.

24 MR. LIVSHITZ: Hi. My name is Dan
25 Livshitz, and just like from the beginning I

1 Proceedings - Livshitz

2 just want to apologize. It was just a
3 miscommunication what happened. It was not
4 any work that was to be done prior to the
5 variance. I was just working with the
6 contractor regarding the purchase price of
7 doing the work since this wasn't part of the
8 contract. So we were discussing and
9 negotiating the price, and once we had the
10 price we said it was okay, but it was supposed
11 to be okay when we get the variance. The only
12 thing is it was overheard by the workers, so
13 they just did it. So when I came back and I
14 saw it was already done, it was just a
15 miscommunication, and it was nothing that was
16 intended to be done without the variance.

17 CHAIRMAN KRENGEL: You don't live on the
18 property so you don't see what's going on?

19 MR. LIVSHITZ: Right now I don't see
20 what's on the property.

21 CHAIRMAN KRENGEL: You don't see what's
22 going on on a daily basis?

23 MR. LIVSHITZ: No.

24 CHAIRMAN KRENGEL: What is the structure
25 built of?

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Proceedings - Livshitz

MR. LIVSHITZ: It's wood I guess.
Sheetrock. Nothing.

CHAIRMAN KRENGEL: Thank you.

MR. NEUWRITH: We are encroaching so we
need to have 25-foot rear yard. We are
proposing 23-foot-8-inch setback.

CHAIRMAN KRENGEL: And the staircase
already encroached into that prior to this?

MR. NEUWIRTH: Correct.

CHAIRMAN KRENGEL: Thank you. Any
questions from anybody from the Board?

MR. SHTEIERMAN: So the new enclosure is
on top of the existing foundation of the
stairs?

MR. NEUWIRTH: Correct.

CHAIRMAN KRENGEL: Any questions?
Anybody in the audience would like to speak in
favor of this application? Anyone want to
speak in opposition to this application?
Please state your name and address.

MS. OCCIUZZO-ZACK: Kelly Occiuzzo. I
am speaking on behalf of my mother who lives
next door, 252 Washington. My name is Kelly
Occiuzzo-Zack. I am from 1052 Highland Place

Proceedings - Livshitz

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2 in Woodmere. My mother has been telling me
3 about the structure that's being built for a
4 couple of months now.

5 CHAIRMAN KRENGEL: What structure?

6 MS. OCCIUZZO-ZACK: On the side of the
7 house, but she is by herself so she didn't
8 know it wasn't in the plans. So it didn't
9 just happen. It was months long construction.
10 She has pictures. She has taken pictures of
11 it being built.

12 CHAIRMAN KRENGEL: Thank you. Okay.
13 Thank you. Anybody else would like to speak?
14 The Board will now take a vote.

15 MS. EDELMAN: Approved.

16 MR. BLEIBERG: Approved.

17 MR. SHTEIERMAN: Approved.

18 MR. CLARK: Approved.

19 CHAIRMAN KRENGEL: Approved but off the
20 record.

21 (Discussion off the record.)

22 (Time noted: 8:32 p.m.)
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Proceedings - Livshitz

C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of January,
2022.

YAFFA KAPLAN

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APPLICATION FOR ZONING VARIANCE

IN THE MATTER OF

YITZCHOK AND SARAH SHAGALOW
401 BUCKINGHAM ROAD

Applicant.

200 Cedarhurst Avenue
Cedarhurst, New York

January 18, 2022
8:11 p.m.

B E F O R E

MEIR KRENGEL, Chairman

SHIFRA EDELMAN, Board Member

MICHAEL BLEIBERG, Board Member

JARED CLARK, Board Member

DAVID SHTEIERMAN, Board Member

YOEL GOLDFEDER, Village Attorney

WAYNE YARNELL, Supt. Bldg. Dept.

Proceedings - Shagalow

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2 CHAIRMAN KRENGEL: Second case for this
3 evening is Case Number 4 of 2022. The
4 application of Yitzchok and Sarah Shagalow,
5 401 Buckingham Road, Cedarhurst, New York
6 11516 for the property located at 401
7 Buckingham Road. The applicant is seeking
8 variances under the following zoning laws:
9 Section 265-38 Building Area; 265-41 Side
10 Yards; and 265-42.1 Character of Roofs. The
11 village attorney will now read a statement
12 into the record.

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

21 Pursuant to New York State General
22 Municipal Law Section 809, on November 4,
23 2021, a non-collusion affidavit has been duly
24 executed by the applicant, Yitzchok Shagalow,
25 wherein he stated that there are no other

Proceedings - Shagalow

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2 persons or entities involved in this
3 application that are employed/or connected to
4 the Village of Cedarhurst, its officers, or
5 employees, which would in any way constitute a
6 conflict under the law.

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

13 CHAIRMAN KRENGEL: Will the owner or its
14 representative please step forward.

15 MR. NEUWRITH: Good evening. My name is
16 Sam Neuwirth. I am here representing Mr. and
17 Mrs. Yitzchok Shagalow, owner of 401
18 Buckingham. The Shagalows are a young growing
19 family. They bought this house because they
20 like this neighborhood, and right now if you
21 look at their plot line, you will see that
22 there is not that much backyard.

23 Right now the existing two-car garage,
24 it's actually encroaching into the neighbor's
25 property. We are proposing to demo the

Proceedings - Shagalow

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2 two-car garage and build a new single-car
3 garage attached to the house. We are actually
4 also lowering the lot coverage. We are still
5 over allowable, but we are lowering the lot
6 coverage by bringing it down to a single-car
7 garage.

8 CHAIRMAN KRENGEL: Your lot coverage
9 existing is --

10 MR. NEUWRITH: -- 1,950.

11 CHAIRMAN KRENGEL: What percentage?

12 MR. NEUWRITH: Thirty-nine percent.

13 CHAIRMAN KRENGEL: Thirty-nine. And
14 your proposal is down to 36?

15 MR. NEUWRITH: Yes.

16 CHAIRMAN KRENGEL: And the side yard?

17 MR. NEUWRITH: So encroaching side yard
18 it's -- we need to have 6 foot 10. We are 6
19 foot, 8 and a half inches.

20 CHAIRMAN KRENGEL: That's because of the
21 garage?

22 MR. NEUWRITH: Yes. The garage had to
23 be 10 foot, 6 inches.

24 CHAIRMAN KRENGEL: How high is the
25 garage?

1 Proceedings - Shagalow

2 MR. NEUWRITH: Thirteen feet.

3 CHAIRMAN KRENGEL: Thirteen feet high?

4 And the roof, the flat roof is on top of
5 the garage and on top of the --

6 MR. NEUWRITH: -- front of the house.

7 CHAIRMAN KRENGEL: Front of the house is
8 existing, correct?

9 MR. NEUWRITH: We did file a new
10 application to flatten that out previously.
11 It's under construction as we speak.

12 CHAIRMAN KRENGEL: Okay.

13 MR. NEUWRITH: This was a separate
14 application.

15 CHAIRMAN KRENGEL: Why are you doing a
16 flat roof there? Just curious.

17 MR. NEUWRITH: We want to make a porch.
18 The front is going to be a porch off the
19 master.

20 CHAIRMAN KRENGEL: And you can't do a
21 garage?

22 MR. NEUWRITH: It will interfere with
23 the windows if we do a sloped roof.

24 CHAIRMAN KRENGEL: Are you building any
25 type of mezzanine on the garage?

Proceedings - Shagalow

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MR. NEUWRITH: No.

CHAIRMAN KRENGEL: Is that your case?

MR. NEUWRITH: Yes.

CHAIRMAN KRENGEL: Any questions?

MR. SHTEIERMAN: Yes. Are you enlarging
the rear one story at all?

MR. NEUWRITH: No.

MR. SHTEIERMAN: On your plans it's
14.11. Would you be able to adjust that to
14.6 according to the survey?

MR. NEUWRITH: Sure. Yes.

MR. SHTEIERMAN: And the same in the
other direction, 14.1 versus 14. Just make it
match the survey, assuming the survey is
right.

CHAIRMAN KRENGEL: Any other questions?

MR. CLARK: No.

(Discussion off the record.)

CHAIRMAN KRENGEL: Do you plan on using
the top of the garage for any purpose?

MR. NEUWRITH: No.

CHAIRMAN KRENGEL: You agree to make
that a condition on the application? I
believe it's coming right out of the -- right

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now there is no access.

MR. NEUWRITH: What did you say?

CHAIRMAN KRENGEL: Do you have any access to the roof of the interior of the house?

MR. SHAGALOW: Yitzchok Shagalow. The interior on the second floor?

CHAIRMAN KRENGEL: Do you have access either to the porch?

MR. SHAGALOW: It's very inconvenient. It's a bathroom and a walk-in closet. None of those places would I even want to put a door there.

CHAIRMAN KRENGEL: How about from the nursery on to the front porch?

MR. SHAGALOW: It's on the original plans to put a porch there. That is part of the plans, the original plans.

CHAIRMAN KRENGEL: Have you submitted that also?

MR. SHAGALOW: Yes. I believe it's just under 200 square feet.

CHAIRMAN KRENGEL: You didn't want any --

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2 MR. SHAGALOW: My understanding it's
3 okay to have but nothing more.

4 CHAIRMAN KRENGEL: Off the record.

5 (Discussion off the record.)

6 CHAIRMAN KRENGEL: Would you agree as a
7 condition that that will not -- the top of the
8 garage will not be used as a porch?

9 MR. SHAGALOW: Sure.

10 CHAIRMAN KRENGEL: Thank you. Okay.
11 Thank you. Is that your case?

12 MR. NEUWRITH: Yes.

13 CHAIRMAN KRENGEL: Is there anybody in
14 the audience who would like to speak in favor
15 of this application? Anybody in the audience
16 who would like to speak in opposition of this
17 application?

18 The Board will take a vote. Mr. Clark
19 will go first.

20 MR. CLARK: Approved.

21 MS. EDELMAN: Approved.

22 MR. BLEIBERG: Approved.

23 MR. SHTEIERMAN: Approved.

24 CHAIRMAN KRENGEL: Approved. Thank you
25 very much.

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(Time noted: 8:19 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF QUEENS)

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of January,
2022.

YAFFA KAPLAN