

In the Matter Of:

VILLAGE OF FARMINGDALE - ZBA

ZBA HEARINGS

April 14, 2022



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INCORPORATED VILLAGE OF FARMINGDALE

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ZONING BOARD OF APPEALS PUBLIC HEARING

6

361 MAIN STREET

7

FARMINGDALE, NEW YORK 11735

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April 14, 2022

10

8:00 p.m.

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Case #4-1 - LAURA COLETTI
44 Waverly Place

15

Case #4-2 - TONI ANISTASIADIS
63 Jerome Drive

16

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Case #4-3 BG CONKLIN, LLC.
1 Conklin Street

18

Case #4-4 Alizandra Santana
6 Fuschetto Court

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2 A P P E A R A N C E S :
3 DAVID NOSTRAND, Chairman
4 MARISA TULLY, Board Member
5 MARY CARPENTER, Board Member
6 BERNARD HOTHERSALL, Board Member
7 STEVE FELLMAN, Building Inspector
8 CLAUDIO DEBELLIS, ESQ., Board Counsel
9 LAURA COLETTI, Impact Architecture

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12 Case #4-1 - LAURA COLETTI
44 Waverly Place

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14 Case #4-2 - TONI ANISTASIADIS
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16 Case #4-3 BG CONKLIN, LLC.
1 Conklin Street

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18 Case #4-4 Alizandra Santana
6 Fuschetto Court

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2 CHAIRMAN NOSTRAND: Before we
3 start, I want to apologize for being late.
4 We usually begin on time but tonight we
5 got a little behind.

6 Can I say that before we open the
7 meeting?

8 MS. CARPENTER: You just did.

9 CHAIRMAN NOSTRAND: Okay. I have
10 to call the meeting to order.

11 MR. DEBELLIS: Yes.

12 CHAIRMAN NOSTRAND: Do I have to
13 make a motion right now?

14 MR. DEBELLIS: No.

15 CHAIRMAN NOSTRAND: I call the
16 April 14th, 2022 Zoning Board for
17 Farmingdale, and call the meeting to
18 order.

19 We need to -- someone needs to make
20 a motion to waive reading of the minutes
21 from the last meeting.

22 MS. TULLY: I make a motion to
23 waive the reading of the minutes from the
24 last Board meeting.

25 CHAIRMAN NOSTRAND: All in favor?

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2 (WHEREUPON, there was a unanimous,
3 affirmative vote of the Board members.)

4 CHAIRMAN NOSTRAND: Motion carried.

5 Okay, first case we have tonight is
6 4-1, and that is Laura Coletti, 44 Waverly
7 Place.

8 Is there someone here to present
9 that case?

10 MS. COLETTI: Yes.

11 MR. FELLMAN: Do you want to use
12 it?

13 MS. COLETTI: Yeah, I guess we
14 could.

15 MR. FELLMAN: If you get to it.

16 COURT REPORTER: If you could just
17 introduce yourself, and spell your name.

18 MS. COLETTI: Sure, okay. Laura
19 Coletti from Impact Architecture,
20 C-O-L-E-T-T-I.

21 COURT REPORTER: Thank you.

22 MS. COLETTI: Impact Architecture,
23 we're at 339 Conklin Street here in the
24 Village of Farmingdale. I am representing
25 Mr. Singh at 44 Waverly Place in

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2 Farmingdale.

3 Okay, Mr. Singh is looking to
4 expand his home for his growing family.

5 MR. SANDT: Excuse me, can you
6 speak a little louder, please.

7 MS. COLETTI: Sure, I can try.

8 MR. SANDT: There are a lot of
9 seniors here --

10 MS. COLETTI: Okay.

11 MR. SANDT: (Continuing) -- who
12 have a problem with their hearing.

13 MS. COLETTI: Okay, okay, I have a
14 very low voice, so I will try. I will try
15 to project.

16 CHAIRMAN NOSTRAND: You could
17 always move up forward, sir, if you want
18 to come up.

19 MR. SANDT: No, I think it's fine
20 where I am.

21 CHAIRMAN NOSTRAND: Okay.

22 MS. COLETTI: Mr. Singh is looking
23 to expand his home, add some bedrooms for
24 his growing family. The home exists as a
25 legal two-family by C of O since 1958.

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2 So the house itself already covers about
3 32 percent of the lot by F.A.R. Coverage.
4 Expanding at all would increase that to
5 beyond the zoning allowance which is why
6 we're here.

7 So he's looking to add a second
8 story to his one-story home to add three
9 bedrooms and two baths. One would be a
10 master suite with a bath and two bedrooms
11 with a bathroom shared by them.

12 Downstairs there were existing two
13 bedrooms with one bath, a very small
14 dining room, galley kitchen and a living
15 room.

16 So he's looking to expand the
17 kitchen and the dining room into where the
18 one bedroom was and maintain one bedroom
19 and a bath down there for -- basically,
20 for guests to visit. So his family will
21 be moving upstairs into the three
22 bedrooms.

23 The variance also exceeds the front
24 yard allowance because he's adding a front
25 porch.

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2 Let me show the -- let me turn this
3 thing at an angle (indicating).

4 Plus he's adding a front porch to
5 have a covered entry and a seating area
6 out front.

7 CHAIRMAN NOSTRAND: How many
8 square feet is the front porch, the new
9 porch?

10 MS. COLETTI: The new porch. There
11 was an existing front porch on there, we
12 are extending it --

13 CHAIRMAN NOSTRAND: It's 215 feet.

14 MS. COLETTI: Yeah, 215 feet, yeah.
15 The existing front porch was 123 feet, so
16 he's adding 100 square feet to that front
17 porch, basically extending it over to --
18 he's moving the front door. The front
19 door was kind of weird, it was on the side
20 of the house, so he's moving it into the
21 center of the house and extending the
22 porch over so he can have an overhang over
23 the front door.

24 CHAIRMAN NOSTRAND: The garage is
25 existing?

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2 MS. COLETTI: The garage is
3 existing. It's used as a garage. The
4 two-family portion of the house is above
5 that garage.

6 CHAIRMAN NOSTRAND: So the
7 two-family part is existing?

8 MS. COLETTI: Is existing, yeah.

9 CHAIRMAN NOSTRAND: I'm sorry, I
10 was wrong. The two-story part of the
11 garage is existing?

12 MS. COLETTI: Is existing since
13 1958 when the house was first built, yes.

14 CHAIRMAN NOSTRAND: Okay.

15 MS. COLETTI: Yes, and that's a
16 one-bedroom apartment, a small apartment.
17 No access for that apartment from the
18 second floor, so there was no second
19 floor. So the only access to that
20 apartment is from the front door up the
21 stairs to that apartment.

22 CHAIRMAN NOSTRAND: So will that --
23 oh, this is a two-family house.

24 MS. COLETTI: Right.

25 CHAIRMAN NOSTRAND: Okay.

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2 MS. COLETTI: Right.

3 CHAIRMAN NOSTRAND: I assume it's a
4 legal tenant.

5 MS. COLETTI: It's legal by C of O
6 since 1958 so there's no changing it.

7 CHAIRMAN NOSTRAND: Okay. Is that
8 going to have it's own entrance in the new
9 plans?

10 MS. COLETTI: It has a shared
11 entrance. There is still -- let me show
12 you (indicating). So there's a front
13 entrance into the main part of the house
14 for the family living downstairs but
15 there's also this entrance (indicating)
16 which was the shared entrance that then
17 went into the kitchen. So this entrance
18 was really the only entrance into the
19 house. So they added this (indicating) so
20 that they have their own entrance here,
21 and then this front entrance would also go
22 up to that apartment but there's still --
23 there is a connection here so that they
24 can still --

25 CHAIRMAN NOSTRAND: Sure.

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2 MS. COLETTI: ()Continuing) -- go
3 up there, and they both have access to the
4 basement for storage and for use of the
5 basement.

6 CHAIRMAN NOSTRAND: And what is out
7 the back of that garage?

8 MS. COLETTI: Out the back it's an
9 existing looped-over sunroom that was
10 C/O'd a number of years ago.

11 CHAIRMAN NOSTRAND: How do you get
12 to that room?

13 MS. COLETTI: You have to actually
14 -- that's why there's these doors
15 (indicating) to get to the -- through
16 garage, really. Yeah, the garage is a
17 garage and it's not finished. They do use
18 it for their cars.

19 So the new second story. So this
20 would be the guest room (indicating) with
21 a bath. The kitchen is expanded into this
22 dining room; and the living room stays the
23 same; and then the second story gives them
24 their master suite, which is actually kind
25 of small, a connecting sitting room, more

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2 of a sunroom, it has a lot of glass; and
3 the two bedrooms, and the two bedrooms
4 would make use of this bathroom.

5 CHAIRMAN NOSTRAND: Hmm.

6 MS. COLETTI: So because the
7 two-car garage is attached to the house it
8 is considered part of the F.A.R. so it's a
9 little tough to expand on the home without
10 going over the lot coverage.

11 CHAIRMAN NOSTRAND: And the porch
12 is not that big either.

13 MS. COLETTI: No.

14 CHAIRMAN NOSTRAND: So that's not a
15 big part of it.

16 MS. COLETTI: No.

17 CHAIRMAN NOSTRAND: Are there any
18 questions from anybody in the audience
19 about this case?

20 Yes, sir?

21 MR. GOSLINE: Good evening. Chuck
22 Gosline, 33 Waverly Place in Farmingdale.

23 COURT REPORTER: Could you repeat
24 that please. I'm sorry.

25 MR. GOSLINE: Chuck Gosline, 33

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2 Waverly Place in Farmingdale.

3 I've lived on the block, you know,
4 for 45 some years. I saw the plans the
5 other day. I thought definitely, they
6 definitely improved the house but my
7 concern is that, you know, we're starting
8 to get a little expansive around the
9 Village. It seems to be loosening up. I
10 think this is going from 32 percent to --
11 Laura said to --

12 MS. COLETTI: Forty-seven.

13 MR. GOSLINE: (Continuing) -- 48 or
14 49, but it doesn't encroach on the outside
15 footprint of the house, so -- and I do
16 like the way it looks. My concern is with
17 -- there was no mention of the number of
18 cars per bedroom. So how many bedrooms is
19 it going to ultimately have versus the
20 requirement for, you know, on-site
21 parking?

22 MS. COLETTI: I don't think it goes
23 per bedroom in, like, two-family
24 residences like this, that's more for
25 apartment homes. You need parking for

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2 four cars, I believe, for a two-family.

3 MR. DEBELLIS: Steve, is parking an
4 issue?

5 MR. FELLMAN: It shouldn't be.

6 MS. COLETTI: Yeah, I don't think
7 there's anything in the zoning code for --

8 MR. FELLMAN: Well, no.

9 MR. GOSLINE: There absolutely is.

10 MR. FELLMAN: We do have a zoning
11 code for the parking.

12 MS. COLETTI: Parking for four
13 cars.

14 MR. FELLMAN: It's based upon
15 bathrooms, bedrooms and bathrooms.

16 MS. COLETTI: Oh, okay.

17 MR. FELLMAN: So we'll double check
18 that.

19 MS. COLETTI: So they do have
20 parking for four cars because they have
21 the two-car garage and then two in the
22 driveway.

23 MR. GOSLINE: Okay, so if we, you
24 know -- I would have hoped that would have
25 been checked before this came to the

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2 Zoning Board tonight so they can make a
3 decision, but we do have -- there are 11
4 houses on this block. We have one side of
5 the street parking, so parking is a
6 problem. Most of the residents on the
7 east side of the block have a parking spot
8 or two in front of the house, so nine
9 parking spots are in front of each one of
10 those even numbered parked houses.

11 So there's only nine, and there are
12 11 houses, so do the math. There isn't a
13 lot of on-street parking when a visitor
14 comes to visit anybody's house. When you
15 add number of cars per family it becomes
16 an issue.

17 So that's my concern, my concern is
18 that having a renter who always parks in
19 the street during snowstorms and
20 everything else, that's a concern. I live
21 a little bit up but it's a concern because
22 emergency vehicles can't get down the
23 street.

24 CHAIRMAN NOSTRAND: Mm-hmm.

25 MR. GOSLINE: We have a small

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2 street, so you're parking on one side.
3 You can just about squeeze a fire truck
4 down with nine cars parked on that other
5 side.

6 So that concerns me, and I know
7 them, they're nice people, and I do like
8 the presentation but I'm concerned with
9 the increase in the house, 3,600 square
10 feet. Are we going to be at -- are we
11 going to be renting out the basement. And
12 you know, is there an egress from the
13 house to the -- is the downstairs -- is
14 there any entrance to go into the
15 downstairs?

16 MS. COLETTI: From outside?

17 MR. GOSLINE: The basement level,
18 from outside.

19 MS. COLETTI: From outside, no.

20 MR. GOSLINE: Okay.

21 MS. COLETTI: Only from inside the
22 house.

23 MR. GOSLINE: Okay, okay, that's
24 good because that's a red flag; okay?

25 MS. COLETTI: Right, right. Yeah,

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2 I believe at one time there might have
3 been a kitchen down there but that
4 basement has since been C/O'd, and the
5 kitchen has been taken out.

6 MR. GOSLINE: Okay.

7 MS. COLETTI: There is a bathroom.

8 MR. GOSLINE: Okay, yeah, I would
9 be very concerned if there was.

10 MS. COLETTI: Yeah, there's no
11 apartment down there.

12 MR. GOSLINE: Okay, that's my
13 concern.

14 CHAIRMAN NOSTRAND: It's a valid
15 concern, Mr. Gosline, but it's still the
16 same family living in the same house.

17 MR. GOSLINE: I understand, I
18 understand.

19 CHAIRMAN NOSTRAND: So if they have
20 two cars today, and then they build this,
21 you still have two cars.

22 MS. COLETTI: If they're crammed
23 into two bedrooms, they still have the
24 same number of people, and the same number
25 of cars.

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2 MR. GOSLINE: It's not two cars,
3 they have seven or eight cars. So it's
4 not two cars. So I mean, I put all my
5 cars in my driveway. I only have two,
6 most of my other neighbors do, but it's a
7 tight spot. And as the Village continues,
8 houses on Prospect -- there's a house on
9 Prospect that you all approved. It's 80
10 percent of the lot.

11 CHAIRMAN NOSTRAND: Can't be.

12 MR. GOSLINE: Okay, I got pictures,
13 and you can take a walk down and take a
14 look now.

15 CHAIRMAN NOSTRAND: That's a
16 subject for another time.

17 MR. GOSLINE: But I'm just saying,
18 that's what I'm concerned with, this kind
19 of chronic expansion. Just seems to, you
20 know, continue to creep in. So --

21 CHAIRMAN NOSTRAND: Are there any
22 other questions in the audience?

23 (WHEREUPON, no response was heard.)

24 CHAIRMAN NOSTRAND: Anybody on the
25 Board have any questions for the

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2 applicant?

3 (WHEREUPON, no response was heard.)

4 CHAIRMAN NOSTRAND: Our consensus
5 is that it's -- the land area ratio is a
6 big jump from 35 --

7 MS. COLETTI: Okay.

8 CHAIRMAN NOSTRAND: (Continuing) --
9 to 47 percent, 35 percent.

10 MS. TULLY: Thirty-two from what
11 they have now.

12 CHAIRMAN NOSTRAND: From what they
13 have now.

14 MS. TULLY: Yeah, they're allowed.

15 CHAIRMAN NOSTRAND: Even though the
16 garage is part of it --

17 MS. TULLY: Right.

18 CHAIRMAN NOSTRAND: (Continuing) --
19 and the porch is part of it.

20 MS. TULLY: Right.

21 CHAIRMAN NOSTRAND: Those are
22 fairly small numbers, the garage --

23 MS. COLETTI: The actual square
24 footage of the house is -- like the living
25 area, yeah, is the big part, but that's --

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2 I mean, that's a normal-sized house for
3 anybody living --

4 CHAIRMAN NOSTRAND: Then again,
5 it's a big jump from where they're at.

6 MS. COLETTI: Okay.

7 CHAIRMAN NOSTRAND: It's way over
8 the --

9 MS. COLETTI: All right, where
10 would you be comfortable pulling it back?

11 CHAIRMAN NOSTRAND: We're not
12 opposed -- the Board or the Village is not
13 opposed to people renovating their houses
14 and putting second stories on them and
15 staying where they are, which we like.
16 It's just that it's got to be somewhere in
17 the middle.

18 MR. DEBELLIS: Yeah.

19 CHAIRMAN NOSTRAND: Maybe 40, 42
20 percent, cut it back.

21 MS. COLETTI: Okay, 42 is going to
22 be tough to get three bedrooms --

23 CHAIRMAN NOSTRAND: Mm-hmm.

24 MS. COLETTI: (Continuing) -- doing
25 that. We can take a look at it and see

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2 maybe. They do have that deck off the
3 back that they wanted for the upper
4 bedrooms.

5 CHAIRMAN NOSTRAND: Mm-hmm.

6 MS. COLETTI: That's only 200
7 square feet, so that doesn't, you know --
8 it's a small deck, it's not --

9 CHAIRMAN NOSTRAND: Yes, I don't
10 think those two decks are going to make a
11 big difference.

12 MS. COLETTI: No, I mean, the
13 master is actually rather small for a
14 master, already. I'll talk to the client
15 and see but is that your decision or
16 you --

17 CHAIRMAN NOSTRAND: We have to vote
18 on it but that's kind of the general
19 consensus we felt from the Board members
20 as well as the community. We're all --

21 MS. COLETTI: Okay, so if you don't
22 render a decision tonight, can we adjust
23 the plans and come back without having
24 to --

25 CHAIRMAN NOSTRAND: Of course.

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2 MR. DEBELLIS: Yeah.

3 CHAIRMAN NOSTRAND: Yeah, yeah,
4 we'll march you right through.

5 MS. COLETTI: Okay, all right,
6 we'll see what we can do.

7 CHAIRMAN NOSTRAND: You'll have to
8 make another presentation.

9 MR. DEBELLIS: Yes, so we should
10 accept the motion to continue this to the
11 next meeting.

12 CHAIRMAN NOSTRAND: Okay, we can do
13 that.

14 MS. CARPENTER: I make a motion to
15 continue case 4-1 to the next Planning
16 Board, excuse me, Zoning Board meeting.

17 MR. FELLMAN: Zoning Board.

18 MD. COLETTI: Okay.

19 MS. CARPENTER: Don't you have to
20 second?

21 CHAIRMAN NOSTRAND: All in favor?

22 MR. FELLMAN: Second, second.

23 MS. TULLY: Second.

24 CHAIRMAN NOSTRAND: Motion carried.

25 MS. COLETTI: Okay.

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2 CHAIRMAN NOSTRAND: Thank you.

3 MS. COLETTI: All right, thanks.

4 (WHEREUPON, this case was adjourned
5 to May 12, 2022.)

6 * * * *

7 CHAIRMAN NOSTRAND: Okay, next case
8 is 4-2.

9 MR. DEBELLIS: Is there a meeting?
10 Is there a meeting next month?

11 MS. TULLY: There is now.

12 MR. DEBELLIS: So that record
13 should reflect. What's the second
14 Thursday?

15 CHAIRMAN NOSTRAND: Okay, next case
16 is --

17 MR. FELLMAN: The 12th.

18 MR. DEBELLIS: So May 12th.

19 CHAIRMAN NOSTRAND: (Continuing) --
20 4-2, you guys ready?

21 MR. DEBELLIS: Yup.

22 CHAIRMAN NOSTRAND: Application,
23 Toni -- I'm sorry, I'm going to mess this
24 up, Anastasiadis.

25 MS. ANASTASIADIS: Anastasiadis.

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2 MS. TULLY: We're not going to
3 try --

4 CHAIRMAN NOSTRAND: We're not going
5 to try --

6 MS. ANASTASIADIS: Do you want me
7 to spell it?

8 COURT REPORTER: Introduce
9 yourself, and spell it, please. Thank
10 you.

11 MS. ANASTASIADIS: Anastasiadis,
12 A-N-A-S-T-A-S-I-A-D-I-S.

13 COURT REPORTER: Thank you.

14 MS. ANASTASIADIS: This is my first
15 time here, so I didn't come with --

16 CHAIRMAN NOSTRAND: Okay, that's
17 okay, just let us know what you want to
18 do, and let everybody hear you, so --

19 MS. ANASTASIADIS: Okay, I'm here
20 for a variance for my pool and a shed.

21 So it's already existing, and it's
22 there already, and this is just to
23 continue to keep it there in its current
24 location.

25 CHAIRMAN NOSTRAND: Okay. Got the

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2 plans?

3 MS. TULLY: Were there plans?

4 CHAIRMAN NOSTRAND: Oh, here it is.

5 MS. ANASTASIADIS: There were
6 several copies. Do you need one?

7 CHAIRMAN NOSTRAND: Here we go, I
8 got it.

9 MS. TULLY: No, I have that.

10 CHAIRMAN NOSTRAND: Okay, this one.
11 This is the correct one. This is you?

12 MS. ANASTASIADIS: No.

13 CHAIRMAN NOSTRAND: No?

14 MS. ANASTASIADIS: No, it's this
15 one.

16 CHAIRMAN NOSTRAND: Oh, wrong pool.
17 Sorry, my mistake.

18 MR. FELLMAN: You're swimming in
19 the wrong pool, Mr. Chairman.

20 CHAIRMAN NOSTRAND: Okay, this is
21 you with the existing pool (indicating)
22 back here?

23 MS. ANASTASIADIS: Yes.

24 CHAIRMAN NOSTRAND: Okay, so the
25 pool is too close to the property line.

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2 Okay, okay, and this pool is
3 existing?

4 MS. ANASTASIADIS: Yes, it's
5 already --

6 CHAIRMAN NOSTRAND: Is it built-in?

7 MS. ANASTASIADIS: No, it's an
8 above-ground pool.

9 CHAIRMAN NOSTRAND: Above-ground,
10 and what are the other issues?

11 MR. FELLMAN: The shed.

12 MS. ANASTASIADIS: The shed.

13 CHAIRMAN NOSTRAND: Okay, where is
14 the shed? Where's the shed? Where's the
15 shed? Where's the shed; over here?

16 MR. FELLMAN: Yeah.

17 MS. ANASTASIADIS: It's on the --

18 CHAIRMAN NOSTRAND: Okay. Is it on
19 the property line?

20 MS. ANASTASIADIS: Yeah.

21 MR. FELLMAN: Yeah, it's right on
22 the property line.

23 CHAIRMAN NOSTRAND: Okay.

24 MS. TULLY: Right here; right?

25 MS. ANASTASIADIS: I'm sorry.

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2 CHAIRMAN NOSTRAND: And what is
3 this out here, a little patio?

4 MS. ANASTASIADIS: It's just a --
5 it's a cement --

6 CHAIRMAN NOSTRAND: Oh, okay. Is
7 that three feet? Is that cement face, is
8 that three feet from the property line or
9 is that on the property line, too? Back
10 of this piece here.

11 MS. ANASTASIADIS: Where is the
12 property line?

13 MS. TULLY: The shed looks like it
14 goes right on top of the property line.

15 MS. ANASTASIADIS: So the fence
16 that's there between the two properties
17 has been there for more than seven years.

18 CHAIRMAN NOSTRAND: So this is the
19 fence here. It's behind the fence, it's
20 right at the fence.

21 MS. TULLY: So it appears that,
22 like, usually, you would think that the
23 fence is the property line.

24 CHAIRMAN NOSTRAND: Yeah.

25 MS. TULLY: This is the fence,

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2 that's the property line.

3 CHAIRMAN NOSTRAND: So is the fence
4 on the property line or no?

5 That's on the neighbor's property
6 it looks like.

7 MS. ANASTASIADIS: That's how I
8 bought the house, the fence was there.

9 MR. FELLMAN: The fence was on the
10 -- past the property line.

11 CHAIRMAN NOSTRAND: It's on the
12 neighbor's, and who is the neighbor?

13 MR. FELLMAN: I don't know.

14 MS. ANASTASIADIS: The neighbors?

15 CHAIRMAN NOSTRAND: No, it's a
16 house.

17 MS. ANASTASIADIS: It's a house.

18 CHAIRMAN NOSTRAND: Okay, and how
19 long has this pool been there?

20 MS. ANASTASIADIS: Since 2019.

21 MS. TULLY: What is this overhead?
22 Are these overhead lines electric? Where
23 are the electrical lines along the back?

24 MS. ANASTASIADIS: Along the back.

25 MS. TULLY: Overhead?

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2 MS. ANASTASIADIS: Overhead. It's
3 behind the pool along the back fence.

4 MS. TULLY: And so what is the --
5 is there something going diagonal?

6 MS. ANASTASIADIS: That was one
7 line that goes to the house.

8 MS. TULLY: That's electric?

9 MR. FELLMAN: Yes.

10 CHAIRMAN NOSTRAND: Yes.

11 MR. FELLMAN: So that's a problem.

12 I mean, you either have to reroute the
13 power lines to the house or you have to
14 move the pool. You can't have -- the
15 power lines can't go over the pool because
16 you get electrocuted.

17 MS. ANASTASIADIS: It's not over
18 the pool directly, it's over a deck.

19 MR. FELLMAN: But it still crosses
20 over the pool.

21 MS. ANASTASIADIS: It doesn't cross
22 over the pool.

23 MR. FELLMAN: I think it does.

24 MS. ANASTASIADIS: I'm almost
25 certain it doesn't.

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2 MR. FELLMAN: So we're going to
3 have to --

4 MS. TULLY: Steve, what's the code
5 for the electric; is it like 15 or 25 feet
6 from the --

7 MR. FELLMAN: I know it's at least
8 15 feet.

9 MS. TULLY: Yeah.

10 MR. FELLMAN: So I'll have to check
11 into that. It's going to have to be
12 National Electrical Code, so that's not an
13 option. We can't grant a variance for
14 that.

15 CHAIRMAN NOSTRAND: So is she here
16 to get a permit for this pool?

17 MR. FELLMAN: No.

18 CHAIRMAN NOSTRAND: Isn't there a
19 permit already?

20 MR. FELLMAN: No, we can't issue a
21 permit without a variance.

22 CHAIRMAN NOSTRAND: That's a
23 variance, okay.

24 MR. FELLMAN: If you grant the
25 variance, we won't issue the permit until

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2 we get the power line resolved.

3 MR. DEBELLIS: She needs a variance
4 to go to 2.2, which she is.

5 MS. TULLY: Oh, it's a 2.2. It's a
6 three minimum -- right -- requirement?

7 MR. DEBELLIS: You need to be ten
8 feet; right? It's ten feet, Steve?

9 MR. FELLMAN: Yeah, it's supposed
10 to be ten feet from any property line.

11 MS. TULLY: Well, ten feet for a
12 pool; right?

13 MR. FELLMAN: For a pool.

14 MS. CARPENTER: So the shed's
15 three.

16 (WHEREUPON, a discussion was held
17 off the record.)

18 MR. DEBELLIS: The electric is
19 something you'll take care of.

20 CHAIRMAN NOSTRAND: That's
21 separate.

22 MR. DEBELLIS: Deal with the
23 setbacks.

24 MR. FELLMAN: Right, exactly.

25 (WHEREUPON, a discussion was held

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2 off the record.)

3 CHAIRMAN NOSTRAND: Does anybody in
4 the audience have a comment on this case?

5 (WHEREUPON, no response was heard.)

6 CHAIRMAN NOSTRAND: No, okay.

7 Well, clearly there's got to be
8 something done with this shed because you
9 can't -- the shed can't be -- it's got to
10 be three feet from the property line, it
11 just has to be.

12 MS. ANASTASIADIS: Even though the
13 fence has been existing there?

14 CHAIRMAN NOSTRAND: Yes.

15 MS. TULLY: And the fence isn't
16 actually on the property line.

17 MR. FELLMAN: It has to be on the
18 property line, not the fence.

19 CHAIRMAN NOSTRAND: Yeah.

20 MS. TULLY: So you're looking at
21 moving it over quite a bit.

22 MS. ANASTASIADIS: When you and I
23 spoke, you said a shared fence more than
24 seven years --

25 MR. FELLMAN: You may have rights

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2 to eminent domain and whatever, but that's
3 a legal issue that you'd have to work out
4 in court. I can't grant that.

5 CHAIRMAN NOSTRAND: Right, but even
6 if you move it three feet from the fence,
7 and it's still only a foot onto your
8 property, it's still got to be three --
9 it's supposed to be three feet from your
10 property line, minimum. It's for the Fire
11 Department. These are Fire Department
12 rules.

13 MS. TULLY: State code.

14 CHAIRMAN NOSTRAND: So that's why
15 you're here for that because it's state
16 code. the Fire Department has to be able
17 to get behind it.

18 MS. ANASTASIADIS: They have to get
19 behind the shed?

20 MS. TULLY: Mm-hmm.

21 CHAIRMAN NOSTRAND: If they have
22 to, for whatever crazy reason.

23 MS. ANASTASIADIS: So it doesn't
24 matter if there is -- but a person could
25 fit between the fence and the shed and

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2 completely around three sides and then --

3 CHAIRMAN NOSTRAND: It's still
4 three feet.

5 MS. ANASTASIADIS: Okay, just
6 saying.

7 CHAIRMAN NOSTRAND: It doesn't
8 matter whether the other side's open and
9 they go that way, anyway. It's still
10 three feet, and it's a law.

11 MS. ANASTASIADIS: So -- but what
12 about -- I'm just curious because I'm not
13 familiar, other houses that have a shed
14 butt up against fences.

15 CHAIRMAN NOSTRAND: They shouldn't
16 have that, not just you.

17 MS. ANASTASIADIS: It's probably
18 every single house on my street -- excuse
19 me -- and we all have property --
20 electrical lines all in our backyard which
21 looks nice on the street but it causes
22 problems.

23 CHAIRMAN NOSTRAND: Right, correct.
24 Any of the members have any
25 questions?

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2 MS. TULLY: You know we have to do
3 the shed.

4 MR. DEBELLIS: You can open it up.

5 CHAIRMAN NOSTRAND: I did, I did,
6 no one wants to.

7 MR. DEBELLIS: No takers?

8 MS. ANASTASIADIS: The shed is
9 plastic, it's not a permanent structure.

10 CHAIRMAN NOSTRAND: You got two
11 and-a-half feet to the property line.

12 (WHEREUPON, there was an
13 off-the-record discussion)

14 CHAIRMAN NOSTRAND: If you move
15 the shed you don't need a variance.

16 MS. ANASTASIADIS: Right.

17 CHAIRMAN NOSTRAND: If you move the
18 shed you don't need a variance.

19 MS. ANASTASIADIS: Right, I'm
20 sorry.

21 CHAIRMAN NOSTRAND: You have two
22 points on there that you're looking for.

23 MS. TULLY: You need a variance.

24 CHAIRMAN NOSTRAND: You need a
25 variance for -- on the pool, and you need

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2 a variance for the shed. That's what
3 you're asking for.

4 MS. ANASTASIADIS: Okay.

5 CHAIRMAN NOSTRAND: If you move the
6 shed, you don't need a variance because we
7 can't give you a variance for the shed
8 because it's got to be three feet.

9 MR. DEBELLIS: You've got to make a
10 decision on the shed.

11 CHAIRMAN NOSTRAND: Well, it would
12 be tonight.

13 MR. DEBELLIS: Right.

14 MS. ANASTASIADIS: I'm just
15 curious, do you go around then to
16 properties and look at everyone's shed?

17 CHAIRMAN NOSTRAND: If the Building
18 Department feels it's necessary.

19 MS. ANASTASIADIS: I don't want to
20 tattle on my neighbors.

21 CHAIRMAN NOSTRAND: No, this
22 usually comes up when someone's trying to
23 get a C/O or refinance the house or
24 something comes up or -- for some reason
25 you came to us today because this came up.

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2 MS. ANASTASIADIS: This came up.

3 CHAIRMAN NOSTRAND: Why they come
4 up has nothing to do with us.

5 MS. ANASTASIADIS: No, I -- no
6 blame, it's just --

7 CHAIRMAN NOSTRAND: It's
8 interesting to find out how this happens,
9 and how you get here.

10 MS. ANASTASIADIS: (Continuing) --
11 the shed being on the property line.

12 CHAIRMAN NOSTRAND: You're not
13 being targeted.

14 MS. ANASTASIADIS: No, I know.

15 MS. CARPENTER: Anybody who came to
16 us with that, we would tell them the same
17 thing.

18 MS. ANASTASIADIS: Okay.

19 CHAIRMAN NOSTRAND: Okay, so we
20 thank you. We've got enough information.
21 You don't have to --

22 MS. ANASTASIADIS: What is the next
23 step?

24 CHAIRMAN NOSTRAND: Well, the next
25 step, you come back and see Steve again.

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2 MS. ANASTASIADIS: Okay.

3 CHAIRMAN NOSTRAND: We'll have to
4 re-vote.

5 MS. ANASTASIADIS: Okay.

6 CHAIRMAN NOSTRAND: And you guys
7 decide.

8 MS. ANASTASIADIS: When do we find
9 out the decision?

10 MR. DEBELLIS: Right now.

11 CHAIRMAN NOSTRAND: We'll do it
12 right now.

13 MS. ANASTASIADIS: Okay, so I'll
14 wait. Sorry, inexperienced.

15 MR. FELLMAN: That's okay.

16 MS. TULLY: I make a motion for
17 case #4-2, 63 Jerome Drive, to grant a
18 variance for the existing pool setback.

19 MR. DEBELLIS: Second?

20 MS. CARPENTER: I'll second it.

21 CHAIRMAN NOSTRAND: Okay. All in
22 favor?

23 (WHEREUPON, there was a unanimous,
24 affirmative vote of the Board members.)

25 CHAIRMAN NOSTRAND: Motion carried.

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2 MS. TULLY: And to deny the
3 variance for the shed, the requested shed
4 setback.

5 MR. DEBELLIS: So, second?

6 MR. FELLMAN: Second?

7 MS. CARPENTER: I'll second that.

8 CHAIRMAN NOSTRAND: Motion carried.
9 Okay.

10 * * * *

11 CHAIRMAN NOSTRAND: Okay, case 4-3,
12 BG Conklin, LLC. for a 14-unit
13 multi-family house on Conklin Street.

14 MR. ABBATE: Good evening, Mr.
15 Chairman, members of the Board, for the
16 applicant, Tom Abbate, A-B-B-A-T-E. I'm
17 an attorney with offices at 88 Sunnyside
18 Boulevard in Plainview.

19 Mr. DeBellis, I have some --

20 MR. DEBELLIS: Thank you.

21 MR. ABBATE: (Continuing) --
22 additional certified.

23 Thanks, so much. Chairman
24 Nostrand, members of the Board, this
25 application concerns a parcel -- I'm sure

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2 you know where it is -- on the northerly
3 side of Conklin, east of Merritts, at the
4 northerly terminus of Fulton. And while
5 it's brought in the name of BG Conklin,
6 LLC., that's actually my client, Grant
7 Havasy, who's setting up the renderings
8 before you here.

9 I've represented Grant now for
10 numerous years and several projects. I'm
11 very proud of his work. And the concept
12 for the site tonight is, as recited, a
13 14-unit multi-family building. And to
14 effectuate that, we need two variances.
15 One's lot area, and the second one is
16 density, and I'm going to take each one in
17 order.

18 So let's start with lot area. The
19 parcel contains 30,665 square feet where
20 the code requires 40,000 square feet. On
21 the parcel now is an existing
22 single-family dwelling. It's been there,
23 you know, for decades and decades and for
24 at least a decade or more has been a
25 rental unit. It is surrounded on all

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2 sides by multi-family. So indicating the
3 site plan here we are encapsulated by
4 Stratford Green. So our entire westerly
5 border is Stratford Green multi-family;
6 our entire northerly border is
7 multi-family; and our entire easterly
8 border is multi-family.

9 So what we've got, we've got this
10 island with just a single-family dwelling
11 surrounded by multi-families which begs
12 the question, how did it come to happen?

13 This property belonged to the
14 Holzman family. I'm sure most of you know
15 this story. And, by the way, if you want
16 to get it straight from the horse's mouth,
17 Dr. and Mrs. Holzman are here in the
18 audience this evening.

19 This has been in the Holzman
20 family, Dr. Holzman's home, for 80 years,
21 and when they went to develop it, his mom,
22 Nettie, lived in this house here, and she
23 wanted to stay in the house, so she told
24 the boys, no, no, no, no, no, you're
25 keeping my house.

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2 So the Village approved Stratford
3 Green with this island of one single-
4 family dwelling in the middle. So that's
5 how it came to be. As a land use lawyer,
6 I like to call it reverse spot zoning.
7 I've never seen it before.

8 The subject lot has remained in the
9 Office Residence zone, and while that
10 zoning allows mixed use -- right --
11 commercial and residential -- it does not
12 allow multi-family.

13 Consequently, two months ago, on
14 February 7th of this year, the Board of
15 Trustees, on its own motion, rezoned the
16 property from Office Residence to
17 Residence BB which does allow multi-
18 family.

19 MR. GOSLINE: And that's not spot
20 zoning? That's spot zoning? Are you
21 kidding me?

22 MR. ABBATE: If I may, Mr.
23 Chairman, be able to complete my
24 presentation. I think everybody will be
25 given an opportunity to be heard.

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2 MR. GOSLINE: Wow.

3 MR. ABBATE: Isn't that so?

4 CHAIRMAN NOSTRAND: Yes, sir.

5 MR. GOSLINE: Wow.

6 MR. ABBATE: I'll wait.

7 CHAIRMAN NOSTRAND: Good to go.

8 MR. ABBATE: Okay, thank you.

9 So the Residence BB, as I was

10 saying before I was interrupted --

11 MR. GOSLINE: Thanks, Bill.

12 MR. ABBATE: (Continuing) -- allows

13 multi-family, and that's under Section

14 600 --

15 MR. GOSLINE: (Inaudible).

16 MR. ABBATE: Mr. Chairman, I cannot

17 proceed if I'm going to have people

18 calling out from the audience.

19 CHAIRMAN NOSTRAND: Well, we could

20 postpone the meeting.

21 MR. ABBATE: No, I wish to have an

22 admonishment, please.

23 CHAIRMAN NOSTRAND: Mr. Gosline,

24 can you -- if you want to speak, you can

25 speak.

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2 MR. GOSLINE: No, I'll hold --

3 CHAIRMAN NOSTRAND: You done?

4 MR. GOSLINE: (Continuing) --

5 because there's people from Stratford here
6 that should speak first but I'm just
7 appalled at --

8 CHAIRMAN NOSTRAND: Well, there's
9 nothing to be appalled at yet but we'll
10 get to that.

11 Sir, we'll take questions when Mr.
12 Abbate is done with his presentation.

13 MR. SANDT: May I speak?

14 CHAIRMAN NOSTRAND: If you wish,
15 yes.

16 MR. SANDT: Is it possible to see
17 those plans --

18 MR. ABBATE: Yes, sir.

19 MR. SANDT: (Continuing) -- so that
20 we can see.

21 MR. ABBATE: Absolutely. We'll put
22 these up front, and if you want to come
23 closer and look at them, we'll put them up
24 here, if that works.

25 MR. HAVASY: I'll set up an easel.

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2 CHAIRMAN NOSTRAND: How about on
3 the side over there, guys?

4 MR. ABBATE: Put them on the side?

5 CHAIRMAN NOSTRAND: Yeah.

6 MR. ABBATE: Got it, got it,
7 absolutely.

8 All right, so what I was talking
9 about, before we got distracted, was the
10 fact that the Board of Trustees on
11 February 7th of this year, on its own
12 motion, rezoned the property from Office
13 Residence to the BB District which does
14 allow multi-family, and that enactment --
15 and I know it's probably, you know -- you
16 could take judicial notice of it, but I'm
17 going to offer it up as an exhibit because
18 there are certain findings the trustees
19 made in the local law enactment, which is
20 on file with the Secretary of State in
21 Albany, which I find are very important
22 considerations for the Zoning Board of
23 Appeals, and that is, they had written in
24 their preamble the so-called whereas
25 clauses. They said, the Village has

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reviewed this application and has undertaken a study of the area, and Residence BB which surrounds the property, and they've determined, and we've determined, that the property's more in keeping with a Residence BB. Then they went on and said, the Village -- again, on it's own motion, as I had described to you -- desires to change the zoning district designation so that a small multi-family dwelling may be considered.

So they expressed the purpose, and then they also said, the Village finds that there's a shortage of housing, not only within the Incorporated Village, but within the County of Nassau itself, and this would have a great benefit to the Village, its residents, and the public at large.

So for the purposes of those findings, I offer this up to Mr. DeBellis as an exhibit.

Thank you. So obviously, we've got the legislative body, the Board of

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2 Trustees, finding that the character of
3 the area is wanting multi-family and
4 wanting to change this anomalous
5 situation. So this is not a case where
6 we've got a property owner carving out a
7 lot and then looking for lot area relief.
8 It's a lot the Village created. So it's
9 not a self-created hardship, by any
10 stretch of the imagination. It was the
11 affirmative act of Farmingdale when we
12 approved Stratford Green.

13 So while our case requires 40,000
14 square feet for multi-family, this 30,000
15 plus, 30,655, is three-quarters of what is
16 otherwise required and was a situation
17 that we're just stuck with.

18 Now, because we're stuck with that,
19 our design -- I'm referring to the site
20 plan -- we've got in our code, eight --
21 I'm sorry, 11 different requirements on
22 what you have to do with a multi-family,
23 and we backed into it so that we meet nine
24 out of those 11.

25 The project calls for 14 units,

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seven over seven, six one-bedroom units, eight two-bedroom units and but for the two forms of relief that we're here for tonight, the lot area and the density, we meet everything under 600-19C. Let me run through.

We have to have a minimum 100 feet of roadway frontage (indicating). On Conklin, we've got 133.91 of roadway frontage, so we exceed that.

Our code in the very same ordinance, at Subsection 4, requires a 35-foot front yard setback. We meet that, as well.

The side yards can't be less than 35, and you have to have a minimum of 75-foot combined. We've got 88 feet combined with side yards of 35 and 53.

The rear yard setback has to be 35 feet. We're at 38 and-a-half feet, so we exceed that.

We also have a bulk requirement that says you can't develop, you know, more than 25 percent of the site. We're

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2 less than that. We're at 20.4 percent.

3 So, once again, we're meeting all the

4 requirements.

5 Our code limits us to two

6 and-a-half stories or 40 feet in height.

7 We're at 31 and-a-half feet of height at

8 two and-a-half stories. It's the same

9 height as a single-family dwelling, and

10 Subsection 9, and this one, Chairman

11 Nostrand, and members of the Board, I

12 believe is paramount is the parking

13 requirement.

14 I want you to be absolutely

15 certain, and everyone here to be

16 absolutely certain, we do not need an

17 off-street parking variance. With our

18 tenant mix we have to have 25 parking

19 stalls on site, and our site plan depicts

20 25 stalls. Those are conforming stalls.

21 They meet our site design regulations.

22 Moreover, Joel Richardson, who's

23 our D.E. -- and he's here with us tonight

24 from the firm of H2M -- is holding the

25 required 24-foot wide drive aisle for

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2 two-way traffic in and out of the site.

3 Finishing up with the requirement,
4 Subdivision 10 of 600-19C mandates that
5 not less than 25 percent of the site be
6 landscaped. We've got almost twice that.
7 We've got 49 and-a-half percent, and with
8 respect to the front yard, it says that at
9 least 75 percent has to be landscaped.
10 We're over that. We're at 81 and-a-half
11 percent.

12 So but for the two variances that
13 we're here for tonight, of all those 11
14 requirements, we are spot on or exceed
15 that which is otherwise required by code.

16 Now, I just spoke about traffic,
17 and I want to circle back to that because
18 we talked about the drive aisle but that
19 is a discussion about the traffic itself.

20 What we are doing here, and what
21 Mr. Richardson has designed is a right
22 in/right out situation. Rather than just
23 arrows painted on pavement. What our site
24 plan calls for is a raised island, a
25 channelized island that requires cars --

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2 and his first is that the level of traffic
3 generated by a 14-unit multi-family will
4 be relatively minor and will represent an
5 insignificant increase in traffic.

6 He then used the ITE Manual, the
7 Institute of Transportation Engineers --
8 that's the bible for traffic guys -- and
9 he looked at the DOT website, and from the
10 DOT website, he found out that Conklin
11 Street -- Conklin Street right here
12 (indicating), in the vicinity of this
13 location, experiences 30,010 vehicle trips
14 a day.

15 AUDIENCE MEMBER: Whoa.

16 MR. ABBATE: As it relates to the
17 daily volume of traffic on Conklin, he
18 finds -- and he's a traffic expert, he's a
19 professional engineer licensed in the
20 State of New York -- the traffic generated
21 by the proposed project would represent an
22 increase of less than one-half of one
23 percent.

24 Now, I don't think traffic is an
25 issue because we don't need a parking

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2 variance, but it's an important
3 consideration. So for that reason, I do
4 have the report of Mr. Muller, and I do
5 offer it up to you as an exhibit.

6 Thank you, Mr. DeBellis.

7 MR. DEBELLIS: So just that Local
8 Law 3 of 2022 is Exhibit 1, and then the
9 engineering report from R&M Engineering,
10 will be Exhibit 2.

11 MR. ABBATE: So Chairman Nostrand,
12 members of the Board, that pretty much
13 takes care of the lot area, the traffic
14 issues, but it leaves us with the density
15 issue and why we're here.

16 So going back to that very same
17 statute, 600-19C, it says that for every
18 dwelling unit, you have to have 2,500
19 square feet of lot area.

20 So we're proposing four units. If
21 we do that math -- right -- to the point,
22 we're allowed 12.3. So we're over by 1.7
23 units. We're over by one apartment and
24 7/10ths of a second apartment. That's our
25 density change. I posit to you that on

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2 the numbers alone that's de minimus but I
3 think it's accentuated by the fact that we
4 don't need any variances. If we were
5 trying to squeeze everything we could out
6 of this property, we'd need a lot more
7 relief than we're asking for tonight.

8 The 1.7 overage does not require us
9 to get any setback relief; it doesn't
10 require us to reduce the required
11 landscaping on site; it doesn't require us
12 to get a parking variance; it doesn't
13 require us to exceed our bulk; and it
14 won't create an adverse precedent.

15 Look, like Mr. DeBellis, I've
16 represented a lot of zoning boards in my
17 life, that's one of the paramount
18 considerations. An applicant would be
19 hard-pressed to use a grant of the density
20 variance here in any other case because
21 the situation here is so unique that it
22 wouldn't be applicable. You would have to
23 have a site that was created by the
24 affirmative act of the Village that was on
25 a state roadway at the intersection with

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another state roadway which was surrounded by multi-family, and which was then rezoned on the Village's own motion. Mr. DeBellis would be able to laugh somebody, who tried to use that as a precedent, out of the room and very, very capably make the legal argument that it's inapplicable to any other case because it is so unique.

The 1.7 overage, the one and 7/10ths overage, it's also not substantial, and I'm not just bringing that, you know -- that word out of the blue. Substantial is one of the standards by which we judge area variances under 7-712B of the Village law. Clearly, that number alone reveals that it is not substantial.

Now, one aspect which I did not discuss, but is within the parameters of your jurisdiction, specifically, under the statute, is architecture and design, and I'm going to turn that over to Grant Havasy because he's the builder, he knows it better than anyone.

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2 Grant?

3 MR. HAVASY: Sure. Grant Havasy of
4 Blue and Gold Homes, BG Conklin, LLC.

5 COURT REPORTER: Can you spell your
6 last name?

7 MR. HAVASY: Sure, H-A-V as in
8 Victor, A-S-Y.

9 COURT REPORTER: Thank you.

10 MR. HAVASY: Is that it?

11 COURT REPORTER: That's it.

12 MR. HAVASY: Okay, making sure.
13 I'll use this one. All right.

14 CHAIRMAN NOSTRAND: Aim that to the
15 audience because --

16 MR. HAVASY: All right, sure.
17 You're good?

18 CHAIRMAN NOSTRAND: Yes.

19 MR. HAVASY: So what I wanted to do
20 -- there's been, obviously, a lot of
21 different variety of new development with
22 new housing in this area. So I just
23 wanted to really bring a beautiful piece
24 of architecture to the property.

25 So this is just really a classic

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2 take on a cottage colonial. I mean, the
3 colors are more indicative of what's on
4 that rendering (indicating), and this is
5 going to be a classic garden-style housing
6 where you would have lower level
7 residents, upper level residents, and it
8 says -- if you can't see, you'll see if
9 you want to come up here, there's an
10 L-shaped building. So, in a sense, this
11 is the -- this would be the frontage on
12 Conklin right here (indicating). This
13 would be the frontage on Conklin, and then
14 it goes back towards Stratford Green.

15 In a sense, everybody -- there's no
16 hallways, elevators. This is not like a
17 -- I'll say, an apartment building. This
18 is simply, you have, every residence has
19 their own door, their own porches and
20 patios and rear, you know, rear, you know,
21 enjoyment. And then you have
22 predominantly two bedrooms with the front
23 over here being some of the one-bedroom
24 units, and then for the uppers, they have
25 their own entrance, and they just walk

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2 upstairs.

3 So again, pretty classic as far as
4 a garden-style residence. I'm trying to
5 use some high-end materials to really
6 create a beautiful piece of housing for
7 this Village and should really complement
8 the area. That was really our focus,
9 so...

10 MR. ABBATE: That concludes my
11 presentation, obviously, with the
12 reservation to sum up after our residents
13 speak. We did get a chance to speak to
14 some people tonight.

15 CHAIRMAN NOSTRAND: Okay, I think
16 maybe now is a good time to open up the
17 questions from the audience.

18 Anybody wants to speak or ask a
19 question? Stand up and state your name.

20 MS. DEBENEDITTIS: I'm one of the
21 residents of Stratford Green, and my --

22 COURT REPORTER: Can I just get you
23 name; please?

24 MS. DEBENEDITTIS: Gina
25 Debenedittis.

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2 COURT REPORTER: Can you spell
3 that; please?

4 MS. DEBENEDITTIS: D-E-B-E-N-E-D-I-
5 T-T-I-S.

6 COURT REPORTER: Thank you.

7 MS. DEBENEDITTIS: My unit is
8 directly behind this, and one of my
9 biggest concerns is that -- well, there's
10 a number of concerns that I'd like to, you
11 know, question the developers on.

12 How long is construction; what type
13 of protection are we going to have during
14 construction; what is going to be done to
15 mitigate the rat problem that's going to
16 happen once all this dirt starts moving
17 around, because everybody knows
18 Farmingdale is loaded with rats whether
19 they want to admit it or not.

20 We're very concerned about the
21 placement of the dumpster because our
22 properties that back this, we have back
23 decks that I'm afraid we're not going to
24 be able to enjoy because we're going to be
25 smelling a dumpster that's right up

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2 against the fence. So we'd like to know
3 if that's something that could possibly be
4 relocated so it's not up against anybody's
5 property.

6 One of the other issues we have is
7 what type of evergreen barrier is there
8 going to be surrounding on the three sides
9 so we're not looking at this property.

10 So those are some of my --

11 MR. ABBATE: Yes, so she was nice
12 enough to speak with me before the hearing
13 as were Jeff and Gail, and they brought up
14 the dumpster issue.

15 So Joel Richardson -- so our
16 dumpster's here (indicating). We're
17 holding like six feet. So both of them
18 noted that this is an interior roadway
19 next to us on the west side from
20 Stratford. Can we move it over here
21 (indicating) -- and Mr. Richardson, you
22 can confirm for me -- said we could
23 absolutely do that. We could move this
24 dumpster farther away from your rear yard
25 so it's away from you and away from your

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2 other neighbors and then really up against
3 the roadway so it doesn't impact any other
4 residential unit.

5 CHAIRMAN NOSTRAND: Of course, you
6 would have a fence.

7 MR. ABBATE: Oh, yes. So we're
8 going to not only have a fence throughout
9 but we're going to plant evergreen
10 screening throughout, as well.

11 MS. DEBENEDITTIS: And how tall
12 will that evergreen screening be? Will
13 that be like tall conifer-type of
14 screening or --

15 MR. ABBATE: You think I'm tall?

16 MR. HAVASY: I'm not going to
17 comment on that one.

18 I mean, the goal would obviously be
19 to create instant gratification. You
20 can't buy 20-foot trees, like, you know --
21 so it would be to provide a faster growing
22 species.

23 Forgive me, I'm not, you know, a
24 botanist but let's say the arborvitae
25 species or some type of evergreen where

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you just kind of put it all around so that the residents of Stratford Green, the residents in this community, would have some type of instant gratification replacing any type of old fencing around the property for a new fencing.

As far as your construction timeline, this is a relatively -- when you think of construction, this is a relatively easy build. It's a very flat site and the building is -- I think, in my opinion -- relatively small. It's an easy construction. This would probably be a 12 month build-out.

MS. DEBENEDITTIS: Is there an in-ground portion to the construction?

MR. HAVASY: In-ground?

MS. DEBENEDITTIS: Like a basement or something.

MR. HAVASY: No, there's no basement. This is a slab-on-grade.

MS. DEBENEDITTIS: One question I forgot to bring up, and maybe Dr. Holzman would like to weigh in on this. There are

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2 a lot of feral cats on this property, so
3 are you going to work with a rescue group
4 to have those relocated before you start
5 construction?

6 MR. HAVASY: I wasn't even aware of
7 that.

8 MS. DEBENEDITTIS: I'm aware of it
9 because my back deck faces --

10 MR. HAVASY: I don't know about the
11 rats, so I can't speak to the rats.

12 MS. DEBENEDITTIS: (Continuing) --
13 keeps coming under the fence, so I'm aware
14 of many feral cats on the property.

15 MR. ABBATE: Well, I know with
16 respect to the rats, because we're not
17 excavating, that pretty much eliminates
18 that concern.

19 MR. HAVASY: I've never dealt with
20 that situation.

21 MR. ABBATE: So -- but as the cats,
22 yeah, we'll take a look at it and see what
23 we can do humanely.

24 MS. DEBENEDITTIS: Because we don't
25 want a cat, you know, feral cats start

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2 running out onto Conklin Street. They
3 should be humanely caught (sic) and
4 neutered and released somewhere.

5 MR. HAVASY: It's something, you
6 know -- it's something we can certainly
7 work on, which again, I haven't dealt with
8 relocation of animals but I can certainly
9 look into that, it's not a big deal.

10 CHAIRMAN NOSTRAND: Ma'am, that's a
11 question for the Planning Department,
12 that's not our job.

13 MR. DEBELLIS: Yeah, so this
14 application will go to the Planning Board.

15 CHAIRMAN NOSTRAND: Yeah, they'll
16 make sure that the shrubs are put up,
17 and --

18 MR. FELLMAN: Yeah, they'll get
19 into the specifics of the plantings and
20 the drainage and lighting. All that is
21 yet to come yet. There will be more
22 meetings.

23 MR. HAVASY: Did I answer your
24 question?

25 MS. DEBENEDITTIS: Yes.

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2 CHAIRMAN NOSTRAND: There was a
3 lady, back here.

4 Ma'am?

5 MS. DORIAN: Hi, Christine Dorian.
6 I just had another question concerning the
7 dumpsters.

8 MR. HAVASY: Yeah.

9 MS. DORIAN: You said you were
10 going to be moving them. What it looks
11 like now is closer to my front yard.

12 MR. ABBATE: I don't know what --
13 no, there's an interior roadway on our
14 west side for Stratford; right? Correct?

15 MS. DORIAN: That's across from our
16 house, that's where I live.

17 MR. ABBATE: Yeah, so in other
18 words, it's not -- what we're doing is,
19 right now, it's only six feet from the
20 rear yard here (indicating).

21 MS. DORIAN: Okay.

22 MR. ABBATE: If we put it over here
23 -- plus the roadway which I think is 30
24 feet wide for it's paved portion -- you'll
25 have probably about 45 to 50 feet between

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2 your property -- from the end of your
3 property, not your building, the end of
4 your property to the dumpster. So you'll
5 have the greatest setback of anybody
6 else --

7 MS. DORIAN Okay.

8 MR. ABBATE: (Continuing) -- with
9 respect to the dumpster.

10 MS. DORIAN: All right. I think
11 it's just a little large for the property,
12 to be honest with you, the whole idea of
13 this. I mean, I think, given the
14 percentages that you were just stating, if
15 it was scaled back, that would personally
16 make me a little happier. I do live where
17 I have listened to multiple car accidents.
18 I understand your traffic professionals
19 but maybe he should live in our apartment
20 -- in our condo complex for about a week
21 and-a-half to listen to car accidents, and
22 it literally -- where you're talking about
23 as an entrance to this new building that
24 you're building, and you can drive past on
25 your way home tonight -- that barrier,

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2 it's got every color paint on it you can
3 imagine from every car that's hit it.

4 MR. ABBATE: Yeah, so that's why --

5 MS. DORIAN: I just feel like
6 that's going to be something that's just
7 going to get worse.

8 MR. ABBATE: Yeah, no, no, no, so I
9 see the maneuvers. Listen, I'm up and
10 down here almost every day so I see the
11 maneuvers people make. People make crazy
12 maneuvers, so that's why --

13 MS. DORIAN: This doesn't change
14 crazy.

15 MR. ABBATE: Well, let me finish.
16 You're never going to change crazy.

17 MS. DORIAN: Right.

18 MR. ABBATE: But with an island,
19 with a channelized island, it forces
20 people to adhere to the requirements of
21 right in and right out.

22 Moreover, if that's a situation you
23 don't like, you won't take a place here,
24 you know, as a resident. You're always
25 going to get people who are going to

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2 stretch it. Let's face it, that happens
3 every day. We say that all the time, so
4 we're doing our best to mitigate it.

5 MS. DORIAN: By stretching you mean
6 you could downsize a little on the size of
7 this community?

8 MR. ABBATE: Well, if we downsize
9 it, we -- there's no benefit because we're
10 meeting all of the setbacks. The only
11 thing that we would downsize is if we
12 don't get a density variance but the size
13 of the building would remain exactly the
14 same with the same amount of off-street
15 parking; with the same amount of
16 landscaping; with the same amount of bulk.
17 Again, we don't need variances for
18 everything.

19 MS. DORIAN: I mean, I appreciate
20 the idea that you're willing to upgrade
21 the area but I just don't -- I think this
22 is just a little too large.

23 MR. ABBATE: All right, thank you,
24 we appreciate that.

25 MS. DORIAN: Right.

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2 MR. ABBATE: Look, neighbors are
3 always -- look, your concerns are our
4 concerns -- right -- because we want to be
5 good neighbors, obviously, but we don't
6 want to build something that people aren't
7 going like, obviously. So we appreciate
8 your comment.

9 CHAIRMAN NOSTRAND: Ma'am?

10 MS. RIZZI: My name is Marisa
11 Rizzi, I live in Stratford.

12 COURT REPORTER: Can you spell your
13 last name; please?

14 MS. RIZZI: R-I-Z-Z-I.

15 COURT REPORTER: Thank you.

16 CHAIRMAN NOSTRAND: Thank you.

17 MS. RIZZI: And I'm a health care
18 provider. I work at St. Joseph Hospital,
19 and my son also works in the emergency
20 room.

21 We've seen a lot of cases with
22 accident, especially on Hempstead Turnpike
23 and I can vouch --

24 AUDIENCE MEMBER: Left and right.

25 MS. CATALANO: Every day.

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2 AUDIENCE MEMBER: Like three a
3 week.

4 MS. RIZZI: I just called my son,
5 he works in the emergency room. One every
6 three days, and we got so many patients in
7 the hospital because of accident. So
8 putting up another building and families,
9 you know, we're asking for trouble.

10 AUDIENCE MEMBER: She's right.

11 MS. RIZZI: I'm a nurse
12 practitioner, and I've seen, you know, a
13 lot of patients in the -- I mean, I don't
14 agree with this.

15 CHAIRMAN NOSTRAND: Okay, thank
16 you.

17 Ma'am?

18 MS. CATALANO: My name is Michelle
19 Catalano. I'm the Board president at
20 Stratford Green. I've been on the Board
21 for ten years.

22 COURT REPORTER: Can you just spell
23 your name, I'm sorry.

24 MS. CATALANO: C-A-T-A-L-A-N-O.

25 COURT REPORTER: Thank you.

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2 MS. CATALANO: So I've actually
3 worked very closely with New York State,
4 so I know the statistics that you got from
5 the traffic engineer is incorrect. I send
6 them pictures every week. There's three
7 accidents a week --

8 AUDIENCE MEMBER: Yeah.

9 MS. CATALANO: (Continuing) --
10 every single week, and I fought for
11 Stratford because we cannot get in and out
12 of our community. When there is an
13 accident, the local Fire Department leaves
14 it -- all right -- in front of our area.
15 So every time we pull out, we're getting
16 flat tires, we're hitting the bumpers and
17 the nails and everything that's left
18 behind, and I have sent them numerous,
19 numerous pictures including the lady who
20 died on the corner just about a month ago.

21 So his statistics are not correct,
22 and I can show you guys -- and New York
23 State knows that I'm calling weekly -- and
24 raising the island doesn't matter because
25 we worked with an architect, you can still

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2 make a left-hand turn legally. The island
3 isn't going to stop you from trying to cut
4 across just like it doesn't stop any of
5 us, unfortunately, to get out. So you're
6 going to increase the amount of accidents
7 that are over there.

8 The other thing is, if it's a
9 14-apartment complex, most people have two
10 cars. You can't guarantee that the
11 one-bedroom apartments are only going to
12 have one car. So you need 28 spots, not
13 25 parking spots. Fourteen times two;
14 right? Twenty-five spots does not hold
15 and cover if every person has two.

16 I'm married. If I buy a
17 one-bedroom, we have two cars; right? So
18 where's 25 spots? You need 28 spots, not
19 25. And then -- right -- and guests
20 coming and we can't have any guests over.

21 CHAIRMAN NOSTRAND: The codes when
22 you spell out -- the Building Department
23 spells out how many spots you're supposed
24 to have for every half apartment or
25 two-bedroom, and they've calculated all

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2 these. Are you sure your numbers are
3 correct?

4 MR. ABBATE: Absolutely, spot on.
5 Mr. Fellman can verify that.

6 MS. CATALANO: If there's 14
7 apartments and everybody has two, that's
8 28 spots.

9 CHAIRMAN NOSTRAND: Well, these
10 are published numbers. These are numbers
11 that are in the building code. If you
12 have ten apartments, you're supposed to
13 have --

14 MR. FELLMAN: It's based on the
15 number of bedrooms.

16 CHAIRMAN NOSTRAND: Yeah, it's
17 based on the number of bedrooms. What is
18 the number? If they have ten apartments
19 -- ten one-bedroom apartments; Steve?

20 MR. ABBATE: Fifteen.

21 CHAIRMAN NOSTRAND: If they had ten
22 one-bedroom apartments it would be 15
23 spots.

24 MS. CATALANO: But if there's a
25 one-bedroom apartment and there's two

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2 cars, where's the other parked car because
3 you need to account for that in zoning,
4 and that's five. Do they park in the
5 street? Where are they going to park?

6 MR. ABBATE: Mr. Chairman, may I
7 just offer up -- first of all, it's not an
8 issue because we do meet the parking, but
9 if that's a concern to you as a tenant of
10 this center, you don't rent there or you
11 don't buy there. We don't know if we're
12 going to rent them or buy. You can go
13 somewhere else, you know, if you've got
14 more than one car. It's a self-regulating
15 thing.

16 MS. CATALANO: It's about us
17 because they'll come into Stratford Green
18 and park --

19 MR. ABBATE: If I could finish --

20 MS. CATALANO: (Continuing) -- as
21 people do now.

22 MR. ABBATE: Again, please, Mr.
23 Gosline.

24 CHAIRMAN NOSTRAND: He's trying to
25 answer your question.

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2 MR. ABBATE: You're not
3 interrupting me, it's not you.

4 What I'm saying is, we are meeting
5 -- as the Chairman noted -- the off-street
6 parking requirement's spot on. If you're
7 coming to this unit, and -- this complex,
8 rather, and you've got two cars, and you
9 don't like the idea that, hey, maybe
10 sometimes I won't be able to find a
11 parking spot, you don't rent there or you
12 don't buy there. It's that simple. No
13 one's forcing anybody to go in here, it's
14 voluntary only. We think there's going
15 to be a high demand for it because it's so
16 beautiful but that's how it works in
17 reality.

18 MS. CATALANO: The other thing is,
19 Grant mentioned the fencing -- moving it.
20 We own the fence there. We just spent
21 \$10,000 fixing one whole section so I do
22 not want to take that down.

23 MR. HAVASY: We're not going to
24 move your fence, I promise you that, yeah.

25 MS. CATALANO: Okay, because we

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2 just paid.

3 MR. HAVASY: No, no, no.

4 MR. ABBATE: Would you like to put
5 up a fence for us?

6 MR. HAVASY: Sounds like a good
7 one.

8 MR. ABBATE: Sounds like you have a
9 nice one.

10 MS. DEBENEDITTIS: I have another
11 question about the traffic, and I
12 understand that there was a feasibility
13 study done, and I often think that the
14 people that are doing these studies never
15 drive these neighborhoods because,
16 obviously, somebody did a feasibility
17 study of getting on the Meadowbrook
18 Parkway in the morning from the Southern
19 State but they've never sat in that
20 traffic or that ramp would be a two-lane
21 ramp to get on the Meadowbrook heading
22 north.

23 So my biggest concern, if I might,
24 if people are coming along Conklin, and
25 this is that bend there (indicating), when

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2 that light turns and people are coming,
3 are now people going to stop short to get
4 in there?

5 MR. ABBATE: Why would they stop
6 short?

7 MS. DEBENEDITTIS: Because if you
8 look at where you're coming.

9 MR. DEBELLIS: Yeah, she'll -- Mr.
10 Gosline, she'll be allowed to talk; why
11 are you interrupting?

12 CHAIRMAN NOSTRAND: If you've got
13 an issue you can always go.

14 MS. DEBENEDITTIS: When this light
15 turns, and people are going to start
16 coming and stopping to come in here, I'm a
17 little bit concerned about that because I
18 travel that way, and it's tons of trucks,
19 and when you come around here, I mean,
20 it's just -- it's a dangerous curve.

21 MS. RIZZI: It is.

22 MR. ABBATE: Rate of speed, yeah.
23 If you're going in there, you don't go
24 flying in, you travel at a safe speed.

25 MS. DEBENEDITTIS: I'm not saying

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2 that because if you're coming right off
3 the light I understand that you'll be
4 going slow, but if you're coming around
5 that curve and your light is green, and
6 now you're going to stop right in the
7 middle of an intersection curve to go in
8 there, and you have an 18-wheeler behind
9 you --

10 MR. ABBATE: Why would you suddenly
11 -- see, my point is why wouldn't you slow
12 down as you're approaching your home.
13 That's what people do, they slow down when
14 they go to their home.

15 But I understand your concern, and
16 I appreciate it. Thank you.

17 MS. DEBENEDITTIS: Once this is
18 built -- because we know it's already
19 going to happen -- I think you're going
20 see endless accidents in an already bad
21 intersection.

22 MR. ABBATE: Okay, thanks.

23 CHAIRMAN NOSTRAND: Ma'am?

24 MS. CATALANO: Yes, the last thing
25 I want to address is the rats. I know you

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2 guys all think it's like crazy when we
3 talk about the rats, but we have a
4 horrible infestation problem. I spent
5 \$5,000 last month and then every single
6 month it's \$2,000. We still can't get
7 them under control. It's pretty bad. We
8 can't even go in our backyards right now.
9 So I know it's not on you guys.

10 MR. ABBATE: No, it's very
11 important.

12 MS. CATALANO: But I think it would
13 be really helpful for us if whatever
14 management company it is, is having their
15 own exterminator that's keeping traps
16 weekly because we can't fix our problem if
17 yours isn't fixed. Same with Elizabeth
18 Gardens, like, they have their traps out
19 because if they're not, they just go under
20 the fence to their house, my house,
21 they're getting -- it's really bad, it's
22 to the point where they're in people's
23 houses right now.

24 MR. FELLMAN: Are there any sumps
25 near you, because the County sumps have

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2 been a problem. We've got some contact
3 from the County about the rat stuff.

4 MS. CATALANO: We noticed the
5 problem increased when that apartment --
6 those houses were built behind Palmer's --
7 it must have disrupted nests.

8 The other thing is, not that you
9 guys care, but where 7-Eleven is and the
10 pizza place and all, they're actually
11 bringing pizza crusts from that pizza
12 place and burying it into their little
13 burrows. So they're not really keeping up
14 with the dumpsters over there and kind of
15 taking care of their separate situation.

16 MR. FELLMAN: Okay.

17 MS. CATALANO: But that's really
18 where they're coming from, like the gas,
19 the Sunoco, the 7-Eleven --

20 MR. FELLMAN: Gotcha.

21 MS. CATALANO: (Continuing) -- and
22 the pizza place.

23 MR. FELLMAN: I'll take a look over
24 there tomorrow, see if I can --

25 MS. CATALANO: Yeah, I mean --

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2 MR. FELLMAN: Like we have a lot of
3 problem with the sumps but the County --
4 the County sumps, we do have a -- I call
5 her the rat lady -- the lady just
6 specializes in trying to get control of
7 the rats in the County sumps and stuff.
8 So we do have some contacts.

9 MS. CATALANO: I would love to work
10 with her. We're doing everything --

11 MR. FELLMAN: Yeah.

12 MS. CATALANO: (Continuing) -- that
13 we possibly can.

14 CHAIRMAN NOSTRAND: Let's stick to
15 the application.

16 MS. CATALANO: That's all I'm
17 asking was, care about that part.

18 MR. HAVASY: I'm sure the residents
19 would not want to see rats.

20 MS. CATALANO: Because no one's
21 going to want to rent there when they see
22 the amount of rats.

23 MR. HAVASY: Yeah, absolutely.

24 CHAIRMAN NOSTRAND: Anybody else
25 have questions they want to -- yes, sir?

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2 MR. SANDT: Ed S-A-N-D-T.

3 COURT REPORTER: Thank you.

4 MR. SANDT: Also a resident of
5 Stratford Green, former president for many
6 years.

7 How many trees are you going to
8 take down off that property?

9 MR. HAVASY: We haven't went into
10 the details of the site plan yet.

11 MR. ABBATE: Yeah, so we don't know
12 that number yet, but we will have to go --
13 we will have to come back here for site
14 plan approval where we'll get into all
15 those details; what trees are coming down,
16 and how many trees we're installing. So
17 that's to come.

18 MR. SANDT: There's a number of old
19 trees on that property which gives shade
20 not only to that property but to our
21 property on all three sides. I'd be very
22 concerned -- let me preface this by
23 saying, I'm over near the sump -- okay --
24 and I've been a homeowner there since 1989
25 when they first built it. On and off,

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2 almost every two years, we've had to get
3 companies to come in with traps. Not just
4 for mice or rats but things that are about
5 yay big (gesturing), and it costs a
6 fortune for the whole community.

7 It's also going to take down, I
8 believe, the essence of the community as
9 it is right now. We have a similar
10 operation going on that we surround just
11 up the road from there, but I believe it's
12 a senior citizen only. What's your plans
13 for yours; anybody can move in there.

14 MR. HAVASY: Yeah, it's not age
15 restricted.

16 MR. SANDT: All I have to say is
17 that I'm against it. I'd like to see
18 trees left where they are so maybe in the
19 future families will be able to breathe
20 because Farmingdale is being built much
21 more than I ever wanted to see.

22 Thank you.

23 CHAIRMAN NOSTRAND: It's a valid
24 concern.

25 MR. SANDT: Thank you.

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2 CHAIRMAN NOSTRAND: Thank you.

3 Mr. Gosline, do you have anything
4 else to add?

5 MR. GOSLINE: I sure do, I sure do.

6 CHAIRMAN NOSTRAND: Okay.

7 MR. GOSLINE: I want to be
8 respectful of the Stratford Green, and I
9 apologize for my disruption, but you can
10 understand that I've lived in this Village
11 for 50-plus years. I was on numerous
12 committees, the revitalization. I sat on
13 the Planning Board for 21 years.

14 MR. ABBATE: And I apologize to you
15 if I was rude, and I know your style, and
16 you are impassioned, and I get it. I get
17 it.

18 MR. GOSLINE: Well, I'm going to
19 change your story for the folks who
20 haven't lived here for -- and been
21 involved in, the Village situation that
22 I've lived through, and it's emotional to
23 me because this Village likes to say it's
24 going in the right direction, and like
25 this gentleman just said, you know, I'm a

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2 senior, too, and I think it's taking a
3 turn in the wrong direction. I supported
4 the development, and the plan in 2011 was
5 we could absorb 375 units of housing, 375,
6 right; Bill? You don't agree?

7 AUDIENCE MEMBER: I know what
8 you're going to say.

9 MR. GOSLINE: I'm going to say that
10 this Village allowed --

11 AUDIENCE MEMBER: You're going to
12 say the whole Village -- as you know,
13 that's not what it says, it's DM-U.

14 MR. GOSLINE: Well, that's what
15 happens when you don't do a comprehensive
16 plan and you spot zone only the downtown,
17 and all you care about is the businesses
18 and not the residents; okay?

19 So this Village Board -- Deputy
20 Mayor's in the back -- you guys are a part
21 of the situation, have approved over 450
22 houses in our one square mile Village.

23 So I'd like to ask both the
24 developer and the lawyer, who's the most
25 dense Village in Nassau County; do you

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2 know?

3 MR. ABBATE: I have no idea.

4 MR. GOSLINE: Okay, it's Hempstead.

5 Do you know who's number two?

6 Farmingdale. Say it, Bill, Farmingdale is

7 the number two in the most dense. So we

8 don't need more housing, we need the right

9 housing at the right time.

10 The Village just approved 70 units

11 of affordable housing, thank, God. I was

12 here in 2007 asking for 25 percent of

13 affordable housing, and all we did was

14 ten, but you guys even aren't discussing,

15 which you owe two houses of affordable

16 housing to this project if they approve

17 it, and please don't assume that this is

18 approved. The questions you asked is the

19 assumption that they're going to approve

20 this. Did you hear what was said? Do you

21 own the property?

22 MR. HAVASY: No.

23 MR. GOSLINE: You don't own the

24 property, so the property --

25 MR. ABBATE: He's a contract-

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2 vendee, Mr. Gosline, and the Holzman's are
3 here.

4 MR. GOSLINE: I understand. I
5 understand. So here's a fine point. He
6 is -- he's only going to own the property,
7 if this Board approves it, and the Village
8 Board approves it, but it's kind of ironic
9 that the Village Board made a change to
10 the zoning which is spot zoning, and
11 that's what got me so upset.

12 We did a plan, and now we're going
13 to spot zone here because why? Somebody
14 came to the Village in January and had a
15 meeting and said, I'd like to buy and
16 develop this property, you're going love
17 it, okay, and then all of a sudden in
18 February, the Village Board approves an
19 Office Residence change which it's always
20 been Office Residence, okay, and now
21 it's --

22 MR. DEBELLIS: Mr. Gosline, Mr.
23 Gosline, there's a few issues before the
24 Board, and those aren't before the Board.

25 MR. GOSLINE: What?

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2 MR. DEBELLIS: Can you address the
3 variance issues that are before the Board?

4 MR. GOSLINE: Yeah, I disagree that
5 this is no small issue. This is a big
6 variance.

7 MR. DEBELLIS: Okay.

8 MR. GOSLINE: Okay? You're
9 squeezing in 14 houses where there's a
10 single-family home, and that's just going
11 to bump up all the traffic, and it's
12 blowing up Farmingdale. I don't want
13 Queens in Farmingdale, and we're on the
14 edge. We're on the lunatic edge of
15 Queens. So I would ask this Board to
16 consider what's happening. And we still
17 don't have -- I want to see a list of
18 every oversized property. This Village
19 promised us this. Every oversized
20 property in this Village that could be
21 bumped up, and you guys never did it.

22 MR. DEBELLIS: But Mr. Gosline, Mr.
23 Gosline, that's not for this Board; okay?

24 MR. GOSLINE: Okay, I'm talking to
25 the Deputy Mayor in the back and you.

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2 MR. DEBELLIS: But that's -- there
3 are meetings where the Board of Trustees
4 sits.

5 MR. GOSLINE: I'll write a letter
6 asking the Board for it. I just --

7 MR. DEBELLIS: It's not fair for
8 you to ask this Board to do something you
9 know they can't do. You know they can't
10 do that, what you're asking them to do.

11 MR. GOSLINE: I'm telling the folks
12 here --

13 MR. DEBELLIS: I know, but you're
14 playing to the audience for no reason.
15 We're here for a variance.

16 MR. GOSLINE: The lawyer had a
17 wonderful story about how blah, blah,
18 blah, blah, blah, blah, and we need no
19 variances, and let me tell you, you got
20 your big variance on February 7th of this
21 year when somehow the Board said, let's
22 change this for this developer. It's
23 wrong, and that's it.

24 (WHEREUPON, there was applause.)

25 MS. DEBENEDITTIS: And poor Mr.

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2 Singh can't put a little addition on his
3 home.

4 CHAIRMAN NOSTRAND: Yes, sir?

5 MR. HOLZMAN: I promised myself I
6 wasn't going to say anything tonight.

7 COURT REPORTER: Sir, you have
8 to --

9 MR. DEBELLIS: Mr. Holzman, you
10 have to give -- yes, thank you.

11 COURT REPORTER: Can you spell
12 Holzman?

13 MR. HOLZMAN: H-O-L-Z-M-A-N.

14 COURT REPORTER: Thank you.

15 MR. HOLZMAN: I'm one of the
16 notorious Holzman's that lived here for a
17 lot of years. Let me put everything in
18 perspective. You've been here 50 years, I
19 was here 50 years before I moved 30 years,
20 35 years.

21 Yes, Farmingdale's changed. I've
22 seen it when they used to tie horses in
23 front of Schmidt Hardware. I bet you don't
24 even know where that is.

25 MR. GOSLINE: I do know where that

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2 is.

3 MR. HOLZMAN: Sorry, I'm not
4 picking on you.

5 MR. GOSLINE: It's the last --

6 MR. HOLZMAN: A little history,
7 too; okay? There'd be no Stratford Green
8 if I wasn't a little aggressive sitting on
9 the corner with no money putting all the
10 properties together which took 20 years.
11 I owned from the gas station on Merritts
12 Road all the way to 43 Conklin, which I
13 still own. I put it together alone with
14 the help of George Cook (phonetic), a few
15 of my classmates, Greg Conan (phonetic),
16 and that's how it all happened.

17 We did not develop the property in
18 '87. We sold it to a developer who put in
19 the condos. My mom's house, she lived
20 there until she was 101, lived another two
21 up in Massachusetts. She did not want to
22 leave that house or that house would have
23 been part of Stratford Green. My brother
24 wanted to sell the house and put it with
25 the -- I said no. My mother had the

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2 right, at 80 years old, to say I want to
3 stay here, and we respected that.

4 Listen, God's honest truth, I'm a
5 straight shooter. A few people know me a
6 long time, and I don't say it unless it's
7 the truth. It has nothing to do with the
8 Board, and I apologize for the time, but
9 I'm just sitting and hearing this. I got
10 to lend some light on this thing; okay?

11 This rat situation makes it sound
12 like we're living in a rat-infested town
13 or something.

14 AUDIENCE: We are.

15 MS. DEBENEDITTIS: Because you're
16 not living here, anymore.

17 MR. HOLZMAN: Maybe I was a rat
18 killer, I don't know, but honest to God,
19 we had animals living here which we didn't
20 mind. I had five horses here, when there
21 were no horses in Nassau County, on one
22 acre -- a few acres. In fact, I'll tell
23 you a quick story not to be repeated.

24 MS. DEBENEDITTIS: I know the
25 horses, I've been living here for 55

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2 years.

3 MR. HOLZMAN: The Mayor of the Town
4 used to commute to New York City, and in
5 order not to see the horses, he rode on
6 the opposite side of the train each time
7 he went back and forth because he never
8 saw horses.

9 That was Farmingdale -- okay -- and
10 it was a community, and we had raccoons,
11 we had everything living there, okay. I
12 don't know what the rat was all about.

13 Yes, there is a sump, it's been
14 there since they built the houses on the
15 other side of the railroad that supplied
16 the building materials for me to build my
17 stable for my horses with scraps; okay.

18 Anyway, to make a -- I don't mean
19 to take your time. This was already
20 zoned, at one time, for Stratford Green.
21 The only reason it didn't become Stratford
22 Green is because my mom didn't want it to
23 be there. Now it's time. My brother
24 lives in Massachusetts, he hasn't been
25 back here in years and years and years --

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2 all right -- and I moved when I was 50
3 years -- 35 years ago, 34 years ago --
4 over to Locust Valley because the horses
5 were no longer practical at this point,
6 the Town was growing. I was the only one
7 who had horses. I had them because I was
8 an animal hospital, okay. But it was
9 time, and now what do we do with the
10 property? He's not going to do commercial
11 there. The likeliest thing is to put in
12 what's already there which is housing, and
13 the difference is, Stratford Green,
14 individual houses are larger square
15 footage than they're putting in. They're
16 making them smaller to accommodate what
17 they feel is the need for the property,
18 and I happen to agree with them. I happen
19 to like the building. I happen to --
20 personally recommended me to the builder
21 -- he's a very strong person in
22 Farmingdale and a good builder, and their
23 family has been doing it for 100 years.
24 I've been around too long to pick the
25 wrong builder, and he's the right guy to

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2 do the job, and that's how I feel about --
3 I'm comfortable with him, and to say it's
4 not sold, it is sold. It's in contract to
5 be sold, no question about it, okay.

6 That's a true story. That's the
7 way it is. And I apologize, but again, I
8 feel kind of proud of the way Conklin
9 Street has developed on the north side,
10 quite better than the south side -- okay
11 -- and I think that we ought to take that
12 into consideration. This was not by
13 choice. The way it worked out is the way
14 it worked out.

15 CHAIRMAN NOSTRAND: Thank you,
16 Doctor.

17 Are there any other questions in
18 the audience?

19 Sir?

20 MR. MANCHISI: Yes, my name is Jeff
21 M-A-N-C-H-I-S-I, I live at Stratford
22 Green.

23 I'm just going to ask a simple
24 question. If this -- if the square
25 footage or the area is over by 1.7 units,

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2 if you -- is it feasible to reduce the 14
3 to 12 and still provide the housing that
4 you wish?

5 That's just a -- and would
6 eliminating the 1.7 units come very close
7 to the square footage that your -- or that
8 it's varianced for, already.

9 CHAIRMAN NOSTRAND: Yes, yes.
10 Thank you. Quick question, I don't know
11 the answer to this. How many units are in
12 Stratford Green?

13 AUDIENCE MEMBER: Eighty-nine.

14 CHAIRMAN NOSTRAND: Eighty-nine. I
15 would have never guessed that. And the
16 other one next door that's in there, how
17 many are in that, right next to the --

18 AUDIENCE MEMBER: I think it's 40
19 in Elizabeth Gardens.

20 CHAIRMAN NOSTRAND: Forty units?

21 AUDIENCE MEMBER: I'm almost
22 positive, yeah. They're up and down.

23 CHAIRMAN NOSTRAND: So that's 130
24 units, give or take.

25 AUDIENCE MEMBER: Just on that one

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2 side.

3 CHAIRMAN NOSTRAND: Okay, does the
4 Board have any questions for the
5 applicants?

6 (WHEREUPON, no response was heard.)

7 (WHEREUPON, there was an
8 off-the-record discussion)

9 CHAIRMAN NOSTRAND: So given what
10 we've heard tonight from everybody, and
11 some very good suggestions, we actually
12 talked about this earlier, we would be
13 open to where you wouldn't need a variance
14 for the 12 units instead of 14.

15 MR. ABBATE: We'd have to look to
16 see if it works from an architectural
17 perspective but my, you know -- my thought
18 of that, though, Mr. Chairman, is that,
19 let's assume, arguendo, it does. Unit is
20 not defined in our code. Apartment
21 doesn't contain, in our code, number of
22 bedrooms, so you could wind up -- we could
23 reduce it to -- let's assume, arguendo;
24 right? So for argument's sake, we could
25 reduce it to 12 by converting one-bedrooms

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2 to two-bedrooms.

3 CHAIRMAN NOSTRAND: You could start
4 with four bedrooms.

5 MR. ABBATE: You still have the
6 same number of bedrooms at the end of the
7 day.

8 MR. DEBELLIS: No, I think what I'm
9 hearing from the Board is that they'd
10 consider, based on what they're hearing
11 tonight, the variance, collectively, to be
12 substantial, but if you were to go to 12,
13 they would feel more comfortable giving
14 you the 40 to 30 variance.

15 AUDIENCE MEMBER: Right.

16 MR. ABBATE: Oh, I see what you're
17 saying. Well, the 40 to 30 variance is
18 out of our hands. I mean, that's
19 something the Village created. I don't
20 even think that's --

21 MR. DEBELLIS: Right, that's what
22 the Board is saying, but if you bring it
23 down to 12, they feel more comfortable
24 with --

25 MR. ABBATE: All right, so what

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2 we'll do then, we -- I just want you, and
3 I want everyone here assembled to know
4 what that means, however.

5 The building's going to stay the
6 same size -- right -- it's not going to
7 get any smaller, and there's going to be
8 the same number of bedrooms, at the end of
9 the day. What we'll do is, we'll take
10 four one-bedroom units and make them
11 two-bedroom units. So you're going to
12 have the same number of beds in this
13 complex, at the end of the day, whether
14 you give us the density overage of one and
15 7/10ths or you don't.

16 CHAIRMAN NOSTRAND: You got to be
17 careful with that because now you might
18 have a parking issue.

19 MR. ABBATE: No, it actually
20 reduces our off-street parking requirement
21 from -- can I -- it reduces our parking
22 requirement from 25 to 22, so it doesn't
23 -- it doesn't put us in a more egregious
24 situation. I just think, quite frankly,
25 it may look good -- oh, we didn't give

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2 them the density relief, but it's form
3 over substance. In reality, it achieves
4 nothing. We'll do it if you force us to
5 do it, Mr. Chairman, but it achieves
6 nothing, at the end of the day, for
7 anybody's benefit.

8 CHAIRMAN NOSTRAND: I don't agree
9 with that but that's something we would
10 consider.

11 All right, we've got some good
12 ideas.

13 MS. DEBENEDITTIS: Will we be
14 noticed on the upcoming Planning meeting?

15 MR. DEBELLIS: Yes. Yeah, they're
16 published, yeah.

17 MR. ABBATE: I mean, you're the
18 Board, you know, whatever you want us to
19 do, I just want you to know the practical
20 effect is nil.

21 CHAIRMAN NOSTRAND: We have to take
22 it all in.

23 MR. ABBATE: Right.

24 CHAIRMAN NOSTRAND: What the
25 community wants, what the laws state.

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2 MR. ABBATE: Correct.

3 MR. DEBELLIS: And to the
4 Chairman's point, the Board of Trustees
5 just recently put this law into effect.
6 So to go from 12, which is the required,
7 to 14, you know, in a month or so is not
8 something the Board feels comfortable
9 doing.

10 MR. ABBATE: That's the Board's
11 prerogative, Mr. DeBellis. That's why we
12 have the Board.

13 CHAIRMAN NOSTRAND: If they agree
14 to 12, do they still have a case here?

15 MR. ABBATE: The lot area.

16 MR. DEBELLIS: They need the lot
17 area variance.

18 CHAIRMAN NOSTRAND: Yeah, yeah.

19 MR. ABBATE: So we would still need
20 the lot area.

21 CHAIRMAN NOSTRAND: Yes.

22 MR. ABBATE: We would just remove
23 the density request, we'd agree to go to
24 12 units.

25 CHAIRMAN NOSTRAND: Yeah, I'm okay

1 ZBA - 4/14/22

2 with that. What do you think?

3 Yeah.

4 (WHEREUPON, an off-the-record
5 discussion was held amongst the Board
6 Member.)

7 MS. TULLY: I'd like to make a
8 motion for case #43, BG Conklin, LLC. --
9 4-3, sorry, not 43.

10 MS. CARPENTER: You need your
11 glasses.

12 MS. TULLY: I make a motion to
13 grant a variance for the undersized lot
14 from 40,000 to 30,000 requirement but
15 limit the number of units to maximum 12.

16 MR. DEBELLIS: Second?

17 MS. CARPENTER: I'll second.

18 CHAIRMAN NOSTRAND: All in favor?

19 (WHEREUPON, there was a unanimous,
20 affirmative vote of the Board members.)

21 CHAIRMAN NOSTRAND: Motion carried.

22 MR. ABBATE: Thanks, very much,
23 guys. We appreciate it, very much, and we
24 thank everyone who spoke.

25 Thank you.

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2 MR. HAVASY: Have a good evening.

3 * * * *

4 MR. DEBELLIS: We have one more
5 application left.

6 CHAIRMAN NOSTRAND: He's got to go,
7 he's got to pick up his son.

8 MR. DEBELLIS: All right, so now
9 you need all three.

10 MR. FELLMAN: I was going to say,
11 if you lost by one vote.

12 (WHEREUPON, there was an
13 off-the-record discussion)

14 CHAIRMAN NOSTRAND: Okay, we call
15 case 4-4, Alizandra Santana.

16 MS. SANTANA: Yes.

17 CHAIRMAN NOSTRAND: For a semi-
18 in-ground pool.

19 MS. SANTANA: Yes.

20 CHAIRMAN NOSTRAND: Fuschetto
21 Court.

22 MS. SANTANA: Fuschetto Court, yes.
23 Good evening, do I have to provide
24 anything?

25 COURT REPORTER: No, I have it.

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2 MS. SANTANA: Okay, all right.

3 So my name is Alizandra Santana. I
4 live at 6 Fuschetto Court.

5 I asked for a variance for a five
6 feet away from the fence --

7 CHAIRMAN NOSTRAND: Okay.

8 MS. SANTANA: (Continuing) --
9 instead of ten because of space.

10 CHAIRMAN NOSTRAND: This is you?

11 MS. SANTANA: Yes.

12 CHAIRMAN NOSTRAND: Okay.

13 MS SANTANA: That is I.

14 MS. CARPENTER: Yeah, everything's
15 a mess.

16 MS. SANTANA: Sorry.

17 MS. CARPENTER: No, no, no, not
18 your fault.

19 CHAIRMAN NOSTRAND: I'm sorry you
20 had to wait.

21 Yes, keep going.

22 MS. SANTANA: So yeah, so I'm
23 asking for a five feet away from the fence
24 variance. I first thought that when I
25 started with the pool process, I thought

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it was ten because we went by five because we went by the Town, and then I was called, and like, no, Alex, you go through the Village because they have different rules. So I did that. I did the application, I was denied. They told me --

MR. DEBELLIS: That's never happened before, by the way.

MS. SANTANA: No?

MR. DEBELLIS: No, they always do it by the book.

MS. SANTANA: Oh, yeah.

MR. DEBELLIS: Yes.

MR. FELLMAN: I was just saying, so many people go to the Town thinking that's the jurisdiction, that's very common.

MS. SANTANA: I don't even know how it works. I'm like, okay, so I did, I came, I spoke, I did what I needed to do. Like they told me I need a variance. I did the variance before I received even the denial letter to make sure I had everything together for this meeting

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2 because I'm hoping it's put in place for
3 the summer for the kids to enjoy.

4 The reason for the five feet from
5 the fence instead of ten is because it
6 does -- I don't have a lot, like lot. My
7 house is huge, yes, in terms of size-wise
8 but in terms of backyard space, I don't
9 have a lot of space. So bringing the pool
10 ten feet, just -- it's in the middle which
11 takes space away from the kids to play
12 around.

13 CHAIRMAN NOSTRAND: Okay.

14 MS. SANTANA: So --

15 CHAIRMAN NOSTRAND: And what's
16 behind you; is that a house?

17 MS. SANTANA: Where?

18 CHAIRMAN NOSTRAND: Right behind
19 your house.

20 MS. SANTANA: Right behind my
21 house?

22 CHAIRMAN NOSTRAND: Yes, so this
23 big piece here (indicating).

24 MS. SANTANA: That's a house.

25 CHAIRMAN NOSTRAND: It's a house?

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2 MS. SANTANA: But that's the land
3 because the house is small. It's in
4 Fulton. Yes, it's in Fulton, so that's
5 all land that they have.

6 CHAIRMAN NOSTRAND: Hmm, okay.

7 MS. SANTANA: Yeah, that's all
8 land.

9 CHAIRMAN NOSTRAND: Okay, and
10 you're here; right? This is you, and your
11 pool's in the back?

12 MS. SANTANA: Yes, mm-hmm.

13 CHAIRMAN NOSTRAND: And you want to
14 build this. You haven't put it in yet.

15 MS. SANTANA: No, I haven't put it
16 in yet because it's -- I need a permit.

17 CHAIRMAN NOSTRAND: Okay.

18 MS. SANTANA: I don't know how it
19 works. I don't want to get in trouble.

20 CHAIRMAN NOSTRAND: No, you're
21 doing the right thing, you're doing the
22 right thing.

23 MS. CARPENTER: Yes.

24 MS. SANTANA: I don't want to get
25 caught or something, so --

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2 MR. FELLMAN: That a refreshing
3 attitude.

4 MS. SANTANA: Yeah, no, it's like,
5 no, I don't want --

6 CHAIRMAN NOSTRAND: Ask the
7 audience if either one or any of the
8 neighbors in the neighborhood have to
9 object.

10 MS. SANTANA: I have to ask?

11 MR. DEBELLIS: You can ask anybody
12 here; any objections?

13 MS. SANTANA: Okay.

14 CHAIRMAN NOSTRAND: Once, twice.
15 No objections from the audience.

16 MR. DEBELLIS: Well, how can you
17 grant this? She didn't bring the kids,
18 how do you know? That's typically
19 evidence.

20 MS. SANTANA: Four.

21 CHAIRMAN NOSTRAND: You have four
22 children?

23 MS. SANTANA: Four children.

24 MR. FELLMAN: You got to at least
25 show pictures of your kids.

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2 MR. DEBELLIS: Yeah, you need some
3 proof, that's not proof.

4 CHAIRMAN NOSTRAND: It's like 75
5 percent.

6 MS. SANTANA: It's the youngest,
7 the youngest are three and six.

8 CHAIRMAN NOSTRAND: Wow.

9 MS. TULLY: I make a motion.

10 MS. CARPENTER: She's rushing you
11 along.

12 CHAIRMAN NOSTRAND: Okay.

13 MS. TULLY: Do we have any other
14 questions?

15 (WHEREUPON, no response was heard.)

16 CHAIRMAN NOSTRAND: Nope.

17 MS. TULLY: I'd like to make a
18 motion for case #4-4, application of
19 Alizandra Santana, for a semi in-ground
20 pool for setbacks. I grant the variance
21 as submitted.

22 MS. CARPENTER: I'll second.

23 CHAIRMAN NOSTRAND: All in favor?

24 (WHEREUPON, there was a unanimous,
25 affirmative vote of the Board members.)

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2 CHAIRMAN NOSTRAND: Motion carried.
3 MS. SANTANA: Thank you.
4 MS. TULLY: Thank you.
5 MS. SANTANA: What do I have to do
6 next?
7 MR. DEBELLIS: Have fun.
8 CHAIRMAN NOSTRAND: Steve Fellman.
9 MS. SANTANA: Oh, Steve. Oh, for
10 the permit?
11 MR. FELLMAN: Yeah.
12 MS. SANTANA: Okay.
13 MR. DEBELLIS: Just come down to
14 the Building Department.
15 MR. FELLMAN: Yeah, we should have
16 the application, already.
17 MS. SANTANA: Next week I could
18 come.
19 MR. FELLMAN: Tomorrow or Monday.
20 * * * *
21 MR. DEBELLIS: Motion to close?
22 MS. CARPENTER: I make a motion to
23 close the Zoning Board meeting.
24 MR. DEBELLIS: Second?
25 MS. TULLY: Second.

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CHAIRMAN NOSTRAND: Motion carried,
meeting closed.

Thank you.

(WHEREUPON, this meeting was
concluded.)

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C E R T I F I C A T E

STATE OF NEW YORK)

SS:

COUNTY OF NASSAU)

I, DEBBIE BABINO, a Shorthand Reporter in the State of New York, do hereby certify:

That, the foregoing is a true and accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have set my hand on this 21st day of April, 2022.

Debbie Babino

Debbie Babino

#

#4-2 37:17
#4-4 108:18
#43 101:8

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\$10,000 74:21
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\$5,000 78:5

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