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INCORPORATED VILLAGE OF LAUREL HOLLOW  
BOARD OF ZONING  
PUBLIC HEARING  
February 28, 2017  
7:30 p.m.

VILLAGE HALL  
1492 Laurel Hollow Road  
Syosset, New York 11791-9603

PRESENT:

- RUSSEL MOHR, CHAIRMAN
- JEFFREY BLUMIN, MEMBER
- CINDY KAUFMAN, MEMBER
- CHRIS HADJANDREAS, MEMBER

ALSO PRESENT:

- HOWARD AVRUTINE, Village Attorney

PUBLIC HEARING ON ZV1-2017  
SCHULSINGER - 36 TIMBER RIDGE DRIVE

MARY ANNE COPPINS  
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: The next hearing is  
2 case number ZV1-2017, the public hearing  
3 on the application of David Schulsinger  
4 to maintain a gazebo with outdoor  
5 kitchen at 36 Timber Ridge Drive, where  
6 the accessory structure is not set back  
7 at least 40 feet from every lot line not  
8 abutting a street as required by Section  
9 145-5(B)(2) of the Laurel Hollow Village  
10 Code. Side yard setback is 25.4 feet.  
11 The property is designated as Section 26  
12 Block 2 Lot 9 on the Land and Tax Map of  
13 Nassau County.

14 The exhibits in connection with  
15 this application are as follows:

16 First, notification from the Nassau  
17 County Planning Commission dated  
18 February 24, 2017, that the matter is  
19 referred to the Laurel Hollow Board of  
20 Zoning Appeals for action as it deems  
21 appropriate. The next exhibit is the  
22 legal notice dated February 10, 2017.  
23 The next exhibit is the Affidavit of  
24 Posting from Nicholas Porcaro that the  
25 legal notice was posted conspicuously on

1 the bulletin board main entrance to  
2 Village Hall on February 17, 2017. The  
3 next exhibit is an Affidavit of  
4 Publication from James Slater stating  
5 that the legal notice was published in  
6 the Oyster Bay Guardian on February 17,  
7 2017. The next exhibit is an affidavit  
8 -- excuse me, the next exhibit is a  
9 document that confirms that the legal  
10 notice was published to the Village  
11 website and sent to the Village website  
12 subscribers on February 17, 2017. The  
13 next exhibit is an Affidavit from the  
14 Deputy Clerk stating that the legal  
15 notice was mailed on February 16, 2017  
16 to the agencies set forth in the  
17 affidavit. The next exhibit is an  
18 Affidavit of Mailing from the applicant  
19 indicating that the Notice of Public  
20 Hearing was mailed on February 17, 2017  
21 to the individuals named in the  
22 affidavit.

23 Good evening, sir, can we have your  
24 name and address.

25 MR. SCHULSINGER: It's David

1           Schulsinger. I reside at 36 Timber  
2           Ridge Drive, Oyster Bay, New York.

3           MR. AVRUTINE: You may proceed.

4           MR. SCHULSINGER: We were in the  
5           process of a permit for an extension of  
6           our house. In the process of doing  
7           that, we submitted an updated survey  
8           that captured the gazebo and outdoor  
9           kitchen. Because it was within the 40  
10          foot limits of the property line, they  
11          asked us to seek a variance for that.

12          MR. AVRUTINE: Did you construct  
13          those items?

14          MR. SCHULSINGER: We did not.

15          MR. AVRUTINE: When did you  
16          purchase the property?

17          MR. SCHULSINGER: We purchased this  
18          in June of 2003.

19          MR. AVRUTINE: And these items were  
20          already there.

21          MR. SCHULSINGER: This was an  
22          existing structure that we improved  
23          upon.

24          CHAIRMAN MOHR: Did it have a  
25          Certificate of Occupancy?

1 MR. SCHULSINGER: I'm not sure.

2 MR. AVRUTINE: When you say -- the  
3 gazebo was added to it?

4 MR. SCHULSINGER: The kitchen  
5 itself was an existing structure. And  
6 what we basically did was improve upon  
7 it.

8 MR. AVRUTINE: What did those  
9 improvements consist of?

10 MR. SCHULSINGER: Putting in the  
11 granite, the stone work on the outside.

12 MEMBER HADJANDREAS: So the gazebo  
13 was there, the structure was there?

14 MR. SCHULSINGER: The structure was  
15 there.

16 CHAIRMAN MOHR: So you have the  
17 counter top, the grill and made it an  
18 outdoor kitchen, dining area, whatever  
19 you may want to call it. And we don't  
20 have any record, we don't have any  
21 knowledge whether or not it has any  
22 certificate.

23 MR. AVRUTINE: Well, our records,  
24 we wouldn't be here if the records were  
25 here for approvals, if there were

1                   approvals for these items.

2                   CHAIRMAN MOHR: For the setback,  
3                   yes, but what about the C of O for this?

4                   MR. SCHULSINGER: For my house?

5                   CHAIRMAN MOHR: No, for the --

6                   MR. AVRUTINE: But the gazebo  
7                   violates the setback.

8                   CHAIRMAN MOHR: I am confused.

9                   You said a pool that had a CO, a  
10                  shed that had a CO.

11                  MR. AVRUTINE: That was a different  
12                  situation. There is no CO in this one.

13                  MEMBER BLUMIN: And the size of the  
14                  gazebo, was it the same size or did you  
15                  enlarge it?

16                  MR. SCHULSINGER: It's about 15 by  
17                  15 feet, I believe.

18                  CHAIRMAN MOHR: So is part of the  
19                  building permit application to also  
20                  legalize the gazebo?

21                  MR. SCHULSINGER: Yes.

22                  CHAIRMAN MOHR: For a Certificate  
23                  of Occupancy, in addition to the setback  
24                  variance?

25                  MR. SCHULSINGER: Yes.

1 CHAIRMAN MOHR: Okay, now I  
2 understand.

3 MR. SCHULSINGER: At the  
4 recommendation of the Board, I got a  
5 letter from the neighbor closest to the  
6 property line, from Dr. Hemmler, saying  
7 that this was no issue.

8 MEMBER HADJANDREAS: What is his  
9 address, is it 32?

10 MR. SCHULSINGER: We are 36, they  
11 are 40 Timber Ridge Road.

12 MEMBER HADJANDREAS: Is that the  
13 neighbor that abuts that side?

14 MR. SCHULSINGER: She is.

15 MR. AVRUTINE: We will call this  
16 Applicant's Exhibit 1, a letter dated  
17 February 28, 2017 from Michele Hendler,  
18 MD, stating, quote, "I have no issue or  
19 concerns about the gazebo and barbecue  
20 at the Schulsinger residence."

21 CHAIRMAN MOHR: Are there any  
22 questions from the Board?

23 MEMBER HADJANDREAS: No.

24 CHAIRMAN MOHR: We will open it up  
25 to the public.

1                   Are there any comments on this  
2                   application?

3                   MR. AVRUTINE:   Let the record  
4                   reflect there are none.

5                   Motion to close the public hearing.

6                   MEMBER BLUMIN:   So moved.

7                   MR. AVRUTINE:   Member Blumin.  
8                   Second?

9                   MEMBER HADJANDREAS:   Second.

10                  MR. AVRUTINE:   Member Hadjandreas.  
11                  All in favor?

12                  CHAIRMAN MOHR:   Aye.

13                  MEMBER HADJANDREAS:   Aye.

14                  MEMBER KAUFMAN:   Aye.

15                  MEMBER BLUMIN:   Aye.

16                  MR. AVRUTINE:   Let the record  
17                  reflect this matter is deemed a Type II  
18                  under the New York State Environmental  
19                  Quality Review Act.

20                  Motion on this application?

21                  MEMBER BLUMIN:   To approve.

22                  MR. AVRUTINE:   Motion to approve as  
23                  presented?

24                  MEMBER BLUMIN:   Yes.

25                  MR. AVRUTINE:   By Member Blumin.



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Second?

MEMBER KAUFMAN: Second.

MR. AVRUTINE: By Member Kaufman.

All in favor?

CHAIRMAN MOHR: Aye.

MEMBER HADJANDREAS: Aye.

MEMBER KAUFMAN: Aye.

MEMBER BLUMIN: Aye.

MR. AVRUTINE: Application approved  
as presented.

MR. SCHULSINGER: Thank you.

\* \* \* \* \*

C E R T I F I C A T I O N :

I, Mary Anne Coppins, Court  
Reporter, hereby certify that the above  
transcript is a true and accurate copy  
of the minutes taken by myself  
stenographically in the within matter.

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Mary Anne Coppins

Court Reporter