

Lawrence, New York February 7, 2011

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

Those members present were:                   Chairperson Benjamin Sporn  
  Member Barbara Kupferstein  
  Member Myrna Breitman

Those members absent were:                   Member Ronni Berman  
  Member Eva Staiman  
  Member Barry Pomerantz

Also present were: Thomas P. Rizzo, Secretary to Board of Building Design and Ronald Goldman Attorney to the Board of Building Design.

Chairperson Sporn called to order the regular meeting of the Board of Building Design at 7:26 PM. Proof of posting for the meeting was submitted. The meeting was called to order with the following members present: Chairperson Sporn, Member Kupferstein and Member Breitman.

The meeting agenda included five new applications and two prior applications. Mr. Rizzo advised Chairman Sporn that there were representatives present here for several applications. A motion was made by Member Kupferstein and seconded by Member Breitman and unanimously approved by Chairman Sporn and Members Kupferstein and Breitman to take the applications out of order in that applicants/residents are present.

*The following new application was considered:*

**Solomon – 40 Merrall Dr.** – New two story single family residence with attached garage, driveway paving with new curb cut and patio. Mr. Greg Spano came forward and identified himself as an assistant to Emilio Susa, the architect for the Solomon's. Mr.

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Spano explained that Mr. Susa had slipped and fell and was recovering so Mr. Spano came in his place. The Board reviewed the application and discussed the proposed new residence, the relocation and widening of the existing curb cut and new driveway. The Board also reviewed the material samples for the new house. The Board discussed the new location for the new driveway and the relocated and widened curb cut. The Board questioned Mr. Spano as to the location of the property on Merrall Drive. The Board asked if a color rendering of the building was provided, Mr. Rizzo explained that no color rendering was provided but the elevation drawings of all sides of the proposed house with a landscape plan were sent to the Board members. Board Attorney Ronald Goldman asked if the proposed construction required any variances. Mr. Rizzo explained to Mr. Goldman and the Board that the plan submitted did not require any variances. The Board reviewed the submitted roofing, stucco and brick samples. No one else appeared before the Board to support or oppose the application. A motion was made by Member Kupferstein to approve the application to construct the new residence with driveway, patio and wider relocated curb cut as submitted; the motion was seconded by Member Breitman with the following votes cast, Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

*The following prior application was considered:*

**Lifshitz- 160 Hollywood Crossing.** – Full second floor addition and interior and exterior alterations to existing residence. The Board reviewed the application and the drawings for the proposed altered residence. Mr. Goldman noted for the record that there was a representative present for this application. Mr. Goldman asked the gentleman to come forward and identify himself for the record. Mr. Leonard W. Jacobs can forward and

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identified himself as a register architect in the state of New York and the architect for the project. The Board reviewed the plans and a submitted color rendering of the proposed front elevation for the proposed altered residence. The Board questioned the architect about the existing house and the proposed stucco and stone siding, the proposed colors for the house and the roofing. The Board discussed the dimensions of the existing structure, the length, width and height of the existing building and the existing number of bedrooms and what rooms will be in the house after the addition. Mr. Jacobs noted that the foot print of the existing building was not be enlarged. No one else appeared before the Board to support or oppose the application. A motion was made by Member Breitman to approve the application for additions and alterations to the existing residence as submitted; the motion was seconded by Member Kupferstein with the following votes cast, Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

*The following new applications were considered:*

**Hoffman – 6 Sealy Court.** – One and two story front/side addition, two story rear/side addition and interior alterations to existing residence. Mr. Goldman explained that the next application was Hoffman of 6 Sealy Court and there was a representative present and asked that the representative to come forward and identify themselves for the record. Mr. Eric Kupferberg came forward and identified himself as the architect for the project and that he is located in Long Beach New York. The Board reviewed the application and plans. Mr. Rizzo explained to the Board that there was a letter attached to the plans that explained that the new finish materials and colors on the additions would match the finish materials on the existing house. The architect explained that the house is unusual in that on the second floor the master bedroom and bath are separated by two steps and the

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addition will include a new master bath on the same floor level as the master bedroom and move the front door which now faces the side yard to the new addition with the front door to face the street with a roof over the front door and an additional bedroom for a new child just born. With the Board's permission Mr. Kupferberg came up to the Board table to review the plans with the Board members and point out the new additions and the changes to the existing house. The Board members conferred on the application. Mrs. Kupferstein asked the architect to clarify several questions she had about the plans. No one else appeared before the Board to support or oppose the application. A motion was made by Member Breitman to approve the application for the proposed additions as submitted. The motion was seconded by Member Kupferstein with the following votes cast: Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

**Schwartz– 45 Briarwood Ln.** – Install six foot high wood stockade fence on side property line. The Board reviewed the application. Mr. Goldman advised the Board that there was a representative present regarding this application. Mr. Glen Kats of Stewart Senter, located at 333 Baldwin Road Hempstead, NY, came forward representing the property owner. Mr. Goldman questioned what was Stewart Senter, Mr. Katz explained that Stewart Senter was a licensed home improvement contractor doing business as Tennis Planning. Mr. Rizzo explained that the application was a request to install a six foot high wood fence on what the Village of Lawrence interprets as a side property line. Mr. Rizzo reminded the Board members that several months back an application to install a tennis court was reviewed and approved by the Board; this requested fence would be adjacent to this tennis court. Chairman Sporn asked if this property was located on Waverly Place or Briarwood Lane and Mr. Rizzo explained to the Board that the property

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on Waverly Place had been acquired by the owners of 45 Briarwood Lane. The original property front on Briarwood Lane and went through to Waverly Place. The house on the Waverly Place lot was demolished and the permit was reviewed and approved to build the tennis court on the lot that was once known by a Waverly Place address. The tennis court was approved by the Board of Building Design with extensive landscaping to be installed to hide the tennis court. Mr. Rizzo explained that in addition to the extensive landscaping to be installed the applicant now wanted to install this six foot high wood fence. Mr. Goldman questioned if the request for this fence was due to the tennis court. Mr. Katz explained that the Schwartz's believe that the fence would provide privacy for the tennis area and give a better view for the adjoining residences, not to view a tennis court in their rear yards and possible stop any balls from going into the other yards. The Board reviewed an aerial photo which indicates the prior house on Waverly which was demoed and was being replaced by a new tennis court and the location for the new fence and the two adjoining properties which would have this requested fence on their rear property lines. The Board discussed the fact that even though this was a side property line for the subject property where the owners wanted to install the fence it would be considered the rear property line for the two adjoining properties. The Board questioned if this new six foot high fence could be seen from Waverly Place, Mr. Katz explained that from Waverly Place no one would be able to see the requested fence as there would be landscaping, then the tennis court and then more landscaping blocking the view to the requested fence. The Board and Mr. Katz discussed the previously approved landscape plan and plantings that was part of the approve tennis court permit. Chairman Sporn noted that if the two properties adjoining this common line submitted a request to install a six foot high fence on this, their rear property line, the Board would approve the request

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but they would have to have the good side of the fence face out to the Schwartz property. If the Board approved this request for a six foot high fence, these two adjoining properties would still have a six foot high fence at their rear property lines but they would have the benefit of having the good side of the fence facing them. The Board and Mr. Katz continued to discuss the landscaping and the proposed fence. No else one appeared before the Board to support or oppose the application. A motion was made by Member Kupferstein to approve the application for the proposed six foot high wood fence as submitted. The motion was seconded by Member Breitman with the following votes cast: Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

*The following prior application was considered:*

**Heller – 10 Dogwood Ln.** – Amend previously approved fence application to add additional fencing. Mr. Goldman advised the Board that there was a representative present for this application. Mr. Richard Bienenfeld came and identified himself as the architect for the project. The Board reviewed the amended fence application and drawings. Mr. Bienenfeld offered to briefly review the application and orient the Board members regarding the property and explain the proposed changes. Mr. Bienenfeld reviewed the submitted plans and drawings with the Board and the locations for the additional fences on the property and explained what fence had previously been approved by the Board. It was explained that a property on Larch Hill Road had been acquired and the existing building on the Larch Hill Road lot had been demolished and the now vacant lot was being added to the 10 Dogwood Lane property for additional open lawn area with the perimeter to be landscaped. Mr. Bienenfeld explained that with the addition of the Larch Hill Road lot the property now became a through lot. The first request was to

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install a four foot high wrought iron fence on the property line adjacent to Larch Hill Road with a ten foot wide heavily landscaped area behind the iron fence and then a six foot high custom wood fence behind the plantings. The next request was to install two different styles of custom wood fence, six feet high, on the side property lines of the Larch Hill Road lot. The final request was to extend a four foot high brick garden wall located in the right side yard area of the 10 Dogwood Lane property. The Board reviewed submitted photos of the proposed locations for the new fences and a computer generated photo of the Larch Hill Road property line and what it would look like with the new fences and plantings installed. The Board questioned what was the reason was for the requested fences? Mr. Bienenfeld explained the reason for the fences was security and privacy. Mr. Goldman asked if the public walking along Larch Hill Road would have contact with the fence adjacent to the road and the Board questioned if the six foot high fence would be seen from the street. Mr. Bienenfeld explained that the six foot high fence would be installed ten feet back from the Larch Hill Road property line with the area in front of this fence heavily planted with trees and shrubs and no one walking on Larch Hill Road would be able to see the six foot high fence. The question was raised, was there a need for the four foot iron fence on the property line in front of the planting and six foot fence. Mr. Bienenfeld explained that the four foot fence was to keep the casual passerby out of the plantings and away from the six foot fence. The Board and Mr. Goldman questioned if the public walking on Larch Hill would be up against this four foot fence on the property line. Mr. Rizzo and Mr. Bienenfeld explained that the property line on the Larch Hill Road side of the property was about ten feet back from the curb at the edge of the street, this area belonged to the Village of Lawrence as part of the right of way along the road, so the public on the street would be about ten feet from the four foot

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high iron fence to be installed on the property line, then the ten feet deep plantings area, then the six foot high wood fence. Mr. Bienenfeld point out that there are other through lots in the village that had six foot high fences on rear lot lines adjoining other street with no landscaping to block the view of their six foot high fence and went on to explain the reasons and the need for the proposed two different styles of six foot high fence for the side lot lines on the Larch Hill road part of the property. He explained how the adjoining properties fronting on Larch Hill Road had existing six foot high fences on their side property lines and that the applicants six foot high fence would be up against an existing six foot high fence. It was further explained that the solid style of six foot fence would be located on the side property lines adjacent to the side lot lines which would be part of the rear yard areas of the adjoining properties located on Larch Hill Road and the more decorative six foot high fence would be located on the side lot lines adjacent to the front yards of the adjacent Larch Hill Road properties. The Board discussed the proposed landscaping to be installed behind the proposed six foot high side line fences. The Board explained that it normally did not approve six foot high fences on side property lines and questioned the need for the six foot high fence at the requested locations. Mr. Bienenfeld again explained that the fence was needed for security and privacy, the Board pointed out that the proposed landscaping on the side lot lines, behind the new fences, would provide privacy and security. The Board voiced concern that two different styles of six foot high fence would be installed on the same side lot line. The Board and Mr. Bienenfeld continued to discuss the request for the six foot high fence on side property lines. A general consensus was reached between the Board members and stated by Chairman Sporn, the Board could approve the four foot high iron fence with landscaping and the six foot high wood fence along the Larch Hill Road property line, additionally the Board

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member could approve the side property line fences but at five foot high only and the fences on the side lines would only being the solid style fence only not part solid style and part decorative. Mr. Rizzo asked the Board about extending the brick wall in the right side yard area. The Board reviewed the plot plan regarding the location of the wall in the side yard area and the elevation drawings of the wall and discussed same with Mr. Bienenfeld. The general consensus was that none of the Board members had a problem with extending the brick wall. No one else appeared before the Board to support or oppose the application. A motion was made by Member Kupferstein to approve the amendment to the issued fence permit as follows: the Board approved the four foot high iron fence with landscaping and the six foot custom wood fence on the Larch Hill Road property line, the Board approved a five foot high custom solid style wood fence on the side property lines of the Larch Hill Road lot and the Board approved the extension of the brick wall in the right side yard area off Dogwood Lane. The motion was seconded by Member Breitman with the following votes cast, Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

*The following new applications were considered:*

**Nahmias – 575 Chauncey Ln.** – Two story single family residence with attached two car garage, patio paving and two curb cuts and circular driveway paving. Mr. Rizzo explained to the Board that this is a vacant lot with the plan to build a new house. The Board reviewed and discussed the application and plans. The Board members commented that the proposed circular driveway complied with the Boards guide lines. None of the Board members stated they had any concerns regarding the proposed new house. No one appeared before the Board to support or oppose the application. A motion

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was made by Member Breitman to approve the application for the proposed new residence, patio and circular driveway with curb cuts as submitted. The motion was seconded by Member Kupferstein with the following votes cast: Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

**Herman– 106 Lakeside Dr. E** – Second floor side addition and interior alterations to existing residence. Mr. Goldman informed that the Board that the last application was Miriam Herman of 106 Lakeside Dr. East. The Board reviewed the application and plans. Mr. Rizzo explained the application is for a second floor side addition above an existing one story with interior alterations. Mr. Rizzo distributed a letter received in the morning from the architect stating that all exterior finishes of the addition would match the existing house and several photos of the existing house. Mr. Goldman asked if the application complied with zoning; Mr. Rizzo explained that the applicant was taking advantage of the one-time exemption in the Village zoning code that would allow the second floor addition to be built. The Board members conferred on the application. The Board member asked what the new space was to be used for. Mr. Rizzo explained that the plans showed that the space would be two new bedrooms and a new bath. No one appeared before the Board to support or oppose the application. A motion was made by Member Breitman to approve the application for the proposed addition as submitted. The motion was seconded by Member Kupferstein with the following votes cast: Member Kupferstein yes, Chairman Sporn yes and Member Breitman yes.

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After the agenda items were completed Mr. Rizzo explained to Chairman Sporn that the minutes of the previous meeting would be submitted to the Board for approval at the next meeting.

There being no further business the meeting was adjourned at 9:06 PM.

This is to certify that I, Thomas P. Rizzo, Secretary to the Board of Building Design, have read the foregoing minutes and the same are in all respects a full and correct record of such meeting.

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Thomas P. Rizzo