

1 INCORPORATED VILLAGE OF WESTHAMPTON DUNES
2 ZONING BOARD OF APPEALS

3

4 June 11, 2016

5 10:00 a.m.

6

7

8

9 Meeting held at

10 906 Dune Road, Westhampton Dunes, New York

11

12

13 APPEARANCES:

14 Harvey Gessin - Chairman

15 James Cashin - Member

16 Barry Goldfeder - Member

17 Eric Saretsky - Member

18

19 Joseph Prokop - Village Attorney

20

21

22

23

24

25

Flynn Stenography & Transcription Service

(631) 727-1107

1 (Whereupon the meeting was called
2 to order at 10:12 a.m.)

3 MR. GESSIN: Let's start with the
4 Pledge of Allegiance.

5 (Whereupon everyone stood and
6 recited the Pledge of Allegiance.)

7 MR. GESSIN: I'd like to call to
8 order a meeting of the Westhampton
9 Dunes Zoning Board for an application
10 of 12 Dune Lane for various reliefs.
11 Would anybody like to start off?

12 MR. SARETSKY: I think we should
13 just go through the lists maybe of the
14 requests.

15 MR. GESSIN: Or maybe we should ask
16 the applicant to give a presentation.

17 MR. SARETSKY: Even better.

18 MR. GOLDFEDER: There are five
19 items on your list?

20 MR. GESSIN: You know better than
21 we do what you want.

22 MS. ROLLIN: Right. There's five
23 items on the list, four of which are
24 essentially for existing footprint
25 because we have such an odd shaped
Flynn Stenography & Transcription Service

(631) 727-1107

1 piece of land.

2 MR. GESSIN: Could you just tell
3 us who you are for the record?

4 MS. ROLLIN: I'm Kat Rollin, this
5 is Robert Terzi, we live at 12 Dune
6 Lane. Because that piece of property
7 is so odd shaped --

8 MR. CASHIN: Is this it, the
9 trapezoid?

10 MR. TERZI: Yes.

11 MS. ROLLIN: Yes. If we conformed
12 to every setback, we'd have a negative
13 building envelope. So because we have
14 to go sixteen feet up in the air, we
15 tried to stay as much as possible
16 within the existing footprint, but then
17 adding some walkways so we can get
18 around the house, and add a deck to the
19 western side, which I believe is all
20 conforming in terms of setback.

21 MR. GOLDFEDER: Will you be
22 keeping the shed where it is?

23 MS. ROLLIN: No, the shed is going
24 away. The shed is consumed by the
25 massive septic system. We have our DEC
Flynn Stenography & Transcription Service

(631) 727-1107

1 permit already. We have our sanitary
2 permit. That is the smallest sanitary
3 system that we could have the engineer
4 design for us. We did have an engineer
5 do it. We had to come back, DEC had to
6 make modifications, then some new rules
7 with the sanitary had to be enacted, so
8 that's as of a couple of months ago all
9 conforming, stamped, that's the
10 smallest --

11 MR. GOLDFEDER: Were you able to
12 get an elevation certification for the
13 septic?

14 MS. ROLLIN: I believe so.

15 MR. GOLDFEDER: Because it shows
16 it's still pending.

17 MR. TERZI: That's --

18 MR. GESSIN: Do you have a Health
19 Department permit?

20 MR. TERZI: Yes, we have that.

21 MR. GOLDFEDER: It says in the
22 plans here that it's still required,
23 which to me means pending.

24 MR. TERZI: That's the as built I
25 thought.

(631) 727-1107

1 MR. SARETSKY: You have the
2 drawing from Areska that shows it. I
3 don't know if this is what you mean,
4 Barry, but this shows a profile of it.

5 MR. CASHIN: Are you razing your
6 other house?

7 MS. ROLLIN: What other house?

8 MR. CASHIN: Are you taking this
9 house down?

10 MS. ROLLIN: Yes.

11 MR. GESSIN: This is totally a new
12 house?

13 MS. ROLLIN: Totally a new house.
14 We were working with Bob, and so I
15 wanted to get a pre-application in to
16 Bob so that we could get any of the
17 variances we need before we started
18 getting the --

19 MR. GOLDFEDER: Smart, smart. Do
20 you have a copy of the plans for the
21 house with you by chance?

22 MS. ROLLIN: We do. This is not a
23 copy I can leave.

24 MR. CASHIN: What is this? Is
25 that a structure there?
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. ROLLIN: That's the --

2 MR. TERZI: Utility platform.

3 MS. ROLLIN: Which Harvey I guess
4 told Bob we didn't need a variance for
5 that, but he put it in anyway.

6 MR. CASHIN: Looks like it's not
7 against the house.

8 MS. ROLLIN: No, it's set --

9 MR. TERZI: It's attached to the
10 deck.

11 MS. ROLLIN: Attached to the deck,
12 yeah, but within an existing footprint
13 there.

14 MR. GOLDFEDER: Were there any
15 previous variances granted?

16 MS. ROLLIN: The house was built
17 in 1954.

18 MR. GOLDFEDER: Not since then?

19 MS. ROLLIN: No.

20 MR. TERZI: We did the title
21 search that the Village requires for a
22 single and separate, which came back
23 clean.

24 MR. SARETSKY: The C of O that I
25 saw in the packet was from I think
Flynn Stenography & Transcription Service

(631) 727-1107

1 2002, so was it changed? I found it
2 here. Was it changed to require a new
3 certificate of occupancy?

4 MS. ROLLIN: No.

5 MR. TERZI: That was the year we
6 bought it, and that's what we got from
7 Herb at the time.

8 MR. SARETSKY: I understand.

9 MR. TERZI: I seem to recall there
10 was -- that they didn't have the
11 original C of O on file, so they had
12 Herb --

13 MR. SARETSKY: This certificate of
14 occupancy is based on the original
15 house without any changes?

16 MR. TERZI: Yes.

17 MR. SARETSKY: It describes it,
18 okay, I got you.

19 Harvey, what would help me is if
20 we went maybe one by one through each
21 item of the request for variance and
22 just understood it.

23 MR. GOLDFEDER: Is the accessory
24 structure where the shed is?

25 MR. TERZI: Those are the decks.
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. ROLLIN: So the shed is over
2 here, right there (indicating), and
3 this deck is within -- it complies with
4 -- we don't -- according to Bob, we
5 don't need a variance for that deck.
6 Where we need the variance for is the
7 existing deck here because I think it's
8 60 feet we needed setback and it's at
9 58.7.

10 MR. GOLDFEDER: This is where the
11 vegetable garden is?

12 MS. ROLLIN: No, the vegetable
13 garden, the big vegetable garden is
14 over here, and the little one is right
15 there (indicating). That one is going
16 away, this one is going to stay. I can
17 show you a red line where the existing
18 house is.

19 MR. CASHIN: This is all deck in
20 here?

21 MR. GESSIN: No, that's the septic
22 with a raised concrete wall.

23 MR. CASHIN: Oh, the protective
24 wall.

25 MR. TERZI: You'll notice that
Flynn Stenography & Transcription Service

(631) 727-1107

1 between the DEC required setbacks from
2 the bay and then to fit the sanitary
3 system, we're kind of shoehorned in to
4 where the house can actually fit on the
5 property line.

6 MR. GOLDFEDER: What would happen
7 if nothing was granted? What would you
8 do?

9 MR. TERZI: We'd be stuck as is
10 with the existing septic system and
11 nowhere to go. And we are -- we had 22
12 inches of water in the house during
13 Sandy. The house is very low, it's not
14 raised at all like some of the
15 neighbors after the '91 were raised at
16 least if they didn't go up on pilings,
17 they at least went a little further up.
18 Ours is in basically a hole.

19 MS. ROLLIN: We are within the
20 pyramid. We are at 19.6 lot coverage,
21 so we are within the 20.

22 MR. GOLDFEDER: I don't think we
23 received any letters of objection from
24 the public notice.

25 MR. BRENNER: We didn't submit a
Flynn Stenography & Transcription Service

(631) 727-1107

1 letter, but we are here for some verbal
2 objections that we have for two issues
3 in the variances.

4 MR. GESSIN: Would you like to
5 state your name and tell us what they
6 are?

7 MR. BRENNER: Steve and Merle
8 Brenner, and we live at 8 Dune Lane,
9 but we own 10 Dune Lane, which is the
10 adjacent piece of property on the east
11 side.

12 MS. BRENNER: East.

13 MR. CASHIN: So where it says
14 Riley?

15 MR. BRENNER: Yes, correct.

16 MS. BRENNER: Yes.

17 MR. CASHIN: And your objections
18 are?

19 MS. BRENNER: Were you going to go
20 through it?

21 MR. BRENNER: I think somebody
22 said you wanted to go through it, or
23 you tell me how you want --

24 MR. GESSIN: Just go.

25 MR. BRENNER: You want me to
Flynn Stenography & Transcription Service

(631) 727-1107

1 start?

2 MR. GESSIN: Yeah, go ahead.

3 MR. BRENNER: Well, first of all
4 thanks for hearing us. And secondly,
5 we want to extend to Kat and Rob and
6 hope that they have as much pleasure in
7 their new house as we had with ours
8 when we built our house because we love
9 this community, and we both have a
10 history here that goes back many, many
11 years.

12 So the two objections that we
13 would raise are the following: Our
14 piece of property is very compromised
15 much like theirs is, very narrow,
16 pie-shaped property that goes out. So
17 just adjacent to their house they're
18 asking for a variance to extend their
19 walkway closer to our property. The
20 requirement is 20 feet, and they're
21 asking to compromise that, and I think
22 that that would not be in our best
23 interest because the 20 feet would now
24 become much less between the two
25 houses.

(631) 727-1107

1 MS. BRENNER: Number 2.

2 MR. SARETSKY: That's number 2,
3 2A, right?

4 MR. BRENNER: Right.

5 MS. ROLLIN: I want to point out
6 that --

7 MR. GESSIN: Let them go first.

8 MR. CASHIN: Can you just show us
9 here where this walkway is?

10 MR. BRENNER: Here's the --

11 MR. GESSIN: Just mark it with a
12 highlighter.

13 MR. BRENNER: That walkway would
14 be right here (indicating). This is
15 our property here, the property line is
16 here, and there's supposed to be 20
17 feet between the two pieces of
18 property, so it would be compromising
19 that 20 feet over here (indicating).

20 MR. CASHIN: I don't see a walkway
21 on that.

22 MR. BRENNER: Their deck is called
23 a walkway, it's the same term.

24 MR. TERZI: You're not drawing
25 where the walkway is. There's a
Flynn Stenography & Transcription Service

(631) 727-1107

1 contour line on the survey there.

2 MR. CASHIN: It's here

3 (indicating)?

4 MR. GOLDFEDER: So it would be the

5 right side over here (indicating)?

6 MR. BRENNER: No, it would be

7 right adjacent to their house.

8 MR. GOLDFEDER: Right here

9 (indicating)?

10 MR. BRENNER: That's correct. It

11 would be on the west side of 10 Dune

12 Lane and it's on the west side of their

13 property. The bottom line is it's

14 going to make the distance between the

15 two houses 7 point something feet

16 narrower than the 20.

17 MS. ROLLIN: It's not getting any

18 narrower, Steve.

19 MR. GESSIN: You show them where

20 it is on here.

21 MS. BRENNER: Well, why don't you

22 let them show us exactly where it is.

23 MR. BRENNER: Our property is

24 here, and the distance between this

25 house and this line of the property is

(631) 727-1107

1 supposed to be 20 feet, and if I read
2 the variance that they're asking for,
3 it's going to make that much narrower.
4 That would impact on the value of my
5 piece of property if I eventually
6 decide to do something with that.

7 MR. CASHIN: Is this what we're
8 talking about here (indicating)?

9 MS. ROLLIN: Yes, but that is
10 existing footprint. That's where the
11 current deck is currently. We're not
12 asking for any more space on that.

13 MR. CASHIN: Then why is there a
14 variance number for it?

15 MS. ROLLIN: Because Bob --
16 because what happened with the Yale's,
17 Bob said even if it's existing
18 footprint, I'm going to put in for a
19 variation so that you have it. So
20 that's five of those -- four of the
21 variations are for existing footprint,
22 grandfathered existing footprint.

23 MR. CASHIN: So are you okay with
24 it if it's not making that spot
25 narrower?

(631) 727-1107

1 MR. BRENNER: Absolutely.

2 MR. CASHIN: Is that what you're
3 saying, it's not making that spot
4 narrower?

5 MS. ROLLIN: It's not making it
6 any narrower than it currently is.

7 MR. SARETSKY: That's the 12.3
8 we're talking about, this distance?

9 MS. ROLLIN: Yes.

10 MR. SARETSKY: So it would be
11 maintained the way it is?

12 MS. ROLLIN: Yes. I did the best
13 I could to maintain the current
14 footprint.

15 MR. CASHIN: I'm not
16 understanding.

17 MS. BRENNER: I'm not
18 understanding that either.

19 MR. CASHIN: Because it's a
20 variance asking for less, you're
21 assuming it's going to be less.

22 MS. BRENNER: Right. That's not
23 the case?

24 MS. ROLLIN: No, it's exactly
25 where it is now.

(631) 727-1107

1 MS. BRENNER: What is exactly?

2 MS. ROLLIN: The footprint of that
3 walkway.

4 MS. BRENNER: What walkway?

5 MR. SARETSKY: This number here,
6 12.3, if I'm saying that right, this is
7 the distance that they're saying it
8 would be rather than 20 feet, and
9 they're saying that this point is where
10 it is today.

11 MS. ROLLIN: Where the garden is,
12 the big garden is right now, Merle,
13 that big garden is staying. It's not
14 going away, the house isn't getting any
15 closer to that edge of the property.

16 MS. BRENNER: Well, that's not
17 clear.

18 MR. CASHIN: Yeah, it's not clear,
19 right, because what she's saying is
20 that it's already breaking the variance
21 rule, so for overdoing caution they're
22 asking for a variance, even though it's
23 existing already, at least with that
24 one.

25 MR. TERZI: Because that survey
Flynn Stenography & Transcription Service

(631) 727-1107

1 with everything on it is difficult to
2 read, you have the existing survey
3 there, which is probably easier to look
4 at them both side by side as Harvey,
5 lift the staple so that you can put the
6 two surveys --

7 MS. ROLLIN: This will make it
8 clearer. This is the existing
9 footprint where the deck is, and that's
10 what we're staying within.

11 MR. BRENNER: Where is the walkway
12 going to be?

13 MS. ROLLIN: It's right on the
14 edge.

15 MS. BRENNER: On the edge of your
16 garden towards us?

17 MR. BRENNER: On the west side or
18 the east side?

19 MS. ROLLIN: This is the edge of
20 our house right now (indicating), and
21 there's a big deck that's right here
22 (indicating), the platform for the guys
23 to get up and read the meter.

24 MR. CASHIN: Can you show it on
25 here, is that easier?

(631) 727-1107

1 MS. ROLLIN: And it conforms right
2 to that.

3 MS. BRENNER: Your meter is on the
4 house. There's a platform there? You
5 could walk, you could touch it.

6 MR. TERZI: It's too high.

7 MS. ROLLIN: It was a rule, you
8 had to have a platform.

9 MS. BRENNER: I know. So my
10 question is where is your walkway going
11 to be then? Adjacent to that or on the
12 other side of your flower garden?

13 MR. TERZI: No, it's adjacent to
14 the house. So this is deck and this is
15 house (indicating).

16 MR. BRENNER: So you're saying
17 that the walkway, if you see where it
18 says 47.5, that space is where the
19 walkway is.

20 MS. ROLLIN: Yes, and that's the
21 utility platform right there.

22 MR. TERZI: And this is to walk
23 around the house to be able to get to
24 the back deck.

25 MR. BRENNER: Why couldn't you
Flynn Stenography & Transcription Service

(631) 727-1107

1 have a walkway on the other side of the
2 house?

3 MR. TERZI: Because we can't build
4 over the septic.

5 MS. BRENNER: Don't you have 10
6 feet between the septic tank and the
7 house on that side? I believe it's a
8 rule.

9 MS. ROLLIN: We have to put a ten
10 foot retaining wall around --

11 MR. TERZI: Ten feet between any
12 of the internal elements and the
13 retaining wall, so the retaining wall
14 is going right up against the house.

15 MR. BRENNER: It will be adjacent
16 to here (indicating)?

17 MR. TERZI: This line is the
18 retaining wall that has to be built,
19 the concrete retaining wall.

20 MR. CASHIN: Here's a bigger
21 picture of it.

22 MR. BRENNER: You're saying that
23 you can't walk over where the septic
24 system is? How could that be when they
25 have driveways over septic systems?

(631) 727-1107

1 MS. BRENNER: Why can't you put
2 the walkway right over the septic
3 system?

4 MR. GESSIN: Isn't the problem
5 really the utilities and not the
6 walkway itself?

7 MS. ROLLIN: There's an existing
8 platform there already, so it is
9 existing footprint.

10 MR. BRENNER: So let's move to
11 that a minute, to the utility platform.
12 Could you define for me what a utility
13 platform is?

14 MR. GESSIN: It has his air
15 conditioners and his generator.

16 MR. BRENNER: That's a major issue
17 for us because, again, that's right
18 adjacent to our property. There's
19 going to be a dual structure two floors
20 up, so the sound reverberates off that.
21 We're going to be hearing that air
22 conditioner all the time over there,
23 and if we end up building a house on
24 that piece of property, and there's an
25 air conditioner, they're asking a
Flynn Stenography & Transcription Service

(631) 727-1107

1 variance to bring it over, I think
2 that's a real issue for us in terms of
3 quality of life. I mean, there are air
4 conditioning systems that are five
5 hundred feet away from us that give us
6 a problem that we hear the noise. This
7 is going to be right adjacent to not
8 only this piece of property, but our
9 house.

10 MR. SARETSKY: So I guess the
11 question that I have is following along
12 that, this is I assume a cantilevered
13 piece of deck, and it's -- whatever
14 sloped underneath to help it. So could
15 this be, if this is on the other side
16 of the house where this is a greater
17 setback, or I should say where the
18 proposed deck -- so, like, if it's on
19 that side, maybe that would alleviate
20 this problem?

21 MS. ROLLIN: I think our other
22 neighbors would have a problem then,
23 and their house is actually closer to
24 the property line.

25 MR. TERZI: And there is an actual
Flynn Stenography & Transcription Service

(631) 727-1107

1 house there.

2 MR. GOLDFEDER: On the west side?

3 MR. TERZI: Yes.

4 MR. SARETSKY: But the only
5 question I have on the west side is
6 that it doesn't really show a distance
7 to the property line, but it's much
8 greater than this distance, right?

9 MR. TERZI: But we can't --

10 MR. SARETSKY: What I'm saying is
11 if you go towards this proposed spot,
12 and I assume that your deck is at 10,
13 12 feet, whatever the elevation is.

14 MS. ROLLIN: 16.

15 MR. SARETSKY: So then underneath
16 it at, like, let's just call it 8 foot
17 or something, you could have your
18 utility, and it could be in this corner
19 where it would be pretty far from your
20 neighbor because they'll have a setback
21 on that side, and then maybe you'll
22 alleviate the problem on the right
23 side, if I'm saying it right.

24 MS. ROLLIN: Are we allowed to put
25 it under the house like that?

(631) 727-1107

1 MR. SARETSKY: I think it just has
2 to be above flood elevation, which is
3 --

4 MR. CASHIN: It has to be open on
5 top.

6 MR. SARETSKY: Open on top, but it
7 can be -- it's almost, like, a walkway,
8 right, in other words, if I'm saying
9 that right.

10 MR. CASHIN: It can't be
11 underneath the house where the heat
12 can't go up from.

13 MR. GOLDFEDER: It's got to be up
14 four feet.

15 MR. TERZI: And it's got to be
16 above base floor, so at least 12.

17 MR. SARETSKY: I guess, my
18 question is this distance from here to
19 here (indicating) is surely greater
20 than this distance right now to the
21 property line. If you want to pick the
22 location that's furthest from whoever
23 it is from the property line, that's
24 the spot, right?

25 MR. TERZI: Although currently as
Flynn Stenography & Transcription Service

(631) 727-1107

1 Steve has pointed out, 10 is currently
2 a vacant lot and is a -- would be a
3 considerable challenge with current
4 zoning laws to be able to build on that
5 lot.

6 MR. BRENNER: I don't know that it
7 would be any more difficult than your
8 lot.

9 MR. GOLDFEDER: They're both
10 tough.

11 MR. BRENNER: They're both
12 difficult.

13 MR. CASHIN: Where are your
14 outside utilities now?

15 MS. ROLLIN: We don't have any.

16 MR. TERZI: We don't have any air
17 conditioner, but if you look on the
18 existing survey you'll see the platform
19 that's there.

20 MS. BRENNER: Rob, I'm not -- I
21 haven't seen the platform, so I'm not
22 aware, but you're talking about 2 steps
23 up for Con Ed to reach the box.

24 MS. ROLLIN: 5 steps, 6.

25 MR. GOLDFEDER: 3 by 4 by 4
Flynn Stenography & Transcription Service

(631) 727-1107

1 platform, and I think there used to be
2 an air conditioning unit on the west
3 side at one time, it looked like there
4 was --

5 MS. ROLLIN: That house has never
6 had air conditioning.

7 MR. GOLDFEDER: Oh, it never did?

8 MS. ROLLIN: Since the 1950's. It
9 doesn't have insulation. It had no
10 interior walls when we moved in.

11 MR. GESSIN: When you build the
12 house, the platform can go away, the
13 meter can go up on the deck then.

14 MR. BRENNER: Right, sure, that's
15 what we have.

16 MR. TERZI: We were utilizing that
17 existing footprint to put the utility
18 platform.

19 MS. ROLLIN: And to try to
20 maximize --

21 MR. GOLDFEDER: So is 2A a deal
22 breaker for you?

23 MS. ROLLIN: I'm sorry?

24 MR. GOLDFEDER: We're talking
25 about 2A on the list of five, the rear
Flynn Stenography & Transcription Service

(631) 727-1107

1 yard setback for an accessory
2 structure, is that what we were talking
3 about on that?

4 MS. ROLLIN: No.

5 MR. BRENNER: No, we're talking
6 about the utility platform.

7 MR. GOLDFEDER: So is 2C a deal
8 breaker for you as the homeowner, does
9 that have a major impact?

10 MR. TERZI: We need to look into
11 that because we need to confer with the
12 architect, we also need to make sure
13 that we can do it in such a way that it
14 won't alter the DEC or Suffolk
15 County --

16 MS. ROLLIN: I don't think they're
17 going to allow us to put it in the
18 back. They already gave us a 4 foot
19 walkway.

20 MR. PROKOP: Does anybody see the
21 10.1 foot on the survey? I mean, I
22 think I know the thing that you're
23 talking about, but it's not in here.
24 Is the setback actually indicated?

25 MS. ROLLIN: Which one Joe?
Flynn Stenography & Transcription Service

(631) 727-1107

1 MR. PROKOP: The 10.1.

2 MS. ROLLIN: Point it out.

3 MR. PROKOP: No, that's what I'm
4 saying, there's nothing to point out.

5 MR. GESSIN: What if we just
6 pushed the utilities against the house,
7 put it where the deck is.
8 Unfortunately you wouldn't have a walk
9 around deck anymore.

10 MS. ROLLIN: That's the whole
11 purpose, having that walk around deck
12 without having to go through the house
13 from front to back.

14 MR. BRENNER: How big a walkway do
15 you need to walk along the side? On my
16 house it's very, very narrow.

17 MR. TERZI: The walkway is not
18 very big.

19 MR. BRENNER: It's a very tiny
20 little walkway.

21 MR. TERZI: That's the walkway.
22 And it's -- and that is the platform to
23 put any --

24 MS. BRENNER: How wide is the
25 walkway?

(631) 727-1107

1 MR. BRENNER: How wide is the
2 walkway?

3 MR. GESSIN: One second.

4 MR. SARETSKY: It looks like it's
5 about 3 or 4 feet.

6 MR. GESSIN: It's a little over 3
7 feet at that point where it passes the
8 generator.

9 MS. BRENNER: If you move it to
10 where you had suggested, what is the
11 objection to that?

12 MS. ROLLIN: The objection is not
13 moving the walkway.

14 MR. SARETSKY: I think they're
15 saying that there would be a problem
16 with the house next door. I guess, I'm
17 just looking at the drawing --

18 MR. BRENNER: There's much more
19 space.

20 MR. SARETSKY: It could also sit
21 right here. I understand that you'd
22 have to landscape around it because you
23 don't want to look at the air
24 conditioning condensers, but I've seen
25 it in the Village where people put
Flynn Stenography & Transcription Service

(631) 727-1107

1 slats in front of it or whatever it is.
2 I mean, I understand you want to be
3 sensitive to these people, but in
4 fairness to this side -- in other
5 words, it's really finding a location
6 for it where it can fit, and I don't
7 think the law says it can't go over the
8 raised area for a cesspool, I think it
9 just has to be a certain height
10 above flood elevation.

11 MS. ROLLIN: We'll have to check,
12 but our understanding was that nothing
13 can even cantilever over that.

14 MR. CASHIN: You can't be over it.

15 MS. ROLLIN: You can't be over the
16 cesspool.

17 MR. CASHIN: I don't know about
18 the cesspool, but you can't have
19 anything over the air conditioning
20 unit.

21 MR. SARETSKY: That I understand,
22 but what I guess the architect is
23 telling them that if this was
24 cantilevered over the raised field that
25 surrounds the cesspools, they're saying
Flynn Stenography & Transcription Service

(631) 727-1107

1 that that's not allowed.

2 MS. ROLLIN: Because their
3 reasoning is they need to be able to
4 get a backhoe in there to dig things up
5 if they have to.

6 MR. TERZI: Otherwise we would
7 have put deck over that.

8 MR. SARETSKY: Right. You would
9 not be even close to the cesspools
10 themselves.

11 MR. GOLDFEDER: Actually if you
12 cantilever off the west side of the --

13 MR. TERZI: But that would
14 essentially be placing that directly
15 visible from the street.

16 MR. SARETSKY: Right, I
17 understand.

18 MR. TERZI: So we're trading off
19 moving it from what is at this point in
20 time an empty lot for possible future
21 house that might get built there versus
22 moving it to closer to a currently
23 existing home.

24 MS. BRENNER: Excuse me, Rob,
25 there's another issue. We have a deck
Flynn Stenography & Transcription Service

(631) 727-1107

1 that, as you know, comes out over
2 closer to your home. That's where we
3 primarily sit. That air conditioning
4 unit that you're proposing would be
5 very close to that, and that's our
6 problem.

7 MS. ROLLIN: Merle, it's not as
8 close as this distance to their house.
9 There's a whole empty lot here, and
10 your land doesn't start until --

11 MS. BRENNER: Our empty lot, Kat,
12 is empty today. We don't know when we
13 will be building, what our plan will be
14 to build.

15 MR. GESSIN: What if we put the
16 air conditioner and the generator
17 against the house and make the walkway
18 go around it because that will push it
19 further away from you and still really
20 gives you what you want.

21 MS. BRENNER: On which side are
22 you speaking?

23 MR. GESSIN: Same side of the
24 house, but instead of having the
25 generator and the air conditioner out
Flynn Stenography & Transcription Service

(631) 727-1107

1 here, put them against the house, and
2 change the deck so it goes around.

3 MS. BRENNER: Would that alleviate
4 the noise you think?

5 MR. GESSIN: It give you another
6 four or five feet further away from
7 you, push it right up against the house
8 like every other house in the Village.

9 MR. SARETSKY: It looks like
10 there's a --

11 MS. ROLLIN: That's a deck.

12 MR. SARETSKY: When you go beyond
13 the deck, that deck that sticks out I
14 guess from the right-hand side, in
15 other words, if you went to the outer
16 most portion of that, now you're well
17 within the setback side of the space
18 and you could face the water, and then
19 it's less obtrusive that way.

20 MR. CASHIN: They lose this slider
21 here.

22 MR. SARETSKY: Oh, I see because
23 it notches out here.

24 MR. GOLDFEDER: Which is probably
25 what you would have to do if 2C wasn't
Flynn Stenography & Transcription Service

(631) 727-1107

1 approved. That's where you would end
2 up with, you just wouldn't have the
3 walkway going around.

4 MR. BRENNER: Listen, this should
5 be not obtrusive to anybody. I mean,
6 you know, noise out here is a major
7 problem, prevailing winds are west to
8 east, and if anybody sits out on the
9 deck, noise travels a lot here, and we
10 have as my wife mentioned our major
11 entertaining deck in order to catch the
12 breezes is the closest to their house.
13 That noise would for us very difficult.

14 MR. SARETSKY: I think the
15 question for the architect is that it's
16 my understanding that walkways and
17 cantilevered utility things don't count
18 as -- Harvey, is that true, I mean --

19 MR. GESSIN: Well, the 4 foot
20 walkway around the house doesn't count,
21 and the utilities don't count, you
22 know, but they've doubled them up here.

23 MR. SARETSKY: I understand. All
24 I'm saying is that if you went to this
25 furthest most point, which obviously
Flynn Stenography & Transcription Service

(631) 727-1107

1 would be less a problem for them and
2 not a problem for the other people, if
3 it were to sit over here (indicating),
4 I don't think it counts in the setback
5 to the bay.

6 MS. ROLLIN: But then don't -- so
7 basically you're putting that right in
8 front of our main entertaining area.

9 MR. SARETSKY: No, no, no, it
10 would sit below it. In other words,
11 what I'm saying is your deck is at 16
12 feet.

13 MR. TERZI: The condensers need
14 clear air above it.

15 MR. SARETSKY: Clear air just
16 means there's nothing on top of it.
17 Okay? And by the way, I think that
18 clear air is a certain amount of volume
19 on a height, so if you're at 8 foot,
20 and you have another 8 feet until you
21 get there, you're not going to see it.

22 MR. TERZI: Okay.

23 MR. GESSIN: He can't mount it
24 under the deck, it's still got to be 2
25 foot above the flood plane. The
Flynn Stenography & Transcription Service

(631) 727-1107

1 structure where it says minimum 14,
2 which is where the other house is.

3 MR. TERZI: And to be clear, one
4 of the primary reason why that is where
5 it is is trying to utilize the existing
6 footprint as much as possible within
7 the lines of what's on the survey.

8 MR. GESSIN: Would you have a
9 problem flip-flopping this, making the
10 walkway go around the air conditioner
11 and the generator?

12 MR. TERZI: I don't believe so. I
13 need to certainly run that past the
14 architect.

15 MR. GESSIN: Would you have a
16 problem?

17 MS. BRENNER: I'm sorry.

18 MR. GESSIN: What I'm suggesting,
19 and no pressure, but what I'm
20 suggesting is they flip this and put
21 the air conditioning and the generator
22 against the house like every other
23 house in the Dunes, and then change
24 this plan so that only the deck is
25 encroaching in the side yard as opposed
Flynn Stenography & Transcription Service

(631) 727-1107

1 to the air conditioning.

2 MS. BRENNER: Aesthetically that
3 would be lovely, but practically the
4 volume of noise would still be there.

5 MR. GESSIN: Yeah, but they could
6 as of right to not have the deck there
7 at all and not even be in front of this
8 Board. They would get that no matter
9 what.

10 MR. PROKOP: I think part of the
11 comment is to require some kind of
12 baffling around the units wherever
13 they're located in that space, you
14 know. You mentioned louvers or slats,
15 I don't know if that's sufficient.

16 MR. SARETSKY: It helps.

17 MR. PROKOP: I've seen everything
18 where people -- all these units, you
19 can go online now and see what their
20 decibels is, that's never been done in
21 this Village, it's done in other
22 places. Because of how we built out,
23 it shouldn't be imposed, but if, you
24 know, slats and things, you know,
25 buffering is something that should be
Flynn Stenography & Transcription Service

(631) 727-1107

1 considered.

2 MR. BRENNER: I mean, we just
3 would want anything that would diminish
4 the sound that would impact our ability
5 to enjoy what we have in our house.
6 You're going to decide what you want to
7 do, but I think you understand our
8 position.

9 MR. GESSIN: Absolutely.

10 MR. BRENNER: I'm not asking for
11 much.

12 MR. GESSIN: I think they're
13 trying to work with us.

14 MR. BRENNER: I think they are
15 too.

16 MR. GOLDFEDER: And there are
17 sound barriers in landscaping. You can
18 put up some shrub bush.

19 MR. BRENNER: I would ask to have
20 all of that done to protect us if we're
21 going to make an accommodation to allow
22 them to do that. You know, whatever
23 could be done to diminish that noise I
24 would really appreciate.

25 MS. ROLLIN: We can do that.
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. BRENNER: If that's the
2 decision to have it against the house.

3 MR. GESSIN: Would you be okay
4 flip-flopping?

5 MR. TERZI: I think so.

6 MS. ROLLIN: We need to make sure
7 we can get around it because those are
8 square corners.

9 MR. GESSIN: Maybe you'll put this
10 on a 45 and a 45 back again, but
11 basically just, you know, what I think
12 the Board and I think what they're
13 looking for is to push it against the
14 house.

15 MR. GOLDFEDER: With that, it's
16 still serviceable.

17 MR. TERZI: I think that should be
18 -- you know, we need to talk about with
19 the others to make sure we're okay with
20 the --

21 MS. BRENNER: I think the other
22 alternative would be to ask the
23 architect if there's another practical
24 place to put it that wouldn't harm the
25 east side of the house.

(631) 727-1107

1 MR. GESSIN: They're unfortunately
2 pretty limited here. I mean, if you
3 put it here you're really actually in
4 the front yard.

5 MS. ROLLIN: And we won't get our
6 septic. I don't think they would go
7 for it.

8 MR. GESSIN: I don't know if that
9 would be an issue, but anyhow you'd
10 really be in the front yard.

11 MR. GOLDFEDER: I was impressed,
12 to tell you the truth, that the DEC
13 signed off on it.

14 MS. ROLLIN: So were we.

15 MR. GESSIN: It's funny because
16 they actually have an existing deck
17 which really takes them out of
18 jurisdiction, existing bulkhead.

19 MR. TERZI: Unfortunately --

20 MS. ROLLIN: It's about one foot
21 too sure.

22 MR. TERZI: Because there was a
23 previous boat slip, so they said
24 there's not a hundred feet there. We
25 did try --

(631) 727-1107

1 MR. GESSIN: I don't follow that.

2 MS. ROLLIN: It has to be a
3 hundred feet long.

4 MR. GESSIN: You're kidding me.

5 MS. ROLLIN: It's 99 feet.

6 MR. GESSIN: I thought existing
7 was existing as long as --

8 MR. TERZI: That was the first
9 thing we tried with the DEC, but in any
10 case, we were able to get the DEC
11 permit and we're --

12 MR. BRENNER: The other question,
13 kind of what Joe said, I'm not privy to
14 this, but are there criteria for the
15 noise levels from, say, utilities.

16 MR. GESSIN: Not in this village.

17 MR. BRENNER: Because an inferior
18 product is going to make more noise and
19 a better product, I don't know if
20 that's true or not, but a better
21 product may have sound insulated a
22 little bit better, and I would
23 appreciate if that were to be the case
24 if that could be considered.

25 MR. PROKOP: I think in general
Flynn Stenography & Transcription Service

(631) 727-1107

1 the sound should be -- there should be
2 some kind of attenuation of the sound.

3 MR. CASHIN: When you talk to the
4 engineer and architect, ask them what
5 the options are for the sound.

6 MS. ROLLIN: We don't want to live
7 with the sound either. We're going to
8 be a lot closer to it.

9 MR. CASHIN: It's going to be an
10 air filter.

11 MR. GOLDFEDER: What would be an
12 appropriate sound barrier?

13 MS. BRENNER: I have no idea.

14 MR. GOLDFEDER: Because it could
15 be as much as 2000 dollars for the
16 difference between one unit and another
17 unit, which is tough to impose on
18 someone, but if there are other
19 barriers that can maybe be put in
20 place.

21 MR. BRENNER: Whatever it could
22 be. I mean, I'm just saying I would
23 like the decibel level to be as low as
24 it could be within reason. I'm not
25 asking --

(631) 727-1107

1 MR. GOLDFEDER: As a Board, we may
2 be able to come to a decision where we
3 say maybe appropriate landscaping --

4 MR. TERZI: There are landscaping
5 options as well as that could be
6 applied.

7 MR. BRENNER: I don't want you to
8 build a barrier for the Taj Mahal.

9 MR. GOLDFEDER: That's a good
10 point to contend because somebody may
11 put up a large wooden structure, and
12 then you say whoa, wait a minute, I
13 didn't mean that.

14 MR. BRENNER: We're talking
15 reasonable.

16 MR. GOLDFEDER: Something that is
17 aesthetically pleasing, like,
18 landscaping.

19 MR. BRENNER: I think that's a
20 reasonable request, and I'm not looking
21 to break their bank.

22 MS. BRENNER: And the landscaping
23 would be on their property?

24 MR. GESSIN: Yes.

25 MS. BRENNER: Then where would the
Flynn Stenography & Transcription Service

(631) 727-1107

1 walkway be? Is there room for
2 landscaping on the other side of the
3 walkway?

4 MR. GOLDFEDER: Yeah.

5 MR. SARETSKY: 12 foot 3, right,
6 or I guess slightly --

7 MR. TERZI: 10 feet.

8 MS. ROLLIN: Where my garden is
9 now.

10 MR. GESSIN: Or when you build the
11 rail, you know, I'm just going to
12 suggest this, maybe what you do rather
13 than just a regular rail, you do a
14 slatted, you know, turn it this way,
15 and --

16 MR. BRENNER: Like, a louver?

17 MR. GESSIN: For that one little
18 section, and then don't worry about the
19 landscaping.

20 MR. GOLDFEDER: Okay. So that's
21 2C.

22 MR. BRENNER: We thank you.

23 MR. GOLDFEDER: That's it, those
24 were your only concerns?

25 MS. BRENNER: Absolutely.
Flynn Stenography & Transcription Service

(631) 727-1107

1 Everything else is fine. Thank you.

2 (Whereupon Mr. And Mrs. Brenner
3 exited the Zoning Board Hearing.)

4 MR. GESSIN: Does the Board have
5 any other questions on the five
6 variances that they are looking for?

7 MR. CASHIN: Can we go through
8 them real quick?

9 MR. GESSIN: Sure. Do you have
10 anything else you'd like to add?

11 MR. TERZI: No, I think we should
12 go through it.

13 MR. GOLDFEDER: Is there a
14 finished product for the plans?

15 MR. TERZI: Elevations?

16 MR. GOLDFEDER: Well, just an
17 honest rendering?

18 MS. ROLLIN: We had elevations
19 that we sent to Bob.

20 MR. CASHIN: Here's the rendering
21 for SEQRA.

22 MR. GOLDFEDER: No, but just to
23 get a sense of how SEQRA helps --

24 MS. ROLLIN: It's going to be
25 cedar sided.

(631) 727-1107

1 MR. GOLDFEDER: That's a garage?

2 MS. ROLLIN: Two garages.

3 MR. PROKOP: Where is that?

4 MS. ROLLIN: The garages are here
5 (indicating).

6 MR. GOLDFEDER: Under the house.

7 MS. ROLLIN: Because the septic
8 takes up so much space.

9 MR. GOLDFEDER: No, I walk the
10 property and I see how much water can
11 come up during the lunar tide on that
12 property, that's why I'm surprised to
13 see --

14 MS. ROLLIN: I think we are
15 graded, that hole we're sitting in, so
16 we're going to end up having to bring
17 some sand in there.

18 MR. CASHIN: Do we have the plans
19 in the file? We should. Do you have
20 another set.

21 MR. TERZI: This is the only set
22 we have printed. We can certainly send
23 you the PDF.

24 MR. GOLDFEDER: The other thing we
25 will ask for is the lighting plan for
Flynn Stenography & Transcription Service

(631) 727-1107

1 this as well.

2 MR. GESSIN: We'll get into that.
3 They don't even know about that.

4 MR. TERZI: In actuality, the
5 house itself is really not that big
6 once you subtract the -- if you look at
7 the footprint versus the existing
8 house, we're mostly squaring off the
9 existing house, and then it's the decks
10 and walkways to get around the house
11 that are adding.

12 MR. GESSIN: Do you want to go
13 through them one item at a time?

14 MR. SARETSKY: Let's just roll
15 through it.

16 MR. GESSIN: The first one, 1A, a
17 rear yard setback of 19.5 for a primary
18 structure where a primary structure is
19 requested where a setback of 42.9 is
20 required.

21 MR. CASHIN: Where is that?

22 MR. TERZI: So that's the --

23 MR. SARETSKY: They used the
24 closest, 66.4.

25 MS. ROLLIN: Remember, your rear
Flynn Stenography & Transcription Service

(631) 727-1107

1 yard is facing the road.

2 MR. GESSIN: When you're on the
3 water, the water is the front of the
4 house.

5 MR. PROKOP: I thought that was
6 different for the bay than it is for
7 the ocean. Are you sure about that?

8 MS. ROLLIN: That's what Bob told
9 us.

10 MR. TERZI: Or at least that's how
11 he wrote the --

12 MR. CASHIN: So you're requesting
13 19.5 and the code is what?

14 MR. SARETSKY: 42.9. They're
15 moving up a foot.

16 MR. CASHIN: This is another one
17 of the grandfathered --

18 MS. ROLLIN: Well, if you look
19 at --

20 MR. GOLDFEDER: It's an angled
21 foot.

22 MS. ROLLIN: Look down at 1A,
23 we're currently at 20.9 there.

24 MR. GESSIN: Yes, and you're going
25 down to 19.5 for the house, and I
Flynn Stenography & Transcription Service

(631) 727-1107

1 guess, 12.7 for the deck.

2 MS. ROLLIN: So where is my --

3 MR. GOLDFEDER: So this brings you
4 closer on the left side.

5 MS. ROLLIN: Yeah. I mean, we're
6 basically -- there's already a deck
7 here, and we're just asking to square
8 this off so we can get around to the
9 back of the house, put a walkway around
10 here to the back of the house.

11 MR. SARETSKY: I thought the
12 walkway, again, doesn't count. In
13 other words, maybe you could argue that
14 it could be chamfered, but if that were
15 truly a walkway --

16 MR. GESSIN: Permitted
17 encroachment into the front and side
18 yards.

19 MR. SARETSKY: So you sort of have
20 that.

21 MR. GESSIN: Bob wrote this, they
22 didn't write it.

23 MR. SARETSKY: Just for precedent
24 setting, if 12.7 doesn't really need to
25 be 12.7 because that's a walkway
Flynn Stenography & Transcription Service

(631) 727-1107

1 then --

2 MR. TERZI: There's 1A and 2A in
3 terms of the variance --

4 MR. GESSIN: Let's do the first
5 one first, and then we'll go onto the
6 second one. So they're looking for a
7 little more than 1 more foot relief
8 than they currently have on the house
9 setback.

10 MR. CASHIN: I don't have an
11 objection.

12 MR. GESSIN: Let's go to the
13 second one, a rear yard setback of 12.7
14 -- this is the walkway -- for an
15 accessory structure is requested where
16 the setback would normally be 20 foot
17 as a requirement. Now, is that that --
18 let's just measure it. If it's 4 foot
19 or less, they don't need that variance.

20 MR. SARETSKY: I think it's just
21 that corner that's going to be the
22 piece that's 12.7, so then we could get
23 out of that.

24 MR. GESSIN: Yeah. See, that's
25 the problem, to the outside of the rail
Flynn Stenography & Transcription Service

(631) 727-1107

1 it's 6 feet.

2 MS. ROLLIN: Okay. So hang on,
3 you should really be measuring this
4 one. On this floor it cuts in a little
5 bit so that I could have a little bit
6 more space here, but on this floor --

7 MR. SARETSKY: This is which floor
8 now?

9 MS. ROLLIN: This is the second
10 floor.

11 MR. SARETSKY: It's the lower
12 floor that counts.

13 MR. PROKOP: I wouldn't overrule
14 the building inspector on this. I
15 mean, it's my recommendation.

16 MR. GOLDFEDER: So the accessory
17 structure is which? The shed is coming
18 out.

19 MS. ROLLIN: The shed is coming
20 out. He's calling the decks accessory
21 structures. That wasn't my reading of
22 the code, but that was his reading of
23 the code.

24 MR. GOLDFEDER: That would be on
25 the west side over the septic?
Flynn Stenography & Transcription Service

(631) 727-1107

1 MR. TERZI: This is the east side
2 corner that --

3 MS. ROLLIN: We're talking about
4 this line right here (indicating).

5 MR. GOLDFEDER: Is that going to
6 come out to the same foot over as the
7 previous?

8 MR. TERZI: The 2A, the house
9 is --

10 MS. ROLLIN: This corner right
11 here is the first one, so -- and that's
12 -- so then, like I said, if we're
13 saying that -- where did it go?

14 MR. GOLDFEDER: So it's just
15 making it more symmetrical is what
16 you're trying to do, is what it looks
17 like.

18 MS. ROLLIN: Yes. This is the
19 edge of the house that you just
20 approved the first variance for. So
21 then the walkway is only three feet
22 more than the variance you just
23 approved.

24 MR. GESSIN: On the second floor,
25 but not on the first floor.

(631) 727-1107

1 MR. GOLDFEDER: So you want to
2 begin the walkway a little closer to --

3 MR. GESSIN: Well, they're not
4 making it into a walkway, they're
5 making it into a sitting deck. It's
6 not a typical walk around walkway.

7 MR. SARETSKY: I was only just
8 listening to what Joe said, I don't
9 want to upset the apple cart, but I was
10 only trying to avoid another one if
11 that was possible, but you know, I'll
12 defer to you.

13 MR. GESSIN: Yeah, I mean,
14 personally if we pulled back the 4 feet
15 I don't think we need a variance.

16 MR. SARETSKY: Right. And then
17 that comes off the table, and it's as
18 of right, and it's a little simpler I
19 think.

20 MS. ROLLIN: Here's the thing,
21 though. I could because I have the
22 variance already for this edge of the
23 house, jut the house out there and then
24 I've only got --

25 MR. GESSIN: No, you'd --
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. ROLLIN: I made my kitchen
2 smaller right here so that I could have
3 a little --

4 MR. GESSIN: Instead of 19.5 feet,
5 you'd have 17.5.

6 MS. ROLLIN: No, the variance that
7 we just -- is it 19.5?

8 MR. SARETSKY: 19.5.

9 MR. GESSIN: You're at 20.9.

10 MS. ROLLIN: I was just trying to
11 drink coffee and watch the neighbors go
12 by.

13 MR. SARETSKY: It's just that
14 corner. In other words, this 12.7, you
15 move that corner back to the amount you
16 need to be at, which I can't do it in
17 my head, then either you have a little
18 chamfered piece there, and it's totally
19 as of right. You don't need --

20 MR. GESSIN: It's a regular
21 walkway like every other house in the
22 Village.

23 MR. SARETSKY: I'm just worried
24 about precedent setting down the road.

25 It's one thing to understand your
Flynn Stenography & Transcription Service

(631) 727-1107

1 request for the front of the house, the
2 distance to the street, but then, you
3 know, across the street from you we had
4 a whole big thing about this.

5 MR. GESSIN: Yeah.

6 MR. SARETSKY: This was a big deal
7 with your neighbor who was completely
8 redoing a deck on their porch.

9 MR. GESSIN: Would you be okay
10 pulling this back to 4 feet?

11 MS. ROLLIN: The deck above is
12 going to hang out over that.

13 MR. GESSIN: Well, that one may
14 have to go back also or eliminated.

15 MR. TERZI: What would be -- in
16 terms of the feasibility of not pulling
17 the house in there so that we're asking
18 then for 1 more foot?

19 MR. GESSIN: Say that again.

20 MS. ROLLIN: If we were to square
21 the house off, so you square that off
22 right there (indicating), would you
23 give us that so that this is not an
24 issue?

25 MR. GESSIN: Then your variance
Flynn Stenography & Transcription Service

(631) 727-1107

1 would be 17.5.

2 MS. ROLLIN: Yeah.

3 MR. PROKOP: You just couldn't do
4 it today, we'd have to re-notice the
5 meeting.

6 MR. GESSIN: You have to tell us
7 if that's what you want to do. You
8 have to redraw this and resubmit it.

9 MR. TERZI: The main concern is
10 the two bedrooms above that are a
11 little tight, so if we pull that in a
12 foot, and then have to pull in that
13 walkway as well then we lose a foot off
14 that bedroom.

15 MR. SARETSKY: This is 30 feet
16 right here?

17 MS. ROLLIN: Yeah.

18 MR. SARETSKY: If that 3 foot
19 could line up in that corner --

20 MR. GESSIN: It's 4 foot to the
21 outside of the rail.

22 MR. SARETSKY: It doesn't seem
23 like it's a problem as you go further
24 to the left, it's really just this
25 corner.

(631) 727-1107

1 MS. ROLLIN: And we're not taking
2 those trees out, those trees are
3 staying.

4 MR. SARETSKY: That's fine.
5 Fixing the corner is going to
6 necessarily effect the trees.

7 MS. ROLLIN: No, no, I'm just
8 saying that we're not taking the trees
9 out, so you can't really see it,
10 there's big olive trees there that I'm
11 going to make them leave.

12 MR. TERZI: If possible, we'd like
13 to keep this dimension as much as
14 possible.

15 MR. SARETSKY: Harvey, I don't
16 think this dimension is effected by
17 what we're talking about, it's this
18 corner and the level below that just
19 needs to get -- however the architect
20 shows something to bring it in, it
21 would then -- I think that that would
22 be kind of bullet proof.

23 MR. TERZI: So we'd be okay with
24 this deck overhanging the other deck by
25 a foot?

(631) 727-1107

1 MR. SARETSKY: I think you might
2 have to make that same line. In other
3 words, whatever you cut the corner to,
4 you can't go over it on the deck above
5 because that's the whole point to it.
6 The envelope of whatever it is is the
7 same, but I don't want to beat a dead
8 horse. I mean, Joe your recommendation
9 is to leave it.

10 MR. PROKOP: No, I don't have a
11 recommendation. We have to repost the
12 notice, and my only two comments is I
13 just want to make sure that -- forget
14 about the thing about the building
15 inspector because you're past that now,
16 if you increase -- if you decrease any
17 of the setbacks, meaning you increase
18 the variance, you have to re-notice it,
19 but I don't know if this is going to be
20 resolved today anyway, but it just
21 definitely something to keep in mind.

22 MR. GESSIN: I'm actually not
23 following what you're talking about
24 with the second floor. This wall and
25 the wall below line up or no?
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. ROLLIN: No.

2 MR. GESSIN: They don't line up?

3 See, I can't tell that.

4 MR. SARETSKY: So the second floor
5 sticks out further?

6 MS. ROLLIN: The second floor
7 sticks out a little bit further there.
8 It lines up with this (indicating).

9 MR. GESSIN: So you need an
10 additional variance for that also.
11 You're actually down to 17.5.

12 MS. ROLLIN: Not according to Bob.

13 MR. GESSIN: So Bob is wrong.

14 MR. SARETSKY: So that's not
15 right.

16 MR. GESSIN: This variance is
17 incorrect. That's really 17.5 on the
18 house.

19 MS. ROLLIN: I had it for 3
20 months.

21 MR. PROKOP: What was going on in
22 2013, there's several revisions, were
23 you just trying to get this --

24 MR. TERZI: That was just starting
25 the process.

(631) 727-1107

1 MS. ROLLIN: We had an architect,
2 disappeared on us. We got another
3 architect, which you know how Fox is.

4 MR. GOLDFEDER: And you needed to
5 keep updated with the DEC as well.

6 MR. TERZI: I arrow marked the
7 wetlands in 2013, we did the test hole
8 in 2013.

9 MR. GOLDFEDER: Did anything
10 change after Sandy on the property?

11 MS. ROLLIN: No.

12 MR. CASHIN: I wanted to address
13 something you mentioned. If we're
14 going to grant a variance here and the
15 building inspector is using the
16 grandfathered location, so we're really
17 talking about a foot or something like
18 that whereas really because of the
19 grandfathered thing the application
20 reads 10 or 11 feet, that's a bad
21 precedent for us. Somebody else could
22 come back with it and say listen, you
23 granted them an 11 foot variance when
24 actually it was only a foot, you know,
25 because it's grandfathered. So we have
Flynn Stenography & Transcription Service

(631) 727-1107

1 to be careful how we word it. Do you
2 understand what I'm saying?

3 MR. GOLDFEDER: Yeah, so it's
4 nonconforming.

5 MR. PROKOP: The house that's
6 existing --

7 MR. SARETSKY: I'm not trying to
8 punish them.

9 MR. PROKOP: This is what we went
10 through with Yale's house. When you
11 remove the house, you don't get
12 grandfathered if the house is taken
13 away.

14 MR. CASHIN: We'd have to record
15 it as a 10 foot variance or more?

16 MS. ROLLIN: That's not our
17 understanding.

18 MR. PROKOP: As a new variance. I
19 mean, you could say it's not going to
20 increase the impact because it's where
21 they were before, but you would just
22 have to notice that beforehand.

23 MR. CASHIN: I think we should
24 have that verbiage in there because
25 otherwise someone is going to come back
Flynn Stenography & Transcription Service

(631) 727-1107

1 and say wait a minute, you granted them
2 12 feet when we're not really, we're
3 talking about a foot.

4 MR. PROKOP: I mean, it's logical
5 that you would grant it, it's just that
6 we should word it differently so it's
7 recognized.

8 MR. SARETSKY: Right. That's my
9 only concern, it comes back, and
10 nothing against you guys.

11 MR. CASHIN: Do we have to go over
12 the other ones?

13 MR. SARETSKY: We might as well
14 because if they have to fix this one,
15 then let's make sure the other two are
16 okay.

17 MR. TERZI: Now, if we cut a foot
18 off the house and kept the second floor
19 off a foot and then cut both decks back
20 so that they are just walkways, then
21 we're --

22 MR. SARETSKY: Then you're as of
23 right, my understanding.

24 MR. GOLDFEDER: Yeah.

25 MR. SARETSKY: That's the best.
Flynn Stenography & Transcription Service

(631) 727-1107

1 You don't even -- we're not even --
2 this group is not even involved.

3 MR. GESSIN: Are you talking about
4 the walkway, or are you talking about
5 the house?

6 MR. GOLDFEDER: Both.

7 MR. SARETSKY: If the house got
8 pushed back so that it's conforming --

9 MS. ROLLIN: The top part of the
10 house.

11 MR. SARETSKY: So we're saying if
12 we gave you the foot at the bottom, you
13 got that, you stay to that dimension,
14 then that's the only piece.

15 MR. GESSIN: Oh, you want to
16 instead of having this two feet over
17 the first floor, you want to make it
18 one foot over the first floor?

19 MR. SARETSKY: Right. That's what
20 we were saying before, so you either
21 shift everything back, you take a foot
22 off the deck, however you do it,
23 compress it in some shape or form.

24 MS. ROLLIN: You said as long as
25 we're within 4 feet of the house with
Flynn Stenography & Transcription Service

(631) 727-1107

1 the walkway, then we're fine.

2 MR. GESSIN: The walk around
3 walkways have been historically
4 permitted to be front and side yard
5 encroachment to walk from the front to
6 the back.

7 MS. ROLLIN: And it's 4 feet?

8 MR. GESSIN: Yes, including the
9 rails.

10 MR. SARETSKY: Are you sure it's
11 4?

12 MR. PROKOP: It's 4.

13 MS. ROLLIN: 3 with the rails
14 would be impossible.

15 MR. SARETSKY: When you have it
16 redrawn, I want it to be the last.

17 MR. PROKOP: The other thing I
18 want to mention is this, if the pre-'92
19 footprint is grandfathered, the
20 footprint -- and the problem with the
21 other house was that it wasn't -- we
22 had, like, a moving footprint.

23 MR. GOLDFEDER: At '95 it was
24 moved, that's right.

25 MR. PROKOP: If this is the
Flynn Stenography & Transcription Service

(631) 727-1107

1 footprint of the house, that's
2 grandfathered.

3 MR. SARETSKY: For new?

4 MR. PROKOP: Really for
5 everything. It's on the property.

6 MR. GESSIN: Any preexisting,
7 pre-'92 footprint does not need
8 additional variances?

9 MR. PROKOP: That's guaranteed
10 footprint by federal law.

11 MR. CASHIN: Okay. What's the
12 next one?

13 MR. TERZI: That should make the
14 others easy.

15 MR. GESSIN: An east side yard
16 setback of 12.3 feet for an accessory
17 structure requested where a setback of
18 20 foot is required.

19 MS. ROLLIN: That's existing.

20 MR. SARETSKY: So this one is
21 matching existing, the only issues,
22 which we've covered already, is you
23 have to work on the sound, acoustical
24 kind of issue.

25 MR. GESSIN: And we're going to
Flynn Stenography & Transcription Service

(631) 727-1107

1 flip-flop the --

2 MR. SARETSKY: So you understand
3 that, right, you're going to indent it.

4 MS. ROLLIN: Not into the house,
5 next to the house.

6 MR. CASHIN: And we're going to
7 change the wording.

8 MR. SARETSKY: So the next one
9 with the 10 foot 1, I didn't see that
10 measurement.

11 MR. PROKOP: That's what I said
12 before. I think it's right next to the
13 14.9.

14 MS. ROLLIN: Because the 12.3 is
15 for the walkway, and the 10.1 is for
16 the utility platform.

17 MR. SARETSKY: Oh, so that goes
18 away.

19 MR. TERZI: It flips.

20 MS. ROLLIN: It doesn't go away,
21 it flips.

22 MR. SARETSKY: But right now it's
23 12.3, right, existing?

24 MS. ROLLIN: No.

25 MR. GESSIN: Just as a comment,
Flynn Stenography & Transcription Service

(631) 727-1107

1 when we come back next time, you really
2 need to redraw this because you really
3 need to figure out in advance so you
4 have your platform in the right place
5 where this generator is going to go.
6 You need space, I think it's 5 feet
7 from the window. You have to figure
8 out where -- the air conditioning
9 doesn't matter with the window, but the
10 generator will.

11 MR. TERZI: Because of the
12 burning.

13 MR. GESSIN: Right, because of the
14 exhaust. So you should figure out in
15 case you want to shift it down a little
16 bit, which I think -- what you really
17 want to do is put it more like that
18 (indicating). I don't think it matters
19 where on this wall it is, but I think
20 you should pick the right spot for this
21 air conditioner and maybe adjust your
22 windows or whatever you have to do so
23 that -- the other thing you might be
24 able to do, okay, for example, you got
25 the mud room here, you know, maybe this
 Flynn Stenography & Transcription Service

(631) 727-1107

1 is not a window but maybe it's a fixed
2 window.

3 MR. TERZI: Good point.

4 MS. ROLLIN: The generator, I
5 don't care about putting it over here
6 if I can cantilever over on this side
7 because it won't be on that much.

8 MR. GOLDFEDER: You definitely
9 don't want to have the exhaust from one
10 be part of the intake for the other.

11 MR. GESSIN: If you're going to
12 move them, move everything.

13 MR. CASHIN: See what the options
14 are from the architect.

15 MR. GESSIN: Like I said, if you
16 either get rid of this window or mark
17 this as a fixed window, I think that
18 would alleviate your problem.

19 MS. ROLLIN: Just to be clear, the
20 first variance, which is 2B, is for
21 this line right here, which is
22 existing.

23 MR. SARETSKY: Going back to what
24 Joe said before, it's an existing
25 condition, even though it doesn't
Flynn Stenography & Transcription Service

(631) 727-1107

1 comply with the proper setback, it's
2 because it was before the '95 or '92 --

3 MR. PROKOP: It doesn't apply to
4 accessory structures, it's the
5 footprint of the house.

6 MR. SARETSKY: That's why it
7 requires a variance.

8 MR. PROKOP: Yes.

9 MR. SARETSKY: This is a walkway
10 at grade, or this is a walkway at the
11 same height of your deck?

12 MR. TERZI: Deck.

13 MR. CASHIN: Okay. What's next?

14 MS. ROLLIN: Are you fine with
15 that one?

16 MR. CASHIN: I guess so. You said
17 it's existing, right?

18 MR. SARETSKY: What Joe is saying,
19 if I'm following correctly, that only
20 applies to the footprint of the house,
21 an accessory structure, like a walkway
22 doesn't automatically get
23 grandfathered; am I saying that right?

24 MR. PROKOP: Right. That just
25 means it's not grandfathered. Existing
Flynn Stenography & Transcription Service

(631) 727-1107

1 has to do with the impact. If it's
2 existing and you're just going up to
3 that line again, that is relevant to
4 whether or not there's going to be an
5 impact by the new structure.

6 MR. GESSIN: Let's go onto the
7 next one, this is 2C, I believe. An
8 east side yard setback of 10.1 for
9 accessory utility platform is requested
10 where setback of 20 foot is required.

11 MR. SARETSKY: It's essentially
12 the same but --

13 MS. ROLLIN: Yeah, it's --

14 MR. GOLDFEDER: Is this for the
15 spa?

16 MS. ROLLIN: No, the spa doesn't
17 need a variance. That side we're
18 conforming.

19 MR. PROKOP: What fuel are you
20 going to use is this? Is it going to
21 be propane with an underground tank?
22 If it's an underground tank, the only
23 reason why I'm asking you this, if it's
24 going to be underground, it needs to be
25 indicated on the survey, and you need a
Flynn Stenography & Transcription Service

(631) 727-1107

1 building permit for it.

2 MS. ROLLIN: We'll do that when we
3 go to get the building permit.

4 MR. GESSIN: Say that again.

5 MR. PROKOP: If it's an
6 underground tank it has to be indicated
7 on the survey, and you need a building
8 permit for it.

9 MR. GESSIN: Really? Is that new?

10 MR. PROKOP: No. Yes, it's new.

11 MS. ROLLIN: It's parking lot of
12 the building permit check off.

13 MR. GOLDFEDER: Will they let you
14 put an underground tank over there?

15 MR. GESSIN: Propane?

16 MR. GOLDFEDER: Yeah, it's really
17 close to the water.

18 MS. ROLLIN: The architect said we
19 have plenty of places to put it.

20 MR. SARETSKY: It could go in your
21 driveway.

22 MR. GOLDFEDER: Yeah, because it's
23 going to be, like, that corner where
24 the tree is basically.

25 MS. ROLLIN: It's going to be
Flynn Stenography & Transcription Service

(631) 727-1107

1 underground. We could put it right in
2 the middle of the driveway.

3 MR. GESSIN: I don't think I
4 understand 2C3, the 10.1 feet.

5 MS. ROLLIN: That's for this
6 (indicating).

7 MR. GESSIN: It doesn't say that
8 on the survey.

9 MR. TERZI: The dimension of that
10 piece is missing from the survey.

11 MR. SARETSKY: 10.1, 14.9, but
12 it's not, that's 25 and it's saying 20,
13 so I'm not --

14 MS. ROLLIN: He didn't ask for it
15 to be marked apparently.

16 MR. GOLDFEDER: So 2C is primarily
17 for the tank?

18 MR. TERZI: For the platform for
19 the air conditioner and generator.

20 MS. ROLLIN: And the east yard
21 setback of 10.1 that we currently
22 have 10.

23 MR. SARETSKY: If I'm reading
24 it -- this is their existing, if I
25 understand, it's showing it at 10.

(631) 727-1107

1 It's the next drawing.

2 MR. CASHIN: I see, yeah.

3 MR. SARETSKY: I think she's
4 saying that 10 is existing, and now
5 it's going to be 10.1.

6 MS. ROLLIN: An inch.

7 MR. GOLDFEDER: 2C is what we
8 talked about before which is what the
9 neighbors objected to in terms of
10 noise.

11 MR. GESSIN: It's going to be more
12 than 10.1.

13 MS. ROLLIN: Why?

14 MR. GESSIN: Right?

15 MS. ROLLIN: No.

16 MR. GESSIN: Oh, okay.

17 MR. PROKOP: The 14.9 is correct,
18 but the 10.1 is --

19 MR. CASHIN: Is missing.

20 MR. PROKOP: -- is missing.

21 MR. CASHIN: The 14.9 is for the
22 path for the deck.

23 MR. SARETSKY: Without the
24 utilities.

25 MR. GESSIN: So basically they're
Flynn Stenography & Transcription Service

(631) 727-1107

1 going to have 4 feet for the utilities
2 and 4 feet for the walkway.

3 MR. GOLDFEDER: Exactly. Per
4 Harvey's suggestion.

5 MR. TERZI: Will the 4 feet still
6 count even if it's separated from the
7 house because -- or will the utilities
8 be considered part of the house?

9 MS. ROLLIN: They'll still call it
10 utility platform, but the requirement
11 will be we put it next to the house.

12 MR. GOLDFEDER: You've agreed to
13 add some landscaping sound buffers as
14 part of 2C?

15 MS. ROLLIN: Not --

16 MR. PROKOP: You'll still get
17 14.9, but you'll need it for the
18 utility platform, not for the walkway,
19 so the walkway passed inside of the
20 14.9 will be okay, but you'll need the
21 variance for 14.9 for the platform.

22 MS. ROLLIN: The platform is at
23 10.

24 MR. PROKOP: If you move it in.

25 MR. TERZI: We are moving it.
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. ROLLIN: So are you saying we
2 need the variance of 10.1 for the
3 walkway and 14.9 --

4 MR. PROKOP: You won't need a
5 variance if --

6 MS. ROLLIN: We're not moving this
7 in because we have to be able to walk
8 around it.

9 MR. GESSIN: The dimensions are
10 staying the same, you're just flipping
11 the utilities.

12 MR. PROKOP: So the utility will
13 be next to the house.

14 MR. GESSIN: The walkway will go
15 around it.

16 MR. PROKOP: The utility platform
17 will now be 14.9, so they'll need a
18 variance for the 14.9, but it will be
19 for the utility platform, not for the
20 walkway. The walkway, which is going
21 to encroach another 4 feet, they will
22 not need a variance for that because
23 that's a 4 foot walk.

24 MS. ROLLIN: We already have a
25 variance for the 12.7.

(631) 727-1107

1 MR. CASHIN: No, he's talking
2 about the side.

3 MS. ROLLIN: This is the side. We
4 already have 12.3.

5 MR. PROKOP: If you flip it
6 around --

7 MS. ROLLIN: We've already got
8 12.3 on this side.

9 MR. PROKOP: If the utility
10 platform goes in here, they'll need
11 just 14.9 for the utility platform --

12 MS. ROLLIN: But we already have
13 12.3 for here, so why do we need one
14 that's even less for that one little
15 corner?

16 MR. GESSIN: I think you're right,
17 you don't need it for the walkway, but
18 you need it for the utilities.

19 MR. PROKOP: The walkway, which
20 will encroach further, you don't need
21 it for.

22 MS. ROLLIN: As long as nothing
23 changes on the lines there.

24 MR. GESSIN: Now we're on D,
25 right? 2D, a front yard setback of
Flynn Stenography & Transcription Service

(631) 727-1107

1 58.7 for an accessory structure is
2 requested when the setback of 70 foot
3 is required.

4 MR. SARETSKY: Where is that 58.7
5 on the drawing?

6 MR. GESSIN: It's the back, not
7 the front of the --

8 MS. ROLLIN: 2 inches.

9 MR. CASHIN: I don't have any
10 problem with that, it's just that we
11 got to word it properly because the way
12 the variance is going to be drafter, it
13 looks like we're giving you 7 feet, you
14 know, the difference between 58.7 --

15 MR. SARETSKY: You're asking for a
16 2 inch variance there.

17 MR. CASHIN: I want the record to
18 show that we're only granting 2 inches
19 and not whatever the difference between
20 70 and 58.7 is.

21 MR. GOLDFEDER: And this doesn't
22 contradict the DEC's approval?

23 MS. ROLLIN: No, they approved it.

24 MR. GOLDFEDER: And this is within
25 their guideline of that space?

(631) 727-1107

1 MR. TERZI: Yes.

2 MR. GOLDFEDER: So you're
3 maximizing to the point of DEC
4 approval?

5 MS. ROLLIN: Yes. Existing
6 footprint plus walkway.

7 MR. CASHIN: I have no problem
8 with that one.

9 MR. GESSIN: Joe, now that we
10 passed that, what do we do, how do we
11 handle this next, what do we do?

12 MR. PROKOP: We'll do another
13 notification. The survey needs to be
14 -- a couple of changes, maybe changes
15 in the plans, and then we'll do another
16 notification.

17 MR. GOLDFEDER: While you're
18 updating that plan --

19 MS. ROLLIN: Just to be clear,
20 another notification, we're actually
21 bringing the top of the house back to
22 conform with the setback that you're
23 granting, and then we get the 4 feet
24 for the walkway on both the first and
25 second floors. So I'm just trying to
Flynn Stenography & Transcription Service

(631) 727-1107

1 understand why we have to do another
2 notification --

3 MR. GESSIN: Because it's
4 different from this.

5 MS. CASHIN: You have to give the
6 neighbors a chance to complain.

7 MR. SARETSKY: Even though they
8 said it's okay what you're saying so.

9 MR. GOLDFEDER: When were you
10 looking to start?

11 MS. ROLLIN: October, November.

12 MR. PROKOP: Plenty of time.

13 MR. GOLDFEDER: And the other
14 thing, since you're redoing the plans,
15 we are going to ask for a lighting
16 plan, exterior lighting plan.

17 MS. ROLLIN: Anything else guys?

18 MR. GESSIN: It's actually very
19 simple. All we're looking to do is not
20 have --

21 MS. ROLLIN: We're not having -- I
22 don't want lights either. It drives me
23 insane when I walk or drive and all the
24 lights are on. I put a telescope up on
25 the roof deck --

(631) 727-1107

1 MR. GESSIN: You'll probably be in
2 compliance without even knowing it. If
3 you have it ready, submit your light
4 fixture, where it's located --

5 MR. SARETSKY: Shining down, how
6 many watts.

7 MR. GESSIN: It's not broadcasting
8 right at your neighbor.

9 MR. GOLDFEDER: It's Article 12 of
10 the Southampton code.

11 MS. ROLLIN: So a couple of
12 questions: One, I would prefer not to
13 have to put landscaping, unless it's a
14 fence because I've got an existing
15 garden, and I would like to -- and she
16 had a bunch of stuff there that would
17 have --

18 MR. GESSIN: Buffer the rail, you
19 know, make it slatted so that they're
20 leaning down and the air will go
21 through.

22 MS. ROLLIN: They're going to
23 think we're going to put trees there,
24 and they had stuff there and she took
25 it out so.

(631) 727-1107

1 MR. GOLDFEDER: Any acceptable
2 sound abatement that you and your
3 neighbor could come to terms with would
4 be acceptable.

5 MR. GESSIN: And just fix the
6 plans so you have this in the right
7 place wherever you want it.

8 MS. ROLLIN: Second, in terms of
9 things that you've enacted recently, I
10 want to make sure I don't have to come
11 back here. I'm planning on using
12 geothermal, so I know that some
13 authority accepted Brookhaven's
14 recommendations for geothermal. I
15 wanted to see if you guys had done
16 that, or according to Bob, there's no
17 regulations on geothermal. I know I
18 have to get permits for solar.

19 MR. GOLDFEDER: How far down do
20 you have to go for geothermal because
21 the water table is very shallow.

22 MS. ROLLIN: It's very shallow.
23 We're doing it in the pilings.

24 MR. GESSIN: What does that mean?

25 MS. ROLLIN: They're doing it in
Flynn Stenography & Transcription Service

(631) 727-1107

1 Jersey right now. You cut grooves in
2 the pilings, and you run the tubes in
3 the pilings. It's not a deep water
4 well, it's all enclosed, I'm not
5 hitting the aquifers.

6 MR. GESSIN: Why in the pilings?

7 MS. ROLLIN: They do this in
8 cement pilings all the time, and now
9 they're doing it in wood. Instead of
10 30,000 dollars to drill, it's 1,000
11 dollars.

12 MR. GOLDFEDER: There's no
13 decomposition of the internal material?

14 MS. ROLLIN: No, it's all
15 self-contained tubing.

16 MR. GOLDFEDER: But the bottom is
17 not, I mean, it has to open?

18 MS. ROLLIN: No.

19 MR. TERZI: It's a closed loop
20 system. You can use however many
21 pilings that you've got as part of the
22 service there.

23 MR. GOLDFEDER: Where does it take
24 the heated air in the piling?

25 MR. SARETSKY: Water.
Flynn Stenography & Transcription Service

(631) 727-1107

1 MR. TERZI: It runs water through
2 the tubes in the piling in order to get
3 down below the frost line.

4 MR. SARETSKY: So basically, like,
5 50 degree water most of the year.

6 MS. ROLLIN: Even the air
7 conditioners won't be --

8 MR. GESSIN: It's actually pipe
9 imbedded into the pilings, and that's
10 saving you to drill?

11 MS. ROLLIN: 30,000 dollars to
12 drill, yeah.

13 MR. TERZI: That's what we've been
14 told so far. The routing grooves in
15 the pilings --

16 MR. GESSIN: All your pilings
17 would be about 30,000 dollars.

18 MS. ROLLIN: They are like 1, 200
19 a pile these days. That's the plan. I
20 mean, I'm trying to be as
21 environmentally --

22 MR. GOLDFEDER: Terrific.

23 MS. ROLLIN: I would have done a
24 grey water system and all of that, but
25 the DEC doesn't care, sanitation
Flynn Stenography & Transcription Service

(631) 727-1107

1 doesn't care.

2 MR. GOLDFEDER: I was just
3 thinking decomposition of the arsenic
4 inside the pilings and how it begins to
5 decompose the tubing.

6 MR. SARETSKY: But you're saying
7 it's notched in the edge of it, it's
8 not going into the middle?

9 MS. ROLLIN: No.

10 MR. SARETSKY: That's how they get
11 away with it.

12 MR. TERZI: Apparently it was
13 pioneered in the UK.

14 MR. GESSIN: Sounds good.

15 MR. GOLDFEDER: It will be
16 interesting to watch.

17 MR. TERZI: So the process, do we
18 need Bob to write new --

19 MS. ROLLIN: No, we just have to
20 redo the plans.

21 MR. PROKOP: Get the new plans
22 together, we'll look at it.

23 MR. GESSIN: We'll help you
24 through it.

25 Anything else, or should we just
Flynn Stenography & Transcription Service

(631) 727-1107

1 close this session.

2 MR. TERZI: We'll send you the
3 plans for review, and as well have any
4 modifications made.

5 MR. GESSIN: You have to fix the
6 dimensions on the survey.

7 MR. SARETSKY: The good part is he
8 doesn't have to come out, he just has
9 to make the correction.

10 MR. GESSIN: There's no field
11 work.

12 MS. ROLLIN: The only correction
13 we have to do really is --

14 MR. GESSIN: Change this
15 dimension, whatever it is.

16 MS. ROLLIN: This has to come back
17 a foot.

18 MR. GESSIN: Right. This, you've
19 got to put this dimension on, the 10.1.
20 Fix this, and you'll bring it to Fox.

21 MR. TERZI: Is there anyone
22 better?

23 MS. ROLLIN: If I tell him David
24 has to work on this --

25 MR. CASHIN: They're all slow.
Flynn Stenography & Transcription Service

(631) 727-1107

1 MS. ROLLIN: They're not slow,
2 it's just they don't do it right.
3 They've got two girls in there who
4 can't read plans.

5 MR. GESSIN: And they think you're
6 an idiot. I don't mean you.

7 MS. ROLLIN: Well, the first time
8 we got the plans they squared the house
9 on the property, and we were like we
10 can't do that so.

11 MR. GESSIN: We're going to close
12 this session for this evening and put
13 it off for next meeting.

14 MR. PROKOP: Just a motion to
15 adjourn.

16 MR. GESSIN: I'd like to make a
17 motion to adjourn.

18 MR. GOLDFEDER: Second.

19 MR. SARETSKY: Second.

20 MR. CASHIN: Second.

21 MR. GESSIN: So adjourned.

22

23

24

25

(631) 727-1107

1 C E R T I F I C A T E

2

3 STATE OF NEW YORK)

4) SS:

5 COUNTY OF SUFFOLK)

6

7 I, AMY BOHLEBER, a Court Reporter and
8 Notary Public for and within the State of New
9 York, do hereby certify:

10 THAT, the above and foregoing contains a
11 true and correct transcription of the
12 proceedings taken on June 11, 2016.

13 I further certify that I am not related to
14 any of the parties to this action by blood or
15 marriage, and that I am in no way interested
16 in the outcome of this matter.

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand this 20th day of June, 2016.

19

20

21 AMY BOHLEBER

22

23

24

25

(631) 727-1107