

1 INCORPORATED VILLAGE OF WESTHAMPTON DUNES
2 ZONING BOARD OF APPEALS

3

4 October 29, 2016

5 10:00 a.m.

6

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8

9 Meeting held at

10 906 Dune Road, Westhampton Dunes, New York

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12

13 APPEARANCES:

14 Harvey Gessin - Chairman

15 James Cashin - Member

16 Kenneth W. Siegel - Member

17 Eric Saretsky - Member

18

19 Joseph Prokop - Village Attorney

20 Angela Sadeli - Village Clerk

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1 (Whereupon the meeting was called
2 to order at 10:11 a.m.)

3 CHAIRMAN GESSIN: I'd like to call
4 this meeting to order of the
5 Westhampton Dunes Zoning Board. We'd
6 like to start with the Pledge of
7 Allegiance.

8 (Whereupon all stood and recited
9 the Pledge of Allegiance.)

10 CHAIRMAN GESSIN: Maybe you should
11 briefly -- I was going to say that you
12 don't have to read that in, but I think
13 we should just do it.

14 MS. SADELI: A rear yard setback
15 of 17.4 feet for a primary structure is
16 requested where a setback of 42.9 feet
17 is required as per section 560-41-0-2.
18 The existing primary structure setback
19 is 20.9 feet. A rear yard setback of
20 12.7 feet for an accessory structure is
21 requested where a setback of 20 feet is
22 required by section 560-8. An east
23 side yard setback of 12.3 feet for an

24 accessory structure is requested where
25 a setback of 14 feet is required by
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1 section 560-8. The existing accessory
2 structure setback is 12.2 feet. A
3 front yard setback of 58.7 feet for an
4 accessory structure is requested where
5 a setback of 70 feet is required by
6 section 560-8. The existing accessory
7 structure setback is 58.5 feet.

8 CHAIRMAN GESSIN: Okay. This is a
9 continuation, I assume, of the meeting
10 we had on June 23rd, and the applicant
11 has issued some new plans, including a
12 landscape plan that we're going to go
13 over today. I'll start with a couple
14 of questions, and we'll just get into
15 it and see if we can get this done
16 today.

17 The first thing is I noticed, and
18 I don't know if this is a big deal or
19 not, but Aram can tell me, on the
20 request, the rear yard setback is
21 stated as 17.4, but on the plan -- on

22 the site plan it's 17.3. That doesn't
23 matter, right, because it's less?

24 MR. TERCHUNIAN: I think that's
25 within.

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1 CHAIRMAN GESSIN: So we don't have
2 to restate that?

3 MR. TERCHUNIAN: No.

4 CHAIRMAN GESSIN: Just making
5 sure.

6 MR. TERCHUNIAN: Good point.

7 MR. PROKOP: The setback is less?

8 MR. TERCHUNIAN: The variance is
9 less.

10 MR. PROKOP: Okay. So what is the
11 setback they proposed? I'm sorry,
12 excuse me.

13 CHAIRMAN GESSIN: They are
14 proposing 17.4.

15 MR. PROKOP: They want 17.4
16 setback?

17 CHAIRMAN GESSIN: No, they want
18 17.3.

19 MR. TERCHUNIAN: They want a

20 variance of 17.3 and we advertised it
21 as 17.4.

22 MR. PROKOP: Then you're all set
23 to go.

24 CHAIRMAN GESSIN: Although, which
25 is now revised on the site plan, the
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1 deck itself in the front yard is at
2 12.7.

3 MR. PROKOP: Okay.

4 CHAIRMAN GESSIN: So we are still
5 okay?

6 MR. PROKOP: The decks are 12.7,
7 and what did we say in the notice?

8 MS. SADELI: 12.7.

9 CHAIRMAN GESSIN: Yeah the
10 accessory structure is the deck.

11 MR. SIEGEL: This is called the
12 rear yard.

13 MR. TERCHUNIAN: Yeah, just for
14 the Board's information, the street is
15 the rear yard on a bay front lot and
16 the bay is the front yard.

17 MR. PROKOP: We're good.

18 MS. ROLLIN: Just so you know,
19 there it's a 16 foot -- what is that
20 called?

21 MR. TERZI: Easement.

22 MS. ROLLIN: The easement between
23 the road to the property line is 16
24 feet, which is almost double what it is
25 any place else in the village.

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1 MR. TERZI: We'll come to that.

2 MR. TERCHUNIAN: Let's get through
3 understanding what the application is,
4 let the applicants say what they have
5 to say, and then everybody else can
6 have a shot. And let the Board ask,
7 and then everybody else can have a
8 shot.

9 CHAIRMAN GESSIN: Let's get right
10 into the plans then. What we were
11 viewing here based on this and the
12 landscape plan, let me get the
13 landscape plan out so you can see. One
14 of the Board's concerns is the parking.
15 We just want to make sure that you or

16 the next purchaser also have the
17 availability of parking, off street
18 parking. Basically the way we see this
19 is that the landscaping will actually
20 cut off this corner here, so basically
21 you only have 17 feet wide to park
22 however many cars you're going to have
23 there, which is basically two cars.

24 MS. ROLLIN: Plus here, which
25 everybody else uses as well.

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1 CHAIRMAN GESSIN: How much do you
2 think that is?

3 MS. ROLLIN: It's 16 feet from
4 here to here (indicating), and from
5 over here on the corner it's 13, almost
6 14 feet. So we've got a huge --

7 MR. SIEGEL: Are there cars parked
8 in this direction here (indicating)?

9 MS. ROLLIN: Yeah. Not here
10 (indicating). These are existing trees
11 that we're going to leave.

12 CHAIRMAN GESSIN: Oh, this is
13 existing?

14 MS. ROLLIN: Yes. There's trees
15 there. They're Russian olives, they're
16 big, I'm leaving them. I've told
17 everybody, I'm going to be there,
18 they're not taking those out.

19 CHAIRMAN GESSIN: First thing that
20 has to get fenced is that or they'll --

21 MR. CASHIN: So they can put
22 another car here, which is what I was
23 talking about.

24 MS. ROLLIN: We can put two cars
25 there, and plus we've got two garages.

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1 CHAIRMAN GESSIN: So basically the
2 way you see it, you have two here, two
3 here, that's four, and another two in
4 here is six?

5 MS. ROLLIN: Yes.

6 CHAIRMAN GESSIN: Great. And
7 basically, Aram, you think we're okay
8 with the stairs here?

9 MR. TERCHUNIAN: Yeah.

10 CHAIRMAN GESSIN: Almost up to the
11 property line?

12 MR. TERCHUNIAN: If they're four
13 foot -- Joe, usually if they're four
14 feet or less, they're fine.

15 MR. PROKOP: How many stairs are
16 there?

17 CHAIRMAN GESSIN: What do you
18 mean, treads?

19 MR. PROKOP: Yes.

20 CHAIRMAN GESSIN: All the way up?

21 MR. PROKOP: If it's more than
22 three, it's a structure.

23 CHAIRMAN GESSIN: Oh, no, it's
24 more than three.

25 MR. PROKOP: If it's less than

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1 four feet wide, then no, it's not part
2 of the side access. So the stairs need
3 a variance. I don't know about a
4 landing, that's state law.

5 CHAIRMAN GESSIN: This is part of
6 the accessory structure of the front
7 deck then?

8 MR. PROKOP: Yes. Is this the
9 landing?

10 CHAIRMAN GESSIN: It's a landing,
11 intermediate landing.

12 MR. PROKOP: So it looks like they
13 meet the state code, they just need to
14 meet the -- typically the way the
15 Boards look at this is if there's three
16 or more stairs, then it's a structure.
17 So to get from your front door down to
18 the ground, you can have two or three
19 stairs. You can have three stairs. If
20 it's more than three stairs, then it's
21 a structure.

22 CHAIRMAN GESSIN: Three treads?

23 MR. PROKOP: Right, three treads.

24 CHAIRMAN GESSIN: So do we have to
25 issue an additional variance for this

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1 or this is okay?

2 MR. PROKOP: I think I would
3 submit an additional variance on that.

4 MR. TERCHUNIAN: Joe and I have
5 different opinion on this. My
6 experience is that if the stairs are
7 required for access to the building,

8 and they're only four feet wide, that
9 they're considered essential for access
10 and don't count into -- are not
11 considered a structure, they're
12 considered access to the structure.
13 I'm not familiar with Joe's standard of
14 three treads maximum.

15 MR. PROKOP: It's up to the Board.
16 I mean, I think we could look at other
17 applications we had in the past. I
18 think there was one we did last year
19 that had stairs.

20 CHAIRMAN GESSIN: Well, I know
21 most of the ocean homes, okay, they're
22 built as of right, have encroachments
23 into the front yard because they have
24 no access. None of them have
25 variances. So basically, in a sense,

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1 the Village has up to this date stayed
2 silent on this.

3 MR. TERCHUNIAN: Yeah, that's been
4 my experience.

5 CHAIRMAN GESSIN: So I think this

6 Board should be silent on this also.

7 Are we okay with that?

8 MR. CASHIN: I'm all right with
9 that.

10 MR. SIEGEL: One minor thing is
11 that at the base of the stair there's
12 supposed to be a landing that's equal
13 in length to the width.

14 MR. TERCHUNIAN: That will be up
15 for the building inspector to mark up
16 the building plan.

17 CHAIRMAN GESSIN: What is that,
18 New York State code?

19 MR. SIEGEL: New York State, yeah.

20 MR. TERCHUNIAN: So the architect
21 will have to show that on the building
22 plans.

23 CHAIRMAN GESSIN: He has to add on
24 a platform here?

25 MR. SARETSKY: It's a run out.

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1 MR. SIEGEL: It's not necessarily
2 a platform, but it can't be sand. They
3 wouldn't even let me use grass for

4 that, I had to put slate there.

5 MS. ROLLIN: Okay.

6 MR. SIEGEL: Which is completely
7 fine, but the point is it's supposed to
8 be on your property.

9 MS. ROLLIN: It will be.

10 CHAIRMAN GESSIN: What Ken is
11 saying, it has to be four feet. I
12 mean, I didn't scale it.

13 MR. SIEGEL: If this is four, then
14 four would bring you to about here.
15 This can be made to work somehow.

16 MR. TERZI: Some sort of pervious
17 material?

18 MR. TERCHUNIAN: No, impervious.

19 CHAIRMAN GESSIN: I think the
20 intermediary platform is much bigger
21 than what's here.

22 MR. SIEGEL: The minimum on this
23 is three here, so this is already four
24 or five, it could be slightly pulled,
25 but that could be pushed just a tad.

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1 CHAIRMAN GESSIN: Yeah, I mean, it

2 looks to me the short side of the
3 intermediary platform is about six or
4 seven feet, so you could shrink that
5 and pull the other stair back and
6 you'll be good.

7 MR. SIEGEL: Yeah, and it will be
8 just as comfortable walking up.

9 CHAIRMAN GESSIN: You look good on
10 this side right here.

11 MR. TERZI: That's New York State
12 code?

13 MR. SIEGEL: Yes.

14 CHAIRMAN GESSIN: Next thing
15 actually what I want to just get out of
16 the way, what happened to the lighting
17 plan? Oh, here it is. This Board, you
18 know, views I think the lighting plan a
19 little bit as insignificant, but
20 somehow it got rammed down this Board's
21 throat. Did I say that the right way,
22 Aram?

23 MR. TERCHUNIAN: Okay.

24 CHAIRMAN GESSIN: Until the
25 Village comes up with their own code,

1 it's actually going to be only in front
2 of the Zoning Board, but eventually
3 there will be a Village code.
4 Basically you've tried to comply with
5 as we suggested the Southampton Town
6 code 360 on lighting spread, night
7 lighting, outside night lighting, and
8 when we reviewed the plan we noticed
9 that most of your pictures are in
10 compliance. The problem is more on
11 this plan that, in our opinion, you
12 have an excess of lighting here. This
13 may look like a landing pad by the time
14 you get done with this thing. You
15 know, and we had a discussion before
16 the meeting that basically what we
17 think we're supposed to be complying
18 with is spread off of the property
19 line. Most of these lights, except for
20 a couple of the carriage lights, are
21 mostly down lights, so they would
22 basically stay within the structure of
23 the home. Just the amount that you
24 have there might actually cause a
25 spread, and we don't have a way of

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1 calculating that, so we're going to
2 need some input from you guys to help
3 us make a determination on that.

4 MR. TERZI: So a couple of things
5 to keep in mind, most of that is recess
6 lights because of the -- that they're
7 going into the ceilings of the
8 walkways, so they're to provide lights
9 on the walkways. We also, because we
10 were feeling that we were bound to
11 this, so we needed to put everything
12 that we could possibly want on this and
13 are expecting to subtract later, but I
14 was going to assume that the right way
15 to go was to --

16 CHAIRMAN GESSIN: Minimize, not
17 maximize.

18 MS. ROLLIN: We're not looking to
19 -- we're just looking to -- you know,
20 we're getting older, we're planning to
21 retire there, we just want to be able
22 to walk around the house without
23 tripping and falling.

24 MR. TERZI: Given that these are

25

all recessed cans, the circle from an

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1 eight or nine foot height should be a
2 fairly tight circle. What we did was
3 to put a string of recessed lights that
4 could be used to walk safely around the
5 house in the dark, and then to do a
6 couple of lights around the doors. The
7 recessed lighting would, you know,
8 would not generally be meant to be left
9 on unless people were walking around
10 and coming or going, and then the
11 recess -- I mean, the wall mounted
12 fixtures for just to have a switch near
13 the door to be able to turn those on
14 and to have some immediate light there.
15 But we could certainly improve --
16 increase the spread between them.
17 Everything, even the fixtures around
18 the doors have -- the ones that I think
19 you're referring to that aren't
20 straight downward pointing have a dark
21 sky cylinder incorporated in the
22 fixture.

23 MR. SIEGEL: The floodlights? The
24 ones that are the floods?

25 MR. TERZI: No, the ones on the
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1 sides of the doors.

2 MS. ROLLIN: So you can't see the
3 bulb. They're night sky.

4 CHAIRMAN GESSIN: These are down,
5 this is in front of the house, I
6 believe, right, these here?

7 MR. TERZI: Right. And the
8 fixture incorporated --

9 MS. ROLLIN: We wanted something a
10 little nicer for the front. Look,
11 honestly, there's very little selection
12 in these lights, very little.

13 MR. TERZI: In order to have a
14 fully shielded bulb. And that's all
15 covered walkway as well. But that
16 fixture, the one that was selected for
17 there, incorporates a dark sky cylinder
18 to protect the bulb and keep any light
19 egress below the 90 degree mark.

20 CHAIRMAN GESSIN: How are you

21 actually building -- constructing the
22 walkways? Are they going to be
23 waterproof on the top?

24 MS. ROLLIN: Yes.

25 MR. TERZI: Yes.

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1 CHAIRMAN GESSIN: Because
2 basically from what I see the hi-hats
3 you're using are not really meant as
4 outside fixtures.

5 MR. TERZI: I think the model
6 number -- Halo makes those in a large
7 variety of waterproof insulation,
8 non-insulation, so I may have grabbed
9 the wrong model number for that.

10 CHAIRMAN GESSIN: I'm just trying
11 to give you a heads up more than
12 anything else. The other thing is, and
13 only from my own experience, if you can
14 get these cans in anything except
15 metal, if you can get them in aluminum
16 or whatever because they don't last.

17 MR. CASHIN: You'll be replacing
18 them in two years.

19 CHAIRMAN GESSIN: Not the fronts,
20 the cans. The cans will -- the first
21 time you go to change a bulb, you'll
22 have nothing to hang them back up on
23 from firsthand experience.

24 MR. SIEGEL: The outdoor is not
25 drip through?

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1 CHAIRMAN GESSIN: That's basically
2 what they're saying. They're
3 waterproofing the top of it. But these
4 lights, you're going to have to go for
5 a different fixture on these because
6 these are basically the typical
7 spotlights that, you know, even though
8 you're stating you're going to aim them
9 down at a 45 degree angle, they could
10 always be readjusted.

11 MR. TERZI: They can be lamped
12 with 900 lumen or less.

13 CHAIRMAN GESSIN: That wasn't the
14 issue.

15 MR. SARETSKY: It's just that
16 they're shining out past your property

17 line that way or they have the
18 capability to do that.

19 MS. ROLLIN: There's an after
20 market shield that can be put on them.

21 CHAIRMAN GESSIN: I think you got
22 to go to a different fixture.

23 MS. ROLLIN: No, I mean, there's
24 aftermarket shields that you could
25 actually purchase to put around the

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1 fixture.

2 CHAIRMAN GESSIN: No, I think you
3 have to go to a different fixture
4 that's not adjustable.

5 MS. ROLLIN: Oh.

6 MR. SARETSKY: And that way it
7 just solves the problem. It spreads in
8 some way that gives you enough light,
9 but it doesn't go out beyond your
10 property.

11 MR. TERZI: In the places where
12 the property line is not close, are
13 those fixtures still acceptable?
14 Because there's some areas that we may

15 want, and I think we have the room, to
16 have the light without needing to --

17 MS. ROLLIN: Like the back.

18 MR. SIEGEL: Those are
19 floodlights, you know, and floodlights
20 generally look like gigantic lights
21 that light up a whole bunch of space.
22 Is that what you're trying to do?

23 MR. TERZI: Just to be able to
24 have that if we do need to do something
25 back there that we've got the space to

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1 light the backyard.

2 MR. SIEGEL: Straight out the back
3 here with nothing going this way?

4 MR. TERZI: Right. So the code
5 said that if they're lamped under 900
6 lumens per bulb, maximum of 1800 lumens
7 for the total fixture mounted 12 feet
8 or less, you'll notice they're on the
9 piling plan, not on the first floor
10 plan in order to be able to comply with
11 being no more than 12 feet above the
12 surface that they're lighting, you

13 know, compared to many of the existing
14 floodlights that you see that are at
15 the eves and so forth that.

16 MR. SIEGEL: At the very top.

17 MR. TERZI: Yes, that are, like,
18 lighting a parking lot. You know, that
19 if we are doing things at night in the
20 sand down here, to be able to have that
21 option.

22 MS. ROLLIN: And this is just,
23 honestly, so that I can get into my
24 garden at night because sometimes I
25 forget to pick herbs during the day and

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1 then I'm out there at night trying to
2 pick herbs.

3 MR. TERZI: We understand the
4 height requirement to keep them 12 feet
5 off the -- no higher than 12 feet. So
6 that means they'll be mounted on the
7 pilings to keep the -- which should --

8 MR. SIEGEL: They have that code,
9 the 900 and the 1800. There can't be
10 more than two, that doesn't say you

11 can't have eight of them. So when you
12 put them all on, it gets a little crazy
13 sometimes.

14 CHAIRMAN GESSIN: That's the whole
15 issue with the entire lighting plan.

16 MR. SIEGEL: If you turn it all
17 on, you could look like a lunar lander.

18 MR. PROKOP: That's what we're
19 hoping to avoid.

20 MR. TERZI: And we understand and
21 agree. We also felt that we couldn't
22 show one fixture here, one fixture over
23 there, and then we come back and say
24 this is completely dark, what do we do?
25 Go back to the Zoning Board to ask for

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1 permission to --

2 MS. ROLLIN: We understand not
3 wanting to make it look like a lighting
4 pad, but on the other hand, don't we
5 have the right to be able to see our
6 property at night?

7 CHAIRMAN GESSIN: As long as
8 you're not disturbing your neighbor,

9 yes. That's basically what it's about.
10 You know, Aram, we had the issue with
11 Yale and the next door neighbors, and
12 we're still going on with that, and
13 it's all about, believe it or not,
14 these type of fixtures.

15 MR. TERCHUNIAN: Those are wall
16 mounts, wall packs. They just spread
17 light like crazy.

18 CHAIRMAN GESSIN: You know, even
19 if you get further away, you're still
20 going to see the eyeball, even though
21 it won't be as offensive, but you'll
22 still see that eyeball from --
23 especially going down -- of course,
24 there's no house there yet, but
25 eventually there will be a house there

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1 I'm assuming. This side can definitely
2 be effected, and this is an existing
3 house already.

4 MR. CASHIN: So what fixture are
5 we recommending for them?

6 MR. TERZI: There we still have 14

7 feet.

8 CHAIRMAN GESSIN: I think you need
9 something that's nonadjustable and they
10 call it with cut offs so that the light
11 goes straight down. This way you could
12 see what you want to see, okay, if you
13 have to see in the garden you may have
14 to bring a flashlight at night.

15 MR. SIEGEL: Or a miner's helmet.

16 CHAIRMAN GESSIN: We're not
17 telling you to get rid of the fixtures,
18 but we're telling you that we think, in
19 our opinion, that these are
20 inappropriate for your neighbors.

21 MR. SIEGEL: Was there ever a
22 possibility of putting some kind of a
23 light on a pole near the property line
24 that shoots back towards their house on
25 the other side of their garden?

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1 MR. TERZI: There seem to be
2 bigger restrictions within the
3 Southampton code in terms of lights
4 mounted on anything freestanding, like,

5 a pole.

6 MR. TERCHUNIAN: They don't want
7 you to light your building.

8 CHAIRMAN GESSIN: Which makes it
9 worse.

10 MR. TERZI: And we tried to pick
11 everything that we could that would be
12 within our best understanding of the
13 Southampton code. And I could, you
14 know, there are areas -- I mean, I
15 understand what you're saying, there's
16 a few that I see that you've made a
17 mark I think for this one here that
18 this is enough an area that lighting --
19 being able to light the cars, and I
20 believe we specified we put these all
21 on motion detectors with the code being
22 that the maximum time between cessation
23 of activity and them turning off is
24 five minutes, so we're not talking
25 about things that would be on all the

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1 time. On this side where we are much
2 closer to the property line, I could

3 see that we could look at replacing all
4 of these with straight down lights that
5 are nonadjustable, but I would want to
6 keep here and a couple of these. I
7 don't think we need --

8 MR. SIEGEL: Six of them?

9 MR. TERZI: Yeah. We have two
10 existing, we have two of those two
11 packs on the back of the existing --

12 MS. ROLLIN: We have three of
13 them.

14 MR. TERZI: Three on the back of
15 the existing property now.

16 MS. ROLLIN: We turn them on when
17 we're out there and we turn them off
18 when we come back in. We don't leave
19 them on.

20 MR. TERZI: I don't want to be
21 hamstrung to not be able to have a
22 fixture by asking for too little now,
23 but we could certainly cut out some.

24 CHAIRMAN GESSIN: I think you're
25 going to have to select a different

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1 fixture.

2 MR. TERZI: For every floodlight,
3 or can we say that it's for this side
4 where we're closer to the property
5 line.

6 CHAIRMAN GESSIN: I think for all
7 of them.

8 MR. SARETSKY: For all the C
9 fixtures.

10 MR. SIEGEL: When these lights are
11 on, you can see fine down here.

12 MS. ROLLIN: It's 12 feet, 14 feet
13 up.

14 MR. SIEGEL: Mine is, like, 30
15 feet.

16 CHAIRMAN GESSIN: From the hi-hats
17 that you have on that first floor deck,
18 you'll be able to light up your
19 driveway.

20 MR. SARETSKY: And you're going to
21 have tread lights, right?

22 MS. ROLLIN: Clam shells. They're
23 not like tread lights which you can
24 actually see the light, they point
25 down.

1 MR. SIEGEL: Those are really
2 nice.

3 MR. TERZI: They're four watts,
4 like, 80 lumens, 85 lumens. So they're
5 not -- they're not doing much but
6 lighting the tread, at least from my --
7 I mean 85 lumens is less than a lot of
8 flashlights.

9 MR. SIEGEL: Those are nice.
10 They'll make it safe. Even if there
11 was something like one of these little
12 ones on the sides of the garage door.

13 CHAIRMAN GESSIN: You have two
14 fixtures at the garage.

15 MR. SIEGEL: On the sides of the
16 garage doors?

17 MS. ROLLIN: So this is an
18 overhang and it's actually0.

19 CHAIRMAN GESSIN: Maybe rather
20 than a down light here, maybe just put
21 this fixture over the garage doors,
22 which will actually light the driveway
23 right here.

24 MR. SIEGEL: Or on the sides of
25 them here.

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1 CHAIRMAN GESSIN: Right now they
2 have them above the doors.

3 MR. SIEGEL: Yeah, that would be
4 tons of light.

5 CHAIRMAN GESSIN: At least then
6 you'd have some ambient light coming
7 forward and it won't be blasting
8 everybody away.

9 MR. TERZI: But across the back, I
10 mean, we're not to be able to light the
11 sand and the path to the bay, if we
12 need. You're saying no floodlights,
13 even though the --

14 MS. ROLLIN: I come back from
15 fishing at night.

16 MR. SIEGEL: Will it turn on?
17 Will it see you?

18 MR. TERZI: In the Southampton
19 code, the floodlights, provided the
20 lamping is kept down and the aiming is
21 kept down, they're allowed.

22 CHAIRMAN GESSIN: Aram, what do
23 you think about the back of the house?

24 MR. TERCHUNIAN: Frankly, I have
25 mixed feelings. I understand the
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1 desire of the applicant, you know, that
2 they have light to see what's going on.
3 On the other hand, if you focus that
4 much light on your backyard, it's
5 definitely going to effect your
6 neighbors. I don't think it's
7 reasonable to say that you have, what,
8 six fixtures along 60 feet, and you
9 turn all them on, you're going to see
10 that from a ways away.

11 MR. TERZI: We're not really
12 planning on putting in sixty fixtures.

13 CHAIRMAN GESSIN: Well, show us
14 what you're really going to do.

15 MR. TERCHUNIAN: Do a lighting
16 plan that shows where the lights are
17 going to go. All the lighting
18 companies provide software to have that
19 done. You know, I can see doing three
20 or four, I don't know, but six just
21 seems really excessive.

22 MR. TERZI: We'll cut that to
23 three.

24 MR. SIEGEL: The other thing I was
25 asking was if you're coming back from
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1 fishing, how close do you have to get
2 before the motion turns that light on?

3 MR. TERZI: Oh, it won't turn them
4 on. That we do manually.

5 MR. CASHIN: It's going to blind
6 you in the eyes walking back.

7 MS. ROLLIN: I call him and say
8 I'm putting my boat on the mooring, can
9 you turn the lights on, and then I
10 paddle over, and I pull the kayak --

11 MR. TERZI: It's for her getting
12 up the sand path.

13 MR. SIEGEL: That makes sense.

14 CHAIRMAN GESSIN: So you're
15 basically -- you're going to revise
16 this plan.

17 MS. ROLLIN: To cut down on the
18 number of spots here and change these
19 fixtures out and get rid of that one

20 (indicating).

21 CHAIRMAN GESSIN: Get rid of this
22 one, change the two F's to an A or
23 something similar to the A.

24 MR. SIEGEL: Where is the F?

25 MR. TERZI: Those are fully

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1 shielded.

2 CHAIRMAN GESSIN: Well, we want
3 you to get rid of these and use the
4 garage lights to light the driveway,
5 that's what we were talking about.

6 MR. TERZI: Okay.

7 MR. SIEGEL: So what Harvey is
8 saying is that you don't get any light
9 out of the side of this one, but you do
10 get some light out of the side of this
11 one, so this will help the driveway.

12 MS. ROLLIN: We could apply either
13 way, so that is not a show stopper.

14 MR. SIEGEL: No, it's just a
15 matter of how much light you want going
16 towards the front.

17 CHAIRMAN GESSIN: Aram, how do we

18 deal with this lighting level now on
19 all of the upper lights? Since we
20 don't really understand whether there's
21 -- you know, with the excess of lights,
22 we don't really know what it's going to
23 do until it's done.

24 MR. TERCHUNIAN: You know, I can't
25 remember the name of the company, but
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1 one of the lighting companies actually
2 makes software, you just plug all this
3 stuff in, and you put in the fixture
4 and a lumen and it generates a plan for
5 you.

6 CHAIRMAN GESSIN: And it will tell
7 you the spread?

8 MR. TERCHUNIAN: Yeah, everything.

9 MR. SIEGEL: Are you requesting
10 that?

11 MR. TERCHUNIAN: It would provide
12 comfort for you guys that you're going
13 to get the light that you're looking to
14 get, and it will provide the Board, you
15 know, with the solid document that

16 allows them to determine its reasonable
17 nature.

18 CHAIRMAN GESSIN: Is that okay?

19 MS. ROLLIN: It's okay.

20 CHAIRMAN GESSIN: We're just
21 trying to get you done, not break your
22 chops.

23 MS. ROLLIN: I know.

24 CHAIRMAN GESSIN: Also I just want
25 to let the audience know that we've

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1 already dealt with the relocation of
2 the mechanical equipment on the eastern
3 side of the house, it's no longer on
4 the deck, it's been relocated up onto
5 the roof, so it's very, very far away
6 from the vacant lot.

7 Do we think as a Board we're okay
8 with the explanation of the parking so
9 that we don't have to do much further
10 forward with that front deck?

11 MR. CASHIN: Yeah, I think they
12 could fit cars where we were. This
13 morning we didn't think they could, but

14

--

15

CHAIRMAN GESSIN: We'll just share

16

with you what our thoughts were, and

17

thank God you came and explained to us

18

what we didn't understand. Our

19

thinking at the time was to eliminate a

20

portion or all of the side yard deck to

21

allow you to have more parking, but we

22

think now that it's probably okay.

23

MS. ROLLIN: Thank you.

24

CHAIRMAN GESSIN: Anybody on the

25

Board have any other comments?

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1

MR. CASHIN: No.

2

MR. SIEGEL: I'd like to hear

3

these guys.

4

CHAIRMAN GESSIN: We'd like to

5

hear from the audience now.

6

MR. BRENNER: Thank you. Thanks

7

for having us here.

8

MR. CASHIN: State your name

9

please also.

10

MR. BRENNER: Hi, everybody.

11

Steve Brenner, 10 Dune Lane adjacent to

12 the house.

13 CHAIRMAN GESSIN: You're to the
14 west?

15 MR. BRENNER: We're on the east
16 side. Thank you for accommodating us
17 for the air-conditioning, I appreciate
18 that. That was a major issue. A
19 couple of things, we really weren't
20 privy when I first looked on the Dune
21 Road being the backyard because I'm
22 accustomed to the backyard being on the
23 opposite side. So, I mean, you know, a
24 couple of questions that I have about
25 that. So far as I know, there's no

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1 other house in the Village that is as
2 close to the road, any road, either
3 Dune, Cove --

4 MS. ROLLIN: Not true.

5 MR. BRENNER: As I said, if I'm
6 wrong, then you can prove me wrong, but
7 this is extremely close to the edge of
8 Dune Lane and aesthetically it brings
9 this way out of position for the rest

10 of the houses. If you go all the way
11 down Dune Lane on the north side,
12 almost every house until you get to the
13 other bend is significantly back off
14 the road. So if you're coming down
15 Dune Lane and you come to bend, the,
16 you know, you have this big house
17 that's staring you right in the face
18 that's right on the street. I think,
19 you know, I just -- I think it's out of
20 whack, out of sink with the rest of the
21 street.

22 Now, with respect to that, you
23 brought up the lighting. There are
24 motion detectors, yes, are there motion
25 detectors in the front of the house?

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1 CHAIRMAN GESSIN: I believe
2 they're actually timers, right?

3 MR. SIEGEL: Yeah, they're motion
4 with timers.

5 CHAIRMAN GESSIN: So they're not
6 on all the time.

7 MR. BRENNER: Okay. There's a lot

8 of traffic that goes down Dune Lane.
9 Every time a car goes by on Dune Lane
10 close to the curb, are those lights
11 going to be tripped on?

12 CHAIRMAN GESSIN: In theory, they
13 shouldn't be.

14 MR. TERZI: And the State of
15 Southampton requirements say that the
16 motion detectors cannot be tripped by
17 activity outside of the property line,
18 so if they are, they are out of
19 compliance and need to be adjusted, so
20 we understand that.

21 MR. BRENNER: Okay. Fine.

22 MR. SIEGEL: They are adjustable
23 so the cars cannot turn those on.

24 MR. BRENNER: They cannot turn
25 them on. Another question that I have

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1 with respect to lighting, because I
2 live at 8 Dune Lane, and if you look to
3 the east we have one home that's fairly
4 adjacent, probably a couple of hundred
5 feet away, and then there's a large

6 white house that's adjacent to that,
7 it's a new house that was built a
8 couple of years ago.

9 MR. SARETSKY: I'm not familiar
10 with which one.

11 MS. ROLLIN: Harvey, that's the
12 one you built.

13 CHAIRMAN GESSIN: Oh, 858?

14 MR. BRENNER: 858. So now, the
15 lights facing west are on all night
16 until 3:00 in the morning. Is there
17 not a Village statute that says when
18 lights should be turned off?

19 MR. CASHIN: We're actually
20 working on that. We've talked about
21 that.

22 CHAIRMAN GESSIN: Right now
23 there's nothing.

24 MR. BRENNER: Now --

25 CHAIRMAN GESSIN: That's why this

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1 is in front of our Board.

2 MR. BRENNER: That's why. I mean,
3 God bless them, they should have lots

4 of parties in their house, but how long
5 do the lights stay on? If you have a
6 party until 3:00 in the morning, are
7 you allowed to keep the lights on until
8 3:00 in the morning?

9 CHAIRMAN GESSIN: Do you have an
10 answer for that?

11 MR. PROKOP: You can have the
12 lights on, they just can't shine on the
13 neighbor's property.

14 CHAIRMAN GESSIN: Shine beyond the
15 property line.

16 MR. BRENNER: Okay. How do you
17 measure that?

18 CHAIRMAN GESSIN: We're learning.

19 MR. BRENNER: As you just said,
20 you know, you don't know. That piece
21 of property, 10 Dune Lane, is empty
22 right now. So whatever light is going
23 to be there is going to extend onto
24 that property and would impact us
25 because my windows, some of my windows

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1 face that way. Now, I feel badly for

2 the people next to the white house.

3 CHAIRMAN GESSIN: You can actually
4 see through all those trees, the
5 lights?

6 MR. BRENNER: Oh, absolutely
7 because the lights are up on the top of
8 the house. The lights are not low
9 down, they go all the way up.

10 CHAIRMAN GESSIN: What floor are
11 you talking about? I thought you were
12 talking about on the garage level.

13 MR. BRENNER: Above the garage.
14 There are lights that are above the
15 garage, and then the lights are on in
16 the windows. Nobody turns the lights
17 off in the windows.

18 MR. TERCHUNIAN: We're not going
19 there.

20 MR. BRENNER: I mean, at 3:00 in
21 the morning, should the, you know, I
22 mean.

23 MR. SIEGEL: I have that too. The
24 kitchen light on all night long.

25 MR. TERCHUNIAN: Let's refocus.

1 MR. BRENNER: I think it does
2 impact us.

3 CHAIRMAN GESSIN: Oh, we a hundred
4 percent agree and we're trying to work
5 on that.

6 MR. TERCHUNIAN: And the plan that
7 we've asked them to prepare is a type
8 of document that is -- you know, it's
9 light engineering, if you will, and has
10 general acceptance to, you know,
11 address this issue.

12 CHAIRMAN GESSIN: If we could
13 explain a little background, this is
14 only the second applicant that is
15 dealing with this lighting plan. So
16 we're sort of learning as we're going
17 also, and I think what will happen is
18 by the time we get to the next
19 applicant, it will be a building code.

20 MR. BRENNER: You'll be more
21 prepared. No major issue with that.
22 One thing I notice, for example, on the
23 plans that we got in the mail, which I
24 have here, says nothing about garages.

25 CHAIRMAN GESSIN: You just have a
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1 site plan, right?

2 MR. BRENNER: Yeah.

3 CHAIRMAN GESSIN: Well, if you
4 look on -- they have two garages, they
5 have one here and one here
6 (indicating).

7 MR. TERCHUNIAN: But they're under
8 the building.

9 CHAIRMAN GESSIN: Garage under.

10 MR. BRENNER: Under the building,
11 so you drive in from the street?

12 CHAIRMAN GESSIN: Correct. They
13 have two garages.

14 MR. BRENNER: Two garages. And
15 the parking, where are they allowed to
16 have cars? Where would there be space
17 for cars? They have visitors come,
18 their car is in the garage --

19 CHAIRMAN GESSIN: Basically one
20 here, one here.

21 MR. BRENNER: This is Dune Lane up
22 here?

23 CHAIRMAN GESSIN: Yes. And then
24 this is their property line, but the

25

Village easement is all the way out

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1

here, so they're going to have the

2

second one here, third one here, fourth

3

one here, then they have one in the

4

building and one here. So they have

5

six comfortable.

6

MR. BRENNER: They have three

7

bedrooms, so they're allowed six, is

8

that the way it is?

9

MR. PROKOP: Parking for six cars?

10

I don't know, do we limit?

11

MR. BRENNER: Yeah, sure we do.

12

MR. PROKOP: Except that overnight

13

you can have one car per bedroom and

14

one for the house.

15

MR. BRENNER: So that would be

16

four.

17

MR. PROKOP: From 1:00 a.m. to

18

6:00 a.m., one per bedroom and one for

19

the house.

20

MR. CASHIN: That doesn't apply to

21

the building code, that applies to the

22

occupancy issue.

23 MR. PROKOP: To the occupancy
24 issue, right, but it's still a Village
25 code.

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1 MR. SIEGEL: On the overnight, but
2 you're allowed to have a twenty car
3 party.

4 MR. TERCHUNIAN: But it doesn't
5 apply to the building code itself, a
6 requirement of a minimum or maximum.

7 MR. PROKOP: Right. So they could
8 allow for parking on the plans, but at
9 1:00 a.m. they could be written up for
10 if there's more than four cars there,
11 they'll receive a warning.

12 MR. SARETSKY: You can have more
13 parking, you just can't use it.

14 MR. TERZI: After 1:00 a.m.

15 MR. PROKOP: Theoretically.

16 CHAIRMAN GESSIN: Let me just
17 answer your question about the front
18 yard setback. Here's their current
19 house. If you could see the current
20 house to this corner is 20.5, what

21 they're requesting is -- I think you
22 had left earlier at the last meeting.

23 MR. BRENNER: Right.

24 CHAIRMAN GESSIN: See this 17.5,
25 this is to the second floor. To the

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1 first floor it's 19.7 so that basically
2 this corner and this corner of the
3 first floor is exactly virtually in the
4 same spot.

5 MR. BRENNER: However, they're
6 going to have a walkway, and that
7 walkway impacts the distance between
8 here and here. It's not to the house.
9 So essentially when the walkway is
10 down, the house is really closer to the
11 street.

12 CHAIRMAN GESSIN: 12.7.

13 MR. BRENNER: Well, that's a big
14 difference between that and 17 --

15 MS. ROLLIN: There's 16 feet
16 between our property line and the
17 street there, Steve, 16 feet.

18 MR. BRENNER: It's supposed to be

19 20, isn't it?

20 CHAIRMAN GESSIN: No, no, no, what
21 she's saying is there's an additional
22 16 feet right here (indicating).

23 MR. TERCHUNIAN: In between the
24 property line and the edge of the
25 pavement.

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1 CHAIRMAN GESSIN: So it's 16 plus
2 12.

3 MR. BRENNER: So it's 28 feet.
4 Okay. Got that.

5 MR. TERZI: The distance from the
6 corner of the walkway to the actual
7 pavement would be 29 and a half feet.

8 MR. BRENNER: Okay. All right.

9 CHAIRMAN GESSIN: Next question?

10 MR. BRENNER: The last thing I
11 have is the relationship between the
12 property -- our property line and their
13 house. Is there a law about how big
14 that's supposed to be?

15 CHAIRMAN GESSIN: That's what
16 they're here for a variance.

17 MR. BRENNER: It's supposed to be

18 20 feet, right?

19 MS. ROLLIN: 14.

20 MR. TERCHUNIAN: No, on the side

21 yard? Side yard they meet the side

22 yard.

23 MR. BRENNER: Which is?

24 MR. TERCHUNIAN: Which is 3/10.

25 MR. TERZI: 14.

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1 MR. PROKOP: We're 1.7 feet off.

2 It's 1.7 feet shorter than it should

3 be. That's what they're asking.

4 MR. BRENNER: 1.7 feet, so it's

5 going to be 1.7 feet closer to my

6 property?

7 MS. ROLLIN: No, no, it's the same

8 as it is now.

9 MR. BRENNER: What about the

10 walkway? Doesn't the walkway bring it

11 closer to our property line?

12 MS. ROLLIN: We're looking for a

13 variance for that.

14 CHAIRMAN GESSIN: Steve, look at

15 this. Currently they're at, I'll
16 circle it, see, they're at 10 foot, and
17 now the new dimension is 14 feet.
18 They're actually less than they
19 currently are.

20 MR. SIEGEL: Further away.

21 MS. ROLLIN: What we're asking for
22 -- the variance we're asking for is for
23 the --

24 CHAIRMAN GESSIN: Is all the way
25 in the back here.

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1 MS. ROLLIN: Which is existing.

2 CHAIRMAN GESSIN: See, this is
3 12.3 and right here they're 12.2.
4 They're virtually in the same spot.

5 MR. BRENNER: Okay. I can't argue
6 then.

7 CHAIRMAN GESSIN: Well, you can.

8 MR. BRENNER: I mean, if it's in
9 the existing footprint, then we don't
10 have --

11 CHAIRMAN GESSIN: Well, that's
12 what good about these meetings. You

13 came, at least you don't see some
14 horror thing being built once they get
15 started.

16 MR. BRENNER: Can I just ask my
17 wife if she has any other questions?

18 MS. BRENNER: I think it's all
19 covered.

20 CHAIRMAN GESSIN: Thank you.
21 Next?

22 MS. AGINS: We're observing.

23 CHAIRMAN GESSIN: Board have any
24 other questions?

25 MR. CASHIN: No.

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1 MR. SARETSKY: No.

2 MR. SIEGEL: If this side yard is
3 existing and it's being taken down and
4 then put back in the same existing
5 spot --

6 CHAIRMAN GESSIN: Mostly in the
7 same spot.

8 MR. SIEGEL: Even if it was
9 exactly the same, what if it's less
10 than required?

11 CHAIRMAN GESSIN: What does that
12 mean?

13 MR. SIEGEL: Like, what would be
14 the actual required number?

15 CHAIRMAN GESSIN: What's the
16 required side yard?

17 MR. TERCHUNIAN: 14. Because it's
18 a substandard lot, so the 3/10 rule
19 applies.

20 CHAIRMAN GESSIN: So they're in
21 compliance here, in the front they're
22 in compliance. It's only where -- I
23 think there's actually steps there,
24 right? It really flares out from the
25 steps.

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1 MR. TERCHUNIAN: It was 3/10
2 because it's centered.

3 MR. SIEGEL: So the 12.3 is 1.7
4 off, and that's the variance?

5 MR. TERCHUNIAN: Yes.

6 CHAIRMAN GESSIN: Because of the
7 steps; am I correct with that? That's
8 where the deck flares here because of

9 the stairs.

10 MS. ROLLIN: The deck flares there
11 because it's existing, that's the
12 existing deck there, but we do need it
13 to flare out for the stairs.

14 MR. SIEGEL: Some of what's on
15 this plan is existing.

16 CHAIRMAN GESSIN: No, no, it's
17 not. If you would eliminate the stair,
18 this could be straight again and be
19 exactly where it was before.

20 MS. ROLLIN: No, no, this is
21 exactly where it is.

22 CHAIRMAN GESSIN: You're right.
23 Sorry, I looked at it wrong. You're
24 correct, that's exactly where it was
25 before.

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1 MS. ROLLIN: We tried as best we
2 could to stay in the existing
3 footprint. So just so you know, if we
4 conformed to DEC and the Village, we'd
5 have negative building envelope.

6 MR. SIEGEL: I don't think it's a

7 big deal.

8 MR. PROKOP: So the first thing
9 you need, we have a public hearing now,
10 so the first thing you need to do if
11 you would like to start moving towards
12 a conclusion is to close the public
13 hearing, so there would be a motion to
14 close the public hearing.

15 CHAIRMAN GESSIN: Just the one
16 question I have is what we were trying
17 to do with the lighting plan and the
18 landscape plan was to get everything
19 completed at the public hearing to that
20 we don't have a back and forth between
21 you, the Board, and the building
22 inspector at a later date. It seems
23 like everything has been addressed now
24 except the lighting. So Aram, what do
25 you think we should do, just so we

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1 don't have that issue in the future?

2 MR. TERCHUNIAN: What you can do,
3 and Joe and I have done this before, is
4 you can close the public hearing

5 pending a written submittal of a
6 lighting plan that's acceptable,
7 prepare and submit the lighting plan,
8 say, within -- give them a timeframe
9 that's reasonable for them to do it,
10 and for, you know, at least you and the
11 Board to look at it. If it looks like
12 it's going to pass muster, then the
13 hearing is closed, you can move to a
14 decision. If you don't like it, reopen
15 the hearing and go over the lighting
16 plan.

17 CHAIRMAN GESSIN: Are we prepared
18 to do that?

19 MR. SARETSKY: Yes.

20 CHAIRMAN GESSIN: I'd like to make
21 a motion to close the public hearing on
22 this application.

23 MR. TERCHUNIAN: Reserving the
24 right --

25 CHAIRMAN GESSIN: Reserving the
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1 right to reopen the case on the --
2 assuming that the lighting plan is not

3 accepted.

4 MR. TERCHUNIAN: What is the
5 timeframe that you can submit the
6 lighting plan, is 30 days enough?

7 MS. ROLLIN: I've got to go find
8 the software.

9 CHAIRMAN GESSIN: When we conclude
10 this, we're going to schedule another
11 meeting at this time because the second
12 applicant for today wasn't prepared.
13 So hopefully they'll have it done by
14 that time, and we can then have our
15 vote and be done with your case.

16 MR. TERCHUNIAN: So written
17 submittal in 30 days, and then the
18 Board is, you know, if they're
19 satisfied with that, they can -- then
20 they can move to a decision.

21 MS. ROLLIN: Okay.

22 CHAIRMAN GESSIN: So I'd like to
23 have a motion to close the public
24 hearing.

25 MR. SARETSKY: Second.

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1 MR. SIEGEL: Second.

2 CHAIRMAN GESSIN: Meeting is
3 closed. Angela, can you give us some
4 calendar dates?

5 MS. SADELI: Joe, you're not
6 available the third Saturday?

7 MR. PROKOP: Right. The third
8 Saturday I'm not.

9 MS. SADELI: So November 19th is
10 out. So there's the 5th, the 12th, and
11 the 26th, which is after Thanksgiving.

12 CHAIRMAN GESSIN: We don't need
13 any notification, other notification
14 for this, right?

15 MR. TERCHUNIAN: For them, no.

16 CHAIRMAN GESSIN: And what about
17 for the other application?

18 MS. SADELI: I have to re-notice
19 it.

20 CHAIRMAN GESSIN: Oh, because they
21 didn't notice it. So how soon could we
22 do the other application?

23 MR. SIEGEL: Does it have to be
24 Saturday?

25 MR. CASHIN: Yeah, does it have to

1 be Saturdays?

2 CHAIRMAN GESSIN: We've always had
3 them on Saturdays.

4 MR. CASHIN: It's going to be
5 tough this month.

6 MS. SADELI: We have a meeting on
7 the 18th.

8 MR. SIEGEL: Who is we?

9 MS. SADELI: Village Board of
10 Trustees has a meeting on the 18th.

11 CHAIRMAN GESSIN: What's the
12 soonest that we can do the Dune Road
13 application with the notification?

14 MS. SADELI: I would have to get
15 it to the paper on -- it would be the
16 12th because it has to go in for five
17 days.

18 MR. PROKOP: If it went in this
19 week, it would be in on the 3rd.

20 MS. SADELI: It has to run the
21 whole week, so the 12th.

22 CHAIRMAN GESSIN: How are we doing
23 on the 12th?

24 MR. SARETSKY: I'm not sure.

25 MR. CASHIN: I got something in

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1 Nassau County on Saturday night. I
2 could do Sunday.

3 MR. TERCHUNIAN: We can't hold the
4 hearing on Sunday.

5 MS. SADELI: I don't think you're
6 allowed to.

7 MR. TERCHUNIAN: I've never seen
8 it done.

9 CHAIRMAN GESSIN: So what about
10 the next weekend?

11 MR. CASHIN: Joe can't make it.

12 MR. PROKOP: But I'm not
13 controlling it. If you want an
14 attorney, I'll get an attorney here. I
15 just can't.

16 MR. CASHIN: 19th works best for
17 me.

18 CHAIRMAN GESSIN: I think I'm okay
19 on the 19th.

20 MR. SARETSKY: I'll check. I'm
21 not sure. Those two weekends I was
22 trying to go away, the 12th and the
23 19th, but don't do it around me.

24 CHAIRMAN GESSIN: Let's reach out
25 for Joe to see if he's okay.

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1 MR. SARETSKY: I think he's out of
2 the country, but hopefully he's back
3 shortly.

4 MS. SADELI: His away message had
5 a date when he would be back. I'll get
6 an e-mail and maybe check.

7 MR. SIEGEL: I think that --

8 CHAIRMAN GESSIN: Let's do it
9 tentative for the 19th, and what's the
10 next date after that?

11 MS. SADELI: 26th, which is --

12 MR. SARETSKY: The Saturday after
13 Thanksgiving, which I'm okay with, but
14 don't do that.

15 MS. SADELI: Then that gets us to
16 December 3rd.

17 MR. CASHIN: December 3rd works
18 for me.

19 CHAIRMAN GESSIN: I think I'm in
20 Florida that weekend.

21 MR. SIEGEL: Sounds like it has to

22 be the 19th.

23 CHAIRMAN GESSIN: I'm bad the
24 first two weekends in December.

25 MS. SADELI: So the 19th, and I'll
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1 e-mail Joe.

2 CHAIRMAN GESSIN: Let's try,
3 otherwise we'll just poll it again.
4 Let's see if we can get it done on the
5 19th.

6 MR. PROKOP: They need to get
7 their plans to us a couple of days in
8 advance.

9 MS. ROLLIN: The next meeting that
10 you'll --

11 MS. SADELI: Hear the lighting
12 plan.

13 MS. ROLLIN: Oh, that's not what I
14 understood that you said. You said the
15 lighting plan, if you were okay with
16 it, you could go ahead and --

17 MR. CASHIN: If we can't approve
18 it by telephone, then we have to have
19 another hearing.

20 MR. TERCHUNIAN: But we need to
21 set the 19th for the other case, but it
22 also gives you an opportunity to --

23 CHAIRMAN GESSIN: A target time.

24 MS. ROLLIN: So he was going to
25 say something to us?

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1 MR. TERCHUNIAN: Let's finish the
2 record. Are we done with the --

3 CHAIRMAN GESSIN: I think so.

4 MR. TERCHUNIAN: Is this for the
5 record or is this just --

6 MR. SIEGEL: It has to do with the
7 lighting plan that they're asking, the
8 photometrics, I don't think they have
9 to find software for it, I think that
10 if you go to this place that you were
11 planning on purchasing those lights,
12 they can help you with it.

13 MR. TERCHUNIAN: He is correct.
14 The manufacturer and the distributor
15 will do it for you.

16 MR. CASHIN: They want to sell you
17 something.

18 MS. ROLLIN: So we physically go
19 to their shop?

20 MR. SARETSKY: No, you can e-mail
21 them.

22 MR. TERCHUNIAN: Send them the
23 plans.

24 MR. SIEGEL: Or call on the phone.

25 MS. ROLLIN: I can't tell you, I
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1 spent two weeks on this with our
2 architect. He said he's never had to
3 do a set for residential in
4 Southampton, that only commercial
5 requires a lighting plan.

6 MR. TERZI: At least in terms of
7 photometrics, the appendix that
8 specifies the requirements for the
9 lighting plan is --

10 CHAIRMAN GESSIN: The only reason
11 we're requesting this is because you
12 have so many lights. If you didn't
13 have so many lights, we wouldn't
14 request it.

15 MR. TERZI: Is there a benchmark

16 where if we say that we will reduce the
17 number of fixtures by half that we
18 would reach an acceptable point there?

19 MR. TERCHUNIAN: Time out. We've
20 closed the hearing, so we can't have a
21 conversation about the substance of
22 your case because the hearing is
23 closed.

24 MR. CASHIN: Actually, we didn't
25 close it. She's still going.

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1 MR. TERCHUNIAN: The Zoning Board
2 is open but the --

3 MR. PROKOP: This is a public
4 meeting, it's okay.

5 MR. TERCHUNIAN: Okay. I just
6 want them protected.

7 CHAIRMAN GESSIN: Yeah, if you
8 want to reduce the lighting, maybe we
9 can just shepherd it through.

10 MS. ROLLIN: All right. We'll
11 reduce the lighting by half then.

12 CHAIRMAN GESSIN: You got to give
13 us something.

14 MR. SARETSKY: And you have to fix
15 that type C fixture.

16 CHAIRMAN GESSIN: And you have to
17 fix the floodlights. Get it to us
18 quick this way maybe we can get it
19 done.

20 MS. ROLLIN: The other question I
21 have is on that front --

22 MR. PROKOP: Excuse me, just get
23 it into the Village at least a couple
24 of days before the meeting so if one of
25 the neighbors has a question, they can

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1 come in and see it if somebody wants to
2 comment.

3 MS. ROLLIN: On that front
4 variance, Harvey, you know we're
5 building modular, right, so --

6 CHAIRMAN GESSIN: It doesn't
7 matter.

8 MS. ROLLIN: It does to us because
9 we have to get the plans done, and I
10 can't go after and say change this. So
11 do you have feeling for the chances on

12 whether that's going to be granted or
13 not?

14 CHAIRMAN GESSIN: I can't give you
15 an answer. I don't know. I don't know
16 what these guys are thinking. I'm only
17 one vote.

18 MS. ROLLIN: There are other
19 houses in the Village that are as close
20 to the property line or closer.

21 CHAIRMAN GESSIN: All I could say,
22 in my opinion, and I don't know about
23 the rest of these guys here. I don't
24 think the house is the biggest issue, I
25 think it's really that corner of that

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1 deck, and we'll just see how the vote
2 goes. From what I'm hearing here, I
3 don't think the house is an issue.

4 MS. ROLLIN: All right.

5 CHAIRMAN GESSIN: Did that help
6 you?

7 MS. ROLLIN: Because you also said
8 we don't need a variance for that
9 walkway, right, because it's --

10 CHAIRMAN GESSIN: Well, you need
11 it for the front walkway.

12 MS. ROLLIN: Regardless?

13 CHAIRMAN GESSIN: Oh, yeah,
14 definitely. But if you're doing
15 modular, it's not going to come with
16 the deck on it. The deck is going to
17 get tacked on later.

18 MS. ROLLIN: The point is if you
19 were to say you can't -- you had a
20 problem with where the house goes, then
21 I have to make the house smaller, and
22 that does effect me.

23 CHAIRMAN GESSIN: You know, we
24 can't tell you officially, but it
25 doesn't seem to be, from what I hear,

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1 an issue.

2 MR. SIEGEL: The thing about that
3 deck that you keep talking about it
4 like it's a deck, but it's got so many
5 columns around it that it really almost
6 is, like, a face. I mean, if you take
7 a look at what this deck looks like,

8 the design, this is not just a deck,
9 it's a major thing going on here.
10 That's the side. There's the front. I
11 mean, there's columns going all the way
12 up to the third, almost four floors on
13 that one corner. Is there a front yard
14 pyramid shown anywhere?

15 MR. TERCHUNIAN: Yeah, it meets
16 it.

17 MR. CASHIN: Right here.

18 MR. TERZI: Flip and I think
19 you've got all of it.

20 MS. ROLLIN: They're all here.

21 MR. TERZI: Keep going.

22 MR. TERCHUNIAN: We went through
23 this. There's actually three pyramid
24 lines on it because the way it slices
25 across the front. We only spent eight

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1 weeks on that.

2 MR. TERZI: What a long strange
3 trip it's been.

4 MR. CASHIN: It's a lot to be
5 considered.

6 MR. SIEGEL: This is what we're
7 calling a deck, anything that's not a
8 house. It's this whole thing here.

9 MS. ROLLIN: Is it just visually
10 you don't like it or --

11 MR. SIEGEL: I didn't say I don't
12 like it, it actually looks pretty nice,
13 you know, it's just big.

14 CHAIRMAN GESSIN: It's amassing at
15 the road.

16 MR. SIEGEL: It's waterproof. It
17 looks beautiful, it's going to be a
18 beautiful house.

19 MS. ROLLIN: Thank you.

20 MR. CASHIN: Okay.

21 CHAIRMAN GESSIN: Can we close the
22 hearing?

23 MR. PROKOP: The hearing is
24 closed. It's just a public meeting, so
25 we just need to adjourn the public

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1 meeting.

2 CHAIRMAN GESSIN: I'd like to make
3 a motion to adjourn the public meeting.

4 MR. CASHIN: Second.

5 CHAIRMAN GESSIN: This meeting is
6 closed.

7 (Whereupon the meeting was
8 adjourned at 11:07 a.m.)

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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 October 29, 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 12th day of November, 2016.

19

20

21 AMY BOHLEBER

22

23

24

25