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INCORPORATED VILLAGE OF LAUREL HOLLOW  
BOARD OF ZONING APPEALS  
PUBLIC HEARING  
April 3, 2018  
7:30 p.m.

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

PRESENT: RUSSELL MOHR, CHAIRMAN  
JEFFREY BLUMIN, MEMBER  
CINDY KAUFMAN, MEMBER  
LOUIS LEBEDIN, MEMBER

ALSO PRESENT:

HOWARD AVRUTINE, Village Attorney

ZV10-2017 - Boutis - 45 Cedarfield Road

RONALD KOENIG  
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: Case ZV10-2017, the reopening  
2 of the public hearing on the application of Loukas and  
3 Nicole Boutis to install a swimming pool and patio at  
4 45 Cedarfield Road in Laurel Hollow, where the total  
5 surface coverage shall not exceed 20 percent of the lot  
6 area according to Section 145-5(A)(1)(d) of the Laurel  
7 Hollow Village Code. 22.95 percent is proposed.  
8 22 percent was approved by the Board of Zoning Appeals  
9 on October 25, 2017 under Case ZV10-2017.

10 The property under application is also known  
11 as Section 14, Block A, Lot 1116, on the Land and Tax  
12 Map of Nassau County.

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

15 First, all exhibits entered into the record at  
16 the Board's hearing of October 25, 2017.

17 The second exhibit is notification from the  
18 Nassau County Planning Commission, dated February 15,  
19 2018, that the matter is referred to the Laurel Hollow  
20 Board of Zoning Appeals to take action as it deems  
21 appropriate.

22 The next exhibit is the legal notice of public  
23 hearing dated March 19, 2018.

24 The next exhibit is an Affidavit of Posting  
25 from Nick Porcaro that the notice of public hearing was

1 posted conspicuously on the bulletin board at the main  
2 entrance to the Office of the Village Clerk on March 23,  
3 2018.

4 The next exhibit is an affidavit of  
5 publication from Richner Communications stating that the  
6 legal notice was published in the Oyster Bay Guardian on  
7 March 23, 2018.

8 The next exhibit is an affidavit from the  
9 Deputy Clerk stating that the notice of public hearing  
10 was mailed to interested parties on March 21, 2018.

11 The next exhibit is a document confirming that  
12 the notice of public hearing was published to the  
13 village of Laurel Hollow website and sent to village  
14 website NEWS subscribers on March 20, 2018.

15 The next exhibit is an affidavit of mailing  
16 from the applicant indicating that the notice of public  
17 hearing was mailed on March 21, 2018 to the individuals  
18 set forth in the affidavit.

19 The next exhibit is the Board of Zoning  
20 Appeals decision dated October 25, 2017, containing the  
21 condition that surface coverage not exceed 22 percent of  
22 lot area.

23 And the next exhibit is a proposed site plan  
24 prepared by HM Engineering, P.C. last revised  
25 January 22, 2018.

## Proceedings

1 Are you making a presentation?

2 MR. MARNIKA: Yes. Good evening.

3 MR. AVRUTINE: Please give your name and  
4 address for the record.

5 MR. MARNIKA: Hrvoje Marnika. My address is  
6 3 Cherrywood Drive, East Northport, New York 11731.

7 Good evening, everyone.

8 So at the direction of the Board from the last  
9 meeting, I went back to evaluate the plan. What I have  
10 here in front of me is the original plan with the  
11 surface coverage that was proposed at 23.6 percent. I  
12 went back to really evaluate how we could reduce the lot  
13 coverage. All the existing features, my client would  
14 like to maintain in their current shape.

15 So, we took a look at the patio area for the  
16 pool. And utilizing stepping stones as the primary path  
17 from the existing paver patio going to the pool patio,  
18 we're able to reduce the square footage as well as  
19 reduce the overall footprint of the patio. So what this  
20 entailed was a reduction from 23.6 percent to  
21 22.95 percent in terms of a lot surface coverage.

22 So the coverage just in the pool patio in  
23 terms of percentage from what we previously had proposed  
24 is almost a 40 percent coverage in the patio for the  
25 pool. So we thought that was a pretty good, you know,

1 reduction there.

2 You can see just the outline here, the hatched  
3 area from here to the original proposal. We took off  
4 pretty much this entire portion over here, which was  
5 substantial. We were able to do that by using the  
6 stepping stones.

7 So respectfully request you guys could approve  
8 under the circumstance that it's still a minor variance  
9 request. We're over by 2.95 percent. And the  
10 22 percent granted last time allowed -- it did allow the  
11 pool, okay, the pool construction, but it only left  
12 about 43 square feet for the pool patio, which is not  
13 really enough to even do anything with it.

14 So that's basically it.

15 MR. AVRUTINE: Just to clarify for the record,  
16 the calculation does include the shed which is going to  
17 be the subject of the next hearing?

18 MR. MARNIKA: The calculations from the  
19 beginning included the shed, always did, correct,  
20 absolutely. And the new application is for the setback.

21 MR. AVRUTINE: Understood.

22 MEMBER LEBEDIN: I know, obviously, you have  
23 your heart set on doing it this way. I look at it as  
24 this 22 percent was already an accommodation. The  
25 expectation is you're supposed to adhere to 20 percent.

1 I struggle to look to find some compensating factor that  
2 should justify us making an allowance to make it go  
3 over. The concern I have is the precedent-setting  
4 aspects of this, because once anyone else comes in here,  
5 I can't fairly force them to be at 20 percent when I  
6 haven't been consistent in that approach.

7 So I guess I'm first asking you, are there  
8 compensating factors here that I can at least reconcile  
9 in my head why you should have this variance beyond the  
10 20 percent when others shouldn't be eligible for the  
11 same treatment?

12 MR. MARNIKA: My primary argument would be for  
13 that, it's not self-inflicted, in other words. Really  
14 the coverage, what's taking a lot of coverage here is  
15 the tennis court. I mean it was there prior to my  
16 client purchasing the home. It's there. It's a nice  
17 amenity. It's a nice feature. We'd rather not have to  
18 reduce that, so keeping that as it is.

19 You know, she's allowed to have a pool. I  
20 understand we are exceeding the lot coverage. The  
21 43 square feet is not really much. That basically  
22 wouldn't even get a pathway to the pool. The coping is  
23 in the pool area already.

24 So basically looking at it it's not  
25 self-inflicted, the hardship, and it's not changing the

1 character of the neighborhood. And in comparison to  
2 what I feel is, you know, a large variance or a  
3 considerable variance, it's still pretty small in terms  
4 of percentage. I happen to always look at it in  
5 percentages.

6 MEMBER LEBEDIN: You do. I mean, you're  
7 10 percent over. You're more than 10 percent over.  
8 You're 15 percent over. That's material. I look at  
9 5 percent being that material.

10 with regard to other coverage, so this is the  
11 first expansion of the coverage area since the owner has  
12 owned the property?

13 MR. MARNIKA: That's correct. There was  
14 nothing expanded prior.

15 MEMBER LEBEDIN: Is there anything that could  
16 be done to shave back on the tennis patio?

17 MR. MARNIKA: I would have to speak to my  
18 client about that.

19 MEMBER BLUMIN: what is the lot surface  
20 coverage area of just the pool? In other words, what  
21 percentage is the pool itself?

22 MR. MARNIKA: Just the pool itself, it  
23 includes the perimeter coping, the one foot around it  
24 because you obviously need that, that is 1.1 percent.  
25 So out of the 20 percent that we're allowed, the pool,

1 the water surface and including the perimeter coping is  
2 1.1 percent.

3 CHAIRMAN MOHR: That's the pool and the  
4 coping. But I believe Jeff is asking the question the  
5 size of the pool patio. The pool patio looks like it's  
6 .84.

7 Am I reading this incorrectly?

8 MR. MARNIKA: That's correct. The pool patio  
9 and the stepping stones.

10 CHAIRMAN MOHR: Then you have to take all of  
11 these. You have to take the equipment, the pool, the  
12 stones and the patio and add them all up, and that's  
13 going to bring you to, you know, close to your 2 point  
14 -- what were you at prior to this application?

15 MR. MARNIKA: 23 -- well, before the  
16 application?

17 CHAIRMAN MOHR: Without the pool and the  
18 proposal, was it 18?

19 MEMBER BLUMIN: You are close to 20.

20 MR. MARNIKA: Just under 21.

21 MEMBER LEBEDIN: That's what happened. The  
22 last time when we gave him 20 percent, that was just for  
23 the pool. They only had very little expansion on the  
24 patio as a result of that decision at the time.

25 MR. AVRUTINE: Are you able to calculate what



1 the reduction would be if the patio adjacent to the  
2 tennis court were removed?

3 MEMBER LEBEDIN: It looks like that would make  
4 it work. That's 145 feet, as I read this, right, the  
5 tennis court patio? That's 1 percent. So that gets you  
6 to the 22.

7 MR. MARNIKA: Right.

8 MR. AVRUTINE: Just to further illuminate,  
9 it's not self-created in the sense that your client  
10 bought it this way. But the flip side to that coin is,  
11 that there was either actual or what you call  
12 constructive knowledge that when the property was  
13 purchased, it was already maxed out on the coverage.

14 MR. MARNIKA: It was already over.

15 MR. AVRUTINE: Or close enough that when your  
16 client bought it, they knew or should have known that  
17 they would need a variance if they wanted to have any  
18 more coverage than already existed.

19 MR. MARNIKA: I understand that.

20 MR. AVRUTINE: I'm just explaining that to the  
21 Board. And I think that's part of the difficulty that  
22 the Board is having with the request.

23 I think that is the genesis of the inquiries  
24 regarding other things that can maybe be done to keep  
25 the approved coverage at 22 while allowing the patio

## Proceedings

1 surrounding the pool, and again, maybe eliminating the  
2 patio adjacent to the tennis court, and that was  
3 something that might make this work.

4 MR. MARNIKA: If I can just respond to, you  
5 know, the knowledge of.

6 I mean, most times when you purchase a house  
7 no one reviews the zoning code. Even her attorney would  
8 have never advised her. It's not something that's in a  
9 title report. You know, it's extensive calculation.  
10 You can see I wrote every single thing down here. I  
11 mean, if there's anything that shouldn't be included in  
12 this here, but I looked at the definition in the code.  
13 I included everything, the cellar entrances, the stairs,  
14 every wall section is included in the lot coverage.

15 I can speak to my client, if you can give me a  
16 minute.

17 MEMBER LEBEDIN: Speaking for myself, I'm not  
18 even saying you have to move the whole patio, but if you  
19 made a little bit of a sacrifice, I feel like you're  
20 giving us a little, that we can give something back.

21 MR. AVRUTINE: Ma'am, please give your name  
22 and address.

23 MS. BOUTIS: Nicole Boutis, 45 Cedarfield  
24 Road, Laurel Hollow.

25 So essentially then the Board wouldn't care

## Proceedings

1 which patio, right? Because I mean, I have the patio  
2 outside the house and then I have that one by the tennis  
3 court. The Board wouldn't care which patio I minimized,  
4 where I took away from, as long as I take away from  
5 somewhere, if I'm understanding it right, right?

6 MR. AVRUTINE: The Board is not looking to  
7 dictate to you how you --

8 MS. BOUTIS: Right, you wouldn't care.

9 MR. AVRUTINE: What the Board is interested in  
10 is --

11 CHAIRMAN MOHR: Maintaining 22 percent.

12 MS. BOUTIS: So what if I shortened one of my  
13 existing patios closer to the home and I took away from  
14 there, how much, I mean I'm not really good in terms of  
15 the percentages, but in terms of square feet, how much  
16 square feet am I trying to cut back on?

17 CHAIRMAN MOHR: 900 square feet.

18 MS. BOUTIS: About 900 square feet?

19 MEMBER LEBEDIN: Because if you look at the  
20 tennis patio, that's roughly 1 percent, and that's the  
21 amount, so --

22 MS. BOUTIS: I didn't realize it was going to  
23 be 900 square feet.

24 CHAIRMAN MOHR: That was the struggle the last  
25 time.

1 MS. BOUTIS: I mean, you know, eliminating the  
2 tennis court patio, that makes it -- if you're thinking  
3 about it, this is the only -- this is my entrance and  
4 exit to the tennis court, so the space is utilized.  
5 This space, the pavers are utilized in a way that I'm  
6 just trying to picture without the patio.

7 MEMBER LEBEDIN: Look, I'm just speaking. I'm  
8 not saying you have to remove all this. Can you shave  
9 it and try to slim it down and at least make an  
10 accommodation to demonstrate you're giving up a little  
11 bit?

12 I appreciate why you want it on the pool. You  
13 want chairs around the pool. That makes sense. That's  
14 a priority. I get it. I don't own a tennis court, so I  
15 can't, unlike NJ who has strong opinions about tennis  
16 courts. But it would just seem if you can do something  
17 to kind of shrink that in a little bit and make a  
18 sacrifice, an accommodation to allow for the pool patio,  
19 at least I would feel more comfortable about going  
20 forward with it.

21 MS. BOUTIS: In terms of square footage, are  
22 we looking for, you know, I can --

23 (whereupon, applicant and Mr. Marnika  
24 conferred.)

25 MS. BOUTIS: Everything is such an odd shape,

## Proceedings

1 like I say, on the property. You know, the tennis court  
2 is situated in a weird place. Even the tennis court  
3 patio. You know, if you've been to the house or you can  
4 see on the drawing, it's a very odd shape, everything is  
5 so strangely shaped, you know. I don't know what they  
6 were thinking when they created it, really, I really  
7 don't.

8 (whereupon, applicant and Mr. Marnika  
9 conferred.)

10 MS. BOUTIS: I have six, about six lights up  
11 on that wall.

12 MR. AVRUTINE: Surrounding the tennis court,  
13 you're referring to?

14 MS. BOUTIS: Right here, right here, I have  
15 about six lights that are going across. So I'm just  
16 thinking, if I, you know, so --

17 MR. AVRUTINE: You are talking about  
18 surrounding the tennis court patio --

19 MS. BOUTIS: Yes.

20 MR. AVRUTINE: -- for the record.

21 MS. BOUTIS: Yes, surrounding the tennis court  
22 patio. So I'm just trying to -- just trying to  
23 understand like the logistics of it.

24 (whereupon, applicant and Mr. Marnika  
25 conferred.)

## Proceedings

1 MR. MARNIKA: And the pool has to be included,  
2 you know, even though it's actually water surface, it  
3 has to be included in there?

4 MR. AVRUTINE: Yes.

5 MR. MARNIKA: I'm just asking. I know some of  
6 the towns and villages, they'll let you not include the  
7 pool.

8 MS. BOUTIS: Can I ask the Board, what if I --  
9 see the patio, one of my existing patios that juts out  
10 from, I call it like the main patio?

11 MR. AVRUTINE: In the rear of the home?

12 MS. BOUTIS: Yes. Correct.

13 MR. AVRUTINE: In the roughly rectangular  
14 section on the easterly side?

15 MS. BOUTIS: Correct. What if I reduced that,  
16 what if I took off some of that patio and I made that  
17 patio smaller?

18 MR. AVRUTINE: There's no dimensions there.  
19 It's hard to discern exactly how much square feet that  
20 is.

21 MEMBER LEBEDIN: Since we were talking roughly  
22 about reducing the brick patio by half, I would think  
23 that's less than half, but I need to see square footage.

24 MS. BOUTIS: What I'm saying is, if I took off  
25 some of that, okay, if I took off some of that, I'm just

1           trying to think where else I can take off, I mean  
2           without --

3                         (whereupon, applicant and Mr. Marnika  
4           conferred.)

5                         MR. LEBEDIN:  Have you thought about making  
6           the pool smaller?

7                         CHAIRMAN MOHR:  A 20 by 40 instead of a 24 by  
8           40?

9                         MS. BOUTIS:  No, I hadn't really thought about  
10          that.

11                        (whereupon, defendant and counsel conferred.)

12                        MR. MARNIKA:  I think the pool is basically a  
13          20 by 40.  24 is the outermost dimension.  And then  
14          inside this pool area here, I have the perimeter coping  
15          also.  So that's another 80.  There's another 100 square  
16          feet there.  So it's basically a 20 by 40.

17                        (whereupon, applicant and Mr. Marnika  
18          conferred.)

19                        MS. BOUTIS:  What if I took off some of my  
20          existing patio, the one that I was referring to last  
21          time, the rectangular patio that juts out from the  
22          house, what if I shorten that?  And then what if I  
23          shorten some more, I minimize the patio around the pool,  
24          what if I took off from there as well and I made that  
25          smaller?

## Proceedings

1 MR. MARNIKA: The proposed patio on the north  
2 side.

3 MEMBER LEBEDIN: How much do you think that  
4 would come to?

5 CHAIRMAN MOHR: Is this to scale?

6 MR. MARNIKA: This is to scale, yes.

7 Let me see if I have a scale on me. It  
8 probably would be a couple hundred square feet.

9 I have no scale with me. I will have to use  
10 my thumb.

11 CHAIRMAN MOHR: The rectangular paver patio  
12 that juts out, that is probably, what, 20 feet by --

13 MR. MARNIKA: Probably about 20 by 15, 14,  
14 maybe 14 feet wide by 20. So we're looking at  
15 280 square feet altogether. She was looking at taking  
16 off from the southern end going up to the stairs.

17 MEMBER LEBEDIN: How much did you say this  
18 was, 20 by what? It looks like about half the pool.  
19 Because the pool is 40, and that's about half the pool,  
20 so you would say that's 20 feet long by --

21 MR. MARNIKA: 14, 15 feet wide.

22 MEMBER LEBEDIN: So you'll eliminate all of  
23 that?

24 MR. MARNIKA: No. She's looking at  
25 eliminating the southerly corner.



1 MEMBER LEBEDIN: A third.

2 MR. MARNIKA: Basically a third. So a third  
3 from 280 square feet, it's about 100 square feet.

4 MEMBER KAUFMAN: I honestly feel like it's not  
5 our place to tell you where to eliminate it from. It's  
6 just our place to tell you where we want you to be and  
7 for you to come up with that number. I don't know that  
8 we should be reconfiguring.

9 Do you agree?

10 MEMBER LEBEDIN: Yes, I'm uncomfortable.

11 I don't want to manage your backyard. I'm  
12 trying to work with you so you can enjoy your pool with  
13 a reasonable patio. But it's too much, and you've got  
14 to figure out how you can make a concession elsewhere to  
15 get that accomodation. I'm prepared to, personally, for  
16 over the 22 percent, but not a lot. We will work with  
17 you to make it work. I don't want you to look in your  
18 backyard and go these village people were so mean to me.  
19 I want you to enjoy this, but I'm just worried about  
20 that precedent.

21 CHAIRMAN MOHR: Lou, in an effort to bring  
22 this to a conclusion, it sounds to me, with  
23 deliberation, that you're willing to so-call split the  
24 baby on the 22.95.

25 MEMBER LEBEDIN: Right. I think that's fair.

## Proceedings

1 CHAIRMAN MOHR: So rather than negotiate on  
2 the location and how you get to the 22.5 or 5.25,  
3 whatever the number is, I'll leave that up to you.

4 MEMBER LEBEDIN: Thanks.

5 CHAIRMAN MOHR: If the Board wanted to  
6 consider giving a little more relief tonight and they  
7 can come back and we can finalize the plan, but you will  
8 have the parameters of which to go by.

9 MEMBER LEBEDIN: Right. That's fine with me.

10 MS. BOUTIS: Okay.

11 MEMBER BLUMIN: Good idea.

12 MR. AVRUTINE: So, do you want to make any  
13 further statements?

14 MS. BOUTIS: Well, just so that I'm clear, in  
15 terms of going back, I mean I would --

16 MR. AVRUTINE: Let's assume for argument sake  
17 that the Board is willing to modify its prior approval  
18 and issue a new approval with a maximum coverage of  
19 22.5 percent, the Board would then, presumably, approves  
20 that, then your professional will be charged with the  
21 responsibility of submitting a revised plan to the  
22 building inspector where, however you reconfigure it,  
23 the maximum coverage does not exceed the 22.5 percent,  
24 and then it will be approved as long as that maximum is  
25 not exceeded.

## Proceedings

1 MS. BOUTIS: Which would at least give me some  
2 time to talk with my husband.

3 MEMBER LEBEDIN: You don't want to do impulse.

4 CHAIRMAN MOHR: The alternative is, we leave  
5 it at 22 and we do nothing, or you get 22 and-a-half and  
6 you have a little bit more to play with and you have to  
7 figure out where to steal from Peter to pay Paul.

8 MR. AVRUTINE: The decision couldn't be made  
9 anyway because a revised plan has to be submitted.

10 MEMBER KAUFMAN: Rather than pick spots, we  
11 should leave it to them.

12 CHAIRMAN MOHR: Right.

13 MS. BOUTIS: In terms of, are we talking about  
14 the number now so that I have some idea of what to go  
15 on?

16 MR. AVRUTINE: I think from what you heard it  
17 appears that the Board is inclined to amend the approval  
18 to allow for a maximum of 22.5 percent lot coverage.

19 MS. BOUTIS: And that is about -- so that  
20 means reducing it by another -- I'm sorry, I work so  
21 much better with the square footage.

22 CHAIRMAN MOHR: Roughly 440.

23 MEMBER LEBEDIN: 440 square.

24 MR. MARNIKA: We're thinking, based on what my  
25 client has in mind, to reduce and carve out some areas.

1 CHAIRMAN MOHR: You can shave it from all  
2 different areas.

3 MR. MARNIKA: That would basically be  
4 22.6 percent that we have to go into, you know, possibly  
5 going into the tennis court.

6 MS. BOUTIS: I want to just try and avoid  
7 that. So is it possible to, instead of reducing it by  
8 440, is it possible to get it at least a little bit less  
9 of a reduction just so that I'm not --

10 MEMBER BLUMIN: Well, the concession is beyond  
11 22 percent, and so every step you take --

12 MS. BOUTIS: But 22 percent didn't --  
13 22 percent was basically no patio around the pool. It  
14 was just a pool, you know. And realistically, you need  
15 to have some patio around your pool, not a great one,  
16 maybe, not a large one, but something. So would it be  
17 at all possible to get it at least a little bit less of  
18 a reduction than the 440 square feet or whatever that  
19 comes out to be?

20 MEMBER LEBEDIN: So you came in here. You  
21 first started at 23.6, right, which is 3.6 over or, you  
22 know, 16.8 percent above what's appropriate. You know,  
23 I think --

24 CHAIRMAN MOHR: And keep in mind, we haven't  
25 even gotten to the shed yet.

## Proceedings

1 MS. BOUTIS: I know. Right.

2 MEMBER LEBEDIN: The shed is included. That's  
3 not relevant.

4 MS. BOUTIS: That was just a setback issue.

5 CHAIRMAN MOHR: It's more relief that she is  
6 requesting in her next application. I'm just putting it  
7 on the table.

8 MS. BOUTIS: Right.

9 MEMBER LEBEDIN: what percentage are you  
10 looking for? So give me a number that you're saying --

11 CHAIRMAN MOHR: If you guys want to take a  
12 moment to talk privately.

13 MS. BOUTIS: Thi's fine.

14 (whereupon, applicant and Mr. Marnika  
15 conferred.)

16 CHAIRMAN MOHR: Ladies and gentlemen, I don't  
17 know if there is any further comments, but if you want  
18 to make one more presentation. But I think the Board  
19 has kind of made their decision as to what kind of  
20 relief they would give. I don't know if you have  
21 anything more you would like to add to the record.

22 MS. BOUTIS: well, I was just talking. I know  
23 it doesn't matter where we shave off from, right, it's  
24 just the number. That's fine. I won't even mention  
25 that aspect. But I was trying to calculate in terms of

## Proceedings

1 square footage, because it's easier for me to work with  
2 that. But in terms of percentage, when it converts, it  
3 comes out to like 22.6 instead of 22.5. It's like a  
4 tenth of a percent difference. So I guess I would ask  
5 the Board, could I have 22.6, could I be granted  
6 approval for 22.6 percent?

7 MEMBER LEBEDIN: Okay. I'm okay with that.

8 MR. AVRUTINE: Is there anything further from  
9 the applicant or --

10 MEMBER LEBEDIN: But you have to make it work.

11 MS. BOUTIS: I know. I will make it work.

12 No, just with respect to the shed.

13 MR. AVRUTINE: We will get to that in a  
14 moment. That's a separate case.

15 Are we going to make a motion to close the  
16 public hearing at this point?

17 CHAIRMAN MOHR: Unless there is any comment  
18 from the public.

19 MR. AVRUTINE: Let the record reflect that  
20 there are no interested members in the public here.

21 A motion to close the public hearing?

22 MEMBER KAUFMAN: So moved.

23 MR. AVRUTINE: Member Kaufman.

24 A second?

25 MEMBER BLUMIN: Second.

## Proceedings

1 MR. AVRUTINE: Member Blumin.

2 All in favor?

3 CHAIRMAN MOHR: Aye.

4 MEMBER BLUMIN: Aye.

5 MEMBER KAUFMAN: Aye.

6 MEMBER LEBEDIN: Aye.

7 MR. AVRUTINE: Let the record reflect that  
8 this matter is deemed Type II under the New York State  
9 Environmental Quality Review Act, and the proposed  
10 motion would be to approve the application with a  
11 maximum lot coverage of 22.6 percent.

12 Is that correct?

13 CHAIRMAN MOHR: Yes.

14 MEMBER LEBEDIN: Yes.

15 MR. AVRUTINE: who will be moving that?

16 MEMBER LEBEDIN: So moved.

17 MR. AVRUTINE: Member Lebedin.

18 A second?

19 MEMBER KAUFMAN: Second.

20 MR. AVRUTINE: Member Kaufman.

21 All in favor?

22 CHAIRMAN MOHR: Aye.

23 MEMBER BLUMIN: Aye.

24 MEMBER KAUFMAN: Aye.

25 MEMBER LEBEDIN: Aye.

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MR. AVRUTINE: Lot coverage approved at  
22.6 percent.

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CERTIFIED THAT THE FOREGOING IS A TRUE AND  
ACCURATE TRANSCRIPT OF THE ORIGINAL STENOGRAPHIC MINUTES  
IN THIS CASE.

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RONALD H. KOENIG  
Official Court Reporter