

4-12-2022 - Landmarks Commission Public Hearing

TOWN OF NORTH HEMPSTEAD

HISTORIC LANDMARKS PRESENTATION COMMISSION

PUBLIC HEARING

Town Hall

210 Plandome Road

Manhasset, New York 11030

Tuesday, April 12, 2022

7:02 p.m.

COMMISSIONERS PRESENT:

ACTING CHAIRMAN, JOHN R. SORRENTI

CO-CHAIR, NANCY SHORES

COMMISSIONER, ANNE CYBRIWSKY

COMMISSIONER, HARRY NICOLAIDES

TOWN HISTORIAN, ROSS LUMPKIN

ALSO PRESENT:

DEBORAH ALGIOS, DEPUTY TOWN ATTORNEY

NEAL STONE, SENIOR PLANNER

DAVID GORDON, STENOGRAPHER

REPRESENTING THE APPLICATION:

DON ALBERTO, ARCHITECT

JAMES GILLIGAN, OWNER - 62 MURRAY AVENUE, PORT

WASHINGTON, NY

1 4-12-2022 - Landmarks Commission Public Hearing

2 CHAIRMAN SORRENTI: Neal, if you
3 would, it is 7:02. Would you do the roll
4 call?

5 MR. STONE: Yes, indeed. We will
6 start with Commissioner Cybriwsky.

7 COMM. CYBRIWSKY: Present.

8 MR. STONE: Commissioner Genese,
9 absent. Town Historian Lumpkin.

10 COMM. LUMPKIN: Present.

11 MR. STONE: Commissioner Nicolaides.

12 COMM. NICOLAIDES: Present.

13 MR. STONE: Chairperson, Vice Chair
14 Shores, sorry.

15 VICE CHAIR SHORES: Present.

16 MR. STONE: And Chairperson Sorrenti.

17 CHAIRMAN SORRENTI: Present, thank
18 you.

19 MR. STONE: And from town staff we
20 have this evening, we have Deputy Town
21 Attorney Deborah Algios from town attorney's
22 office. Myself, Neal Stone from the planing
23 department, as well as my colleague, Caroline
24 Forger, is here and this is being recorded.
25 We have David Gordon, he is our Stenographer

1 4-12-2022 - Landmarks Commission Public Hearing
2 from MGR Reporting for this evening. Back to
3 the chair.

4
5 CHAIRMAN SORRENTI: Next item on the
6 agenda is the approval of the minutes. Did
7 everyone have an opportunity to look at the
8 minutes? I think it was sent.

9 COMM. NICOLAIDES: The minutes were
10 on the transcripts from January. Will that
11 always be the case going forward?

12 VICE CHAIR SHORES: Is that like a
13 summary on decisions?

14 MR. STONE: The transcript
15 constitutes the minutes.

16 CHAIRMAN SORRENTI: Okay.

17 VICE CHAIR SHORES: I looked at this.
18 So the decisions and stuff, like, there's no
19 --

20 MR. ALGIOS: It's an actual
21 transcript so it contains everything.

22 CHAIRMAN SORRENTI: It contains
23 everything we discussed.

24 VICE CHAIR SHORES: No, I know what
25 it is. But can you --

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: Is there a reason?

3 CHAIRMAN SORRENTI: We used to do
4 minutes all the time.

5 MR. STONE: I do the resolutions
6 which constitute the Certificate of
7 Appropriateness after the transcripts are
8 received.

9 MS. ALGIOS: I think it's, like,
10 easy. The transcript is the minutes.

11 COMM. NICOLAIDES: In the future, I
12 will review it.

13 CHAIRMAN SORRENTI: Why don't we do
14 this, since we didn't review it, let's hold
15 off on our approval for that for our next
16 meeting and then if you will put that on the
17 agenda, we'll take a look and that will be
18 great. Okay.

19 Next on the agenda is Item No. 4,
20 Gilligan Property, application for the
21 issuance of a Certificate of Appropriateness
22 to install an inground pool, pool equipment,
23 pool fence and patio around the pool at 62
24 Murray Avenue, Port Washington, historic
25 district, Section 5, Block 58, Lot 41. I see

1 4-12-2022 - Landmarks Commission Public Hearing
2 we have Mr. Alberto standing here and I'm
3 assuming you're representing.

4 MR. ALBERTO: Yes, Don Alberto,
5 architect, 68 Highland Avenue, Port
6 Washington. Good evening chairperson and
7 members of the Landmark Commission. I'm here
8 on behalf of the owner, James and Geraldine
9 Gilligan of 62 Murray Avenue in Port
10 Washington. They purchased the home a few
11 months ago. James is here and his son, who
12 I'd like to say is studying architecture in
13 his second year, so he's here taking notes.
14 What to do, what not to do, I hope.

15 Just so you know, they have a permit
16 right now for an interior alteration, they're
17 renovating the kitchen and they're going to be
18 moving in as soon as that work is done, so
19 there is some activity at the property, you
20 might say what's going on, that's what's
21 happening.

22 We're here for the inground pool and
23 related components of it. We filed an
24 application and I have a site plan here and
25 I'm going to quickly show you a little bit

1 4-12-2022 - Landmarks Commission Public Hearing
2 about the project. Here's Murray Avenue and
3 there's a beautiful old house and an old
4 garage. There's a driveway on the west side
5 that comes into the garage. As you know, the
6 town code requires pools to be in the rear
7 yard and after some study, we found there's
8 only one spot that a pool could fit, so we
9 located it in the one open area. It couldn't
10 go on the other side because of the driveway,
11 you don't want to cross a driveway to get to
12 the pool. A standard pool is 20 by 40, and
13 that would be too big for this lot. We
14 realize that we reduced it as much as we could
15 to still make it a practical use of a pool.
16 So it's 17 by 30 feet.

17 We also have a very small patio of
18 pavers on sand around the pool just to be able
19 to, on the east side, walk around it; that's
20 three feet, and on the north and west and
21 south, it's five and six feet, just enough to
22 get a chair, a chaise lounge and dry off after
23 your swim. So it's not an elaborate plan
24 because we don't have the space, it's very
25 tight. Now the pool fence or pool enclosure,

1 4-12-2022 - Landmarks Commission Public Hearing
2 required by Building and town code, is around
3 the pavers and it hugs the easterly property
4 line. The code six-foot solid fence. We
5 chose a stockade, wood, versus the vinyls
6 which we don't think would look good in this
7 district, but we could, if the board felt that
8 was better, we can change that. We think, you
9 know, when the wood grays and weathers, it
10 kind of looks more natural.

11 The last part of application is the
12 pool equipment, which is tucked next to the
13 garage way in the back so it shouldn't affect
14 anyone. We do have some samples if you do
15 want to see, the paver itself around the pool.
16 You want to see this or touch it?

17 CHAIRMAN SORRENTI: Looks good.

18 MR. ALBERTO: And we were also asked
19 by Neal to bring some additional photos to
20 help explain and I could briefly show you and
21 then give them to you. This is looking from
22 the front and you can see the driveway, on
23 this side. There's a big hill in the front.
24 On the other side looking at the house, you'll
25 see there is no way you can even see the

1 4-12-2022 - Landmarks Commission Public Hearing
2 backyard.

3 VICE CHAIR SHORES: That's from
4 Murray Street?

5 MR. ALBERTO: That's the other side.
6 Neal asked for pictures of the side yard where
7 the pool is going. Now, there is construction
8 going on so you're going to see dumpsters and
9 stuff, but I do have pictures of that side
10 yard looking in both directions and I hope
11 that helps. One final item, you know, we did
12 the mailing and we did get a few calls from
13 neighbors and I directed James to talk to each
14 of them and maybe he could introduce himself
15 and tell you what transpired with discussion.

16 MR. GILLIGAN: Good evening, board.

17 MS. ALGIOS: If you could just put
18 your name and address on the record.

19 MR. GILLIGAN: Sure, my name is James
20 Gilligan, 62 Murray Avenue, Port Washington,
21 New York, 11050. Thank you.

22 So I did call the neighbors, one had
23 a question about the trees on the right-hand
24 side, and we discovered they were his trees
25 and he wanted to cut to his trees, you have to

1 4-12-2022 - Landmarks Commission Public Hearing
2 discuss that with the town itself for a
3 permit, and he was very happy about that and
4 asked me if I could help him fix a crack. It
5 had nothing to do with this, but I did it, as
6 a courtesy, as a neighbor. One of the
7 gentlemen asked me about the pool equipment,
8 would it be going or towards the back or
9 towards the back of my house, I said towards
10 the back of the garage to keep any noise level
11 down and he was happy. That was only two
12 people, two nice neighbors, one on the left,
13 one on the right.

14 CHAIRMAN SORRENTI: I do have a
15 question about the pool equipment because I
16 see that, you know, where it is in the back,
17 and how that affects the neighbor behind you.

18 MR. GILLIGAN: I talked to the
19 neighbor right behind me as well, and he has
20 plantings on my property which I don't care
21 about. There's a three-foot setback that I'm
22 not claiming back to him.

23 CHAIRMAN SORRENTI: Right.

24 MR. GILLIGAN: It didn't come up. I
25 have no issue with that and he's happy as

1 4-12-2022 - Landmarks Commission Public Hearing
2 well.

3 COMM. NICOLAIDES: If I may ask a
4 question just so we're all clear, do you have
5 any letters of support or any documentation to
6 their support? I don't know that really we
7 can accept as a matter fact what somebody else
8 told you.

9 MR. GILLIGAN: Oh, okay.

10 COMM. NICOLAIDES: Do you have
11 anything from the neighbor, a note?

12 MR. GILLIGAN: I have telephone
13 numbers you can you call.

14 COMM. NICOLAIDES: I don't think
15 that's our job.

16 MR. GILLIGAN: This is all new to me.

17 COMM. NICOLAIDES: No, I appreciate
18 it.

19 VICE CHAIR SHORES: They all received
20 notice.

21 MR. GILLIGAN: Sorry about that.

22 COMM. NICOLAIDES: No worries.

23 MR. GILLIGAN: When they left off
24 with me, they said they were very happy with
25 it, if there's any problems, they would have

1 4-12-2022 - Landmarks Commission Public Hearing
2 called Donald which I directed him, if he had
3 any questions and that was it.

4 VICE CHAIR SHORES: I had asked about
5 the pictures, what the view would be for the
6 other people because the code does talk about
7 looking from other properties, so that was a
8 little concern of mine. In one of those
9 picture, it looks like they're elevated above?

10 CHAIRMAN SORRENTI: The fence seems
11 to be very high and his property is so high,
12 too, that you really can't see it.

13 CHAIRMAN SORRENTI: That looks like a
14 little fence.

15 COMM. NICOLAIDES: Do you have a
16 stockade fence there now? Is that your's or
17 your neighbor's? It's sitting on top of the
18 retaining wall?

19 MR. GILLIGAN: It's the neighbor's,
20 and I wanted to put in a new fence for him,
21 he's happy.

22 CHAIRMAN SORRENTI: So you're going
23 to take that out and put the --

24 MR. GILLIGAN: And put the new one
25 in.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: Just be careful,
3 and maybe this question is for Don, North
4 Hempstead doesn't recognize my neighbors fence
5 as a barrier for the pool, so you may be
6 required to put a fence next to the fence.

7 MR. GILLIGAN: Okay.

8 COMM. NICOLAIDES: Because if this is
9 on his property and you put a fence on his
10 property, it's his fence and he could take it
11 down and say to you the same thing and then
12 you don't have a fence protecting the pool and
13 the pool enclosure.

14 MR. GILLIGAN: This particular fence
15 is on my property, he put his fence on my
16 property, there's no dispute about that.

17 VICE CHAIR SHORES: Usually if you're
18 the owner, you face the nice side.

19 MR. GILLIGAN: He said it was a
20 mistake at one time with the previous owner.

21 COMM. CYBRIWSKY: Can I ask you, they
22 required a solid fence like that? You had to
23 pick either stockade or, you know, vinyl, or
24 something solid? You can't have anything
25 open?

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: Like a wrought
3 iron fence?

4 COMM. CYBRIWSKY: Like a wrought
5 iron? I'm just asking.

6 COMM. LUMPKIN: That's the town code.

7 COMM. CYBRIWSKY: I mean, because I
8 have a pool on my property, in the town. It
9 was put up over ten years ago, and I have a
10 wrought iron, six foot, with the self closing
11 gates and the whole thing. I'm just saying
12 I'm surprised, because it's not that
13 attractive, a stockade fence around the pool.
14 When you're in the pool, my opinion, when
15 you're in the pool, you don't see out in your
16 property, you know what I mean? You're
17 corralled in it.

18 MR. GILLIGAN: So I'm putting up
19 these shrubberies, as well, to make it more
20 enhanced, as well.

21 COMM. CYBRIWSKY: I'm just saying,
22 aesthetically, you can do what you want, what
23 I'm saying, for you using it, when you're
24 inside the pool, you feel enclosed. You can't
25 see if someone is coming up the driveway. I'm

1 4-12-2022 - Landmarks Commission Public Hearing
2 just surprised that that design --

3 COMM. LUMPKIN: I think Commissioner
4 Cybriwsky is right. I'm reading the code, I'm
5 going to read just that statement. "It shall
6 be a record to maintain the six-foot high
7 solid wood/solid vinyl, vertical wrought iron
8 fence with spacing no more than four-inches or
9 similar. Correct, thank you for correcting
10 that.

11 COMM. CYBRIWSKY: I happen to have
12 that kind of fence around my pool and it's
13 wonderful, it's a wrought iron, self-locking
14 gate. You don't have to, from the
15 Commissioner point of view, I'm just saying,
16 you know, think about that.

17 CHAIRMAN SORRENTI: It would be nicer
18 for you if you do that.

19 MR. GILLIGAN: I agree, actually.

20 COMM. CYBRIWSKY: And you can see if
21 someone is coming into your pool, you can see
22 out if someone is coming into your backyard.
23 It gives you that visibility, which is nice.

24 COMM. NICOLAIDES: If this were a
25 flat site, I think, and I'll speak for the

1 4-12-2022 - Landmarks Commission Public Hearing
2 rest of them, although they may disagree with
3 me, seeing a fence from the front of the
4 property tends to be something we're very
5 concerned about. We aren't as concerned of
6 what the neighbors see, because it's really
7 the neighbors, but you have a unique situation
8 where your house is so far up the hill that
9 the concern, in this case, is probably not an
10 extremely valid one. But it still would look
11 nicer from the front of the house to see the
12 black wrought iron fence than seeing a
13 stockade fence in typically a historic house.

14 COMM. LUMPKIN: Could we amend the
15 application on the spot?

16 COMM. NICOLAIDES: You have to speak
17 with him.

18 CHAIRMAN SORRENTI: If you want to,
19 we can approve it whatever way you want.

20 VICE CHAIR SHORES: Actually, I was
21 bothered by the stockade.

22 COMM. CYBRIWSKY: You'll be much
23 happier. I have a black wrought iron with a
24 self-locking gate, it's wonderful, I've had it
25 for ten years, it looks great.

1 4-12-2022 - Landmarks Commission Public Hearing

2 MR. GILLIGAN: With some shrubbery
3 and plants --

4 COMM. CYBRIWSKY: It looks nice,
5 you'll be happy. And another suggestion as a
6 pool owner, just getting it in here, you have
7 a rectangular-shaped pool. If you haven't
8 planned to, get one of those automatic roll
9 out pool covers.

10 MR. GILLIGAN: A hundred percent.

11 CHAIRMAN SORRENTI: Particularly in a
12 wooded area, we get a lot of leaves.

13 COMM. CYBRIWSKY: Right, it's a
14 safety thing and you save on the chemicals. I
15 have salt, but it keeps it cleaner.

16 VICE CHAIR SHORES: And then in the
17 back you're going to --

18 COMM. NICOLAIDES: You also have the
19 driveway you're expanding.

20 MR. ALBERTO: We need to take what
21 we're taking from here and put back there.
22 There was another issue that James wanted to
23 get advice on, perhaps you can explain it
24 better.

25 In the front, I think I have a photo,

1 4-12-2022 - Landmarks Commission Public Hearing
2 you see there's that severe hill and there's
3 actually some nice stones behind it, boulders,
4 and he wanted to improve that in the same way
5 and we're wondering, is that required approval
6 the Landmark Commission as well.

7 CHAIRMAN SORRENTI: I don't see the
8 stones.

9 MR. ALBERTO: It's covered by ivy or
10 pachysandra.

11 COMM. NICOLAIDES: Is it a curb that
12 you're referring to?

13 MR. ALBERTO: No, it's that front
14 hill.

15 COMM. NICOLAIDES: It's got a baby
16 retaining wall.

17 CHAIRMAN SORRENTI: And what do you
18 want to do with that? You want to expose it?

19 MR. ALBERTO: We want to stabilize it
20 with boulder.

21 VICE CHAIR SHORES: That would need
22 approval.

23 MR. ALBERTO: And is that a formal
24 application?

25 COMM. NICOLAIDES: Unfortunately,

1 4-12-2022 - Landmarks Commission Public Hearing
2 yes. And you may as well make a separate
3 application.

4 MR. ALBERTO: It's something that
5 just came up.

6 VICE CHAIR SHORES: If you don't
7 close this meeting, you wouldn't have to
8 re-notice people, but that might not work.

9 MR. ALBERTO: Could we amend it?

10 COMM. NICOLAIDES: We don't want to
11 hold you up.

12 COMM. LUMPKIN: Summer is around the
13 corner. Just have to do it. It's part of the
14 process.

15 COMM. NICOLAIDES: Right. Do you
16 have any issues with impervious --

17 MR. ALBERTO: We're opening a dry
18 well and it's all been calculated.

19 COMM. NICOLAIDES: Isn't there a
20 maximum rear yard coverage?

21 MR. ALBERTO: It structures and they
22 don't count driveways in the rear yard. In
23 the front yard, they would, but in the rear
24 yard, it's only structures above the ground.
25 That's only a recent interpretation.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: Where did you get
3 that from?

4 MR. ALBERTO: You want to know? One
5 of the plannings analysts.

6 COMM. NICOLAIDES: Just out of
7 curiosity, do you meet the side yard setbacks?

8 MR. ALBERTO: Yes, the pool meets
9 zoning in all respects.

10 COMM. NICOLAIDES: What do you plan
11 to do with that yellow strip between the pool
12 deck and the property line?

13 MR. ALBERTO: It was intended to stay
14 green. Trying to keep as much green as we
15 can. Landscaping or grass. Grass you could
16 walk on it.

17 CHAIRMAN SORRENTI: Do you want to
18 have a motion by anybody?

19 (No response.)

20 CHAIRMAN SORRENTI: There's nobody?
21 Anyone in the audience have any discussions?

22 COMM. NICOLAIDES: I'll make a motion
23 that we approve the application with the
24 condition that the stockade fence be a black
25 wrought iron fence or an aluminum powder

1 4-12-2022 - Landmarks Commission Public Hearing
2 coated version of it.

3 CHAIRMAN SORRENTI: It doesn't have
4 to be black, it can be white, if they want.

5 COMM. CYBRIWSKY: I think black --

6 COMM. NICOLAIDES: The state fence is
7 black.

8 CHAIRMAN SORRENTI: We don't really
9 have jurisdiction over color, just to let you
10 know. I think you need to --

11 MR. ALBERTO: The owner prefers
12 black.

13 CHAIRMAN SORRENTI: We don't have
14 jurisdiction over color.

15 COMM. NICOLAIDES: The color of the
16 owner's preference with no more than four-inch
17 spacing and six feet high.

18 CHAIRMAN SORRENTI: Do I have a
19 second?

20 COMM. CYBRIWSKY: I'll second.

21 CHAIRMAN SORRENTI: Neal, could you
22 --

23 MR. STONE: Sure, Commissioner
24 Cybriwsky?

25 COMM. CYBRIWSKY: Approved.

1 4-12-2022 - Landmarks Commission Public Hearing

2 MR. STONE: Commissioner Nicolaides?

3 COMM. NICOLAIDES: Approved.

4 MR. STONE: Town Historian Lumpkin?

5 COMM. LUMPKIN: Approved.

6 MR. STONE: And Vice Chair Shores?

7 VICE CHAIR SHORES: Yes.

8 MR. STONE: And CHAIRMAN SORRENTI?

9 CHAIRMAN SORRENTI: Yes.

10 Thank you very much.

11
12 CHAIRMAN SORRENTI: Okay, next item,
13 new business. Do we have any new business?

14 COMM. LUMPKIN: I have a couple of
15 things I just wanted to bring to your
16 attention. Just so that you're aware, they're
17 plans for the 250th anniversary of the
18 Revolution in the making, the
19 semiquincentennial. It's been happening on
20 national scale and on a state scale. We
21 expect there to be significant amount of money
22 and planning going into it and we're looking
23 for ways to tie in what we do with the
24 activities at the state level and county
25 level.

1 4-12-2022 - Landmarks Commission Public Hearing

2 One of the things that I'm looking at
3 and involved in, is the map of the cemetery in
4 Port Washington, where there are nine
5 revolutionary war patriots. We're applying
6 for grants to get this done. I formed an
7 alliance with the town historical society and
8 we have a friends group, pretty high powered
9 friends group. I'm going out to get money to
10 make things happen. It is right next to the
11 Schreiber High School. It's an incredible
12 ideal place for an outdoor learning center for
13 the school. And we will see. The first step
14 is getting this grant is going to let us do a
15 conditions, which will let us figure out
16 everything that's there and we will take it
17 from there but I just thought you should know.

18 VICE CHAIR SHORES: That's wonderful.

19 COMM. LUMPKIN: We're on top, we're
20 really trying to get involved in any way we
21 can. This is more of a question, the war mock
22 house, which is at 69 Roslyn Road.

23 CHAIRMAN SORRENTI: Yes. The one
24 that we've been which is outside of our
25 jurisdiction.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. LUMPKIN: Is it? It's a
3 historic landmark.

4 VICE CHAIR SHORES: I don't think so.
5 I believe that it is -- the Village of Roslyn
6 has a private agreement on that property that
7 they're not supposed to do certain things. I
8 don't remember, but that's what Roslyn
9 landmarks. That is Roslyn Heights, right
10 there, I thought. That's why they came to --

11 COMM. NICOLAIDES: Us.

12 VICE CHAIR SHORES: -- the board.

13 COMM. LUMPKIN: It is a historic
14 landmark.

15 COMM. NICOLAIDES: It's in North
16 Hempstead.

17 VICE CHAIR SHORES: It's in the town
18 of North Hempstead, so there's joint
19 jurisdiction there.

20 CHAIRMAN SORRENTI: Right because
21 we've been dealing --

22 CHAIRMAN SORRENTI: But then Roslyn
23 has some sort of agreement and Howard had been
24 --

25 COMM. LUMPKIN: I spoke to Howard.

1 4-12-2022 - Landmarks Commission Public Hearing

2 CHAIRMAN SORRENTI: Howard speaks to
3 me, you know, on every-other-month basis and
4 asks what we're doing about it. We haven't
5 been doing anything because of Roslyn so it's
6 been a vicious circle.

7 VICE CHAIR SHORES: At one meeting we
8 agreed to send -- we were going to have the
9 town look at it and I thought the town had.

10 MR. STONE: We were alerted to this
11 over the last few weeks by the Roslyn Village
12 Commission asking what the status was with our
13 building department and the work that was
14 performed was performed without a permit.

15 CHAIRMAN SORRENTI: That's correct.

16 MR. STONE: And so there is likely to
17 be a citation issued over the next month by
18 the Town Building Department because they have
19 been unresponsive with providing a complete
20 application to the Building Department
21 disclosing what they intended to do, and then
22 the work that was done.

23 VICE CHAIR SHORES: And that should
24 kick it over to us.

25 MR. STONE: Exactly. Exactly. So we

1 4-12-2022 - Landmarks Commission Public Hearing
2 would view it at that point.

3 COMM. NICOLAIDES: But the Building
4 Department, they may issue a citation.

5 MR. STONE: A formal application has
6 not been submitted and they're still waiting
7 and have an incomplete application and the
8 building inspector assigned to that project,
9 has been in touch with the owner several time
10 and so, this has really become delayed by the
11 owner of the property.

12 COMM. CYBRIWSKY: Was there a
13 financial consideration?

14 VICE CHAIR SHORES: My memory is,
15 there's an agreement and I forget what it is,
16 I forget if it was filed on the title -- I
17 think it is -- with the village, whatever the
18 name of the village historic district is,
19 whatever that commission.

20 COMM. LUMPKIN: It's not in the
21 historic district.

22 CHAIRMAN SORRENTI: No, it's not.

23 VICE CHAIR SHORES: It's a landmark
24 in the town, though.

25 VICE CHAIR SHORES: Right, but it's

1 4-12-2022 - Landmarks Commission Public Hearing
2 also in the village of Roslyn and there is an
3 agreement in place where they weren't supposed
4 to do exterior changes. Whatever the
5 Landmark's Commission is in Roslyn or district
6 or whatever.

7 COMM. LUMPKIN: That would be out
8 conditions, also, right?

9 VICE CHAIR SHORES: But it's also
10 under us. That was pre-COVID.

11 VICE CHAIR SHORES: Yeah, so, I think
12 they also have the ability privately to act
13 and I think, perhaps, they'd like the town to
14 take action. I think we should look at it
15 especially if it wasn't already approved.

16 MR. STONE: It's in the process and
17 as soon as Buildings sort of works through
18 getting a complete application, it's going to
19 come to us.

20 COMM. NICOLAIDES: As I recall, and
21 my memory is definitely getting pretty old,
22 but the two or so years ago we looked at it,
23 we made specific critiques to approve towards
24 and what varied from those approved towards to
25 what was actually in place. I remember the

1 4-12-2022 - Landmarks Commission Public Hearing
2 columns and there was --

3 VICE CHAIR SHORES: What I remember
4 is them showing us what had been changed and
5 we said no, it shouldn't be that way, or
6 whatever, but there was no formal hearing. It
7 wasn't a formal, he was on his new business
8 and then we said, well it sound like the
9 building inspector should like at it.

10 COMM. NICOLAIDES: I guess we kicked
11 it back to the building department and it's
12 never come back since?

13 COMM. CYBRIWSKY: They seemed to be
14 overwhelmed, if I remember, what had to be
15 changed if I remember.

16 VICE CHAIR SHORES: Maybe I missed
17 that meeting. I just remember the
18 conversation where Howard showed us what they
19 changed on the exterior and some other people
20 were here with Howard and we had opinions on
21 that, but there's never been an application.
22 There was no application, there was nothing to
23 make a decision on. In order for something to
24 happen, a building inspector would have to so
25 that.

1 4-12-2022 - Landmarks Commission Public Hearing

2 MR. STONE: I think the work they did
3 do without any permitting by the town of North
4 Hempstead, so they had to backtrack on that.

5 COMM. CYBRIWSKY: Let's face it, for
6 the last couple of years, a lot of things were
7 let go, too. You gotta cut them some slack
8 for that. Maybe they didn't get around to it
9 because of COVID.

10 VICE CHAIR SHORES: I have some new
11 business too, do you have anything else, Ross?

12 COMM. LUMPKIN: No, thank you for
13 that.

14 VICE CHAIR SHORES: This, what you
15 brought up and this discussion with Deborah, I
16 probably said it other times to other people,
17 I really think we need to have a discussion on
18 two things. One is consistence, and we don't
19 have to have that now. I would like to think
20 it about it. One is being consistent, and the
21 other one is -- and understanding the code and
22 I think that's really important because we
23 just made modifications to the code and I
24 heard you say, Harry, it doesn't matter what
25 it is from the neighbors view --

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: It does.

3 MS. SHORE: -- then we need to change
4 the code if we think that doesn't matter,
5 because that's what the code is. I mean, I do
6 think it matters, and when I was in a position
7 where it was near me, I tried not to look at
8 it from my window and we looked from the
9 street and that was wrong.

10 COMM. NICOLAIDES: I probably should
11 have used the term, "it doesn't matter as
12 much," because we're only talking about, you
13 know, the nature of what that fence is made
14 out of. And I think a street view is more
15 critical by our previous standards we've used
16 because it's visible for anybody as opposed to
17 a single person.

18 VICE CHAIR SHORES: I would wait it
19 more, also personally, but I think -- I would
20 like if we're open to that for Deborah to sort
21 of walk us through the code at one of our
22 meetings. I feel like we -- the guy who came
23 to us, his house is on, maybe it's on Elm, the
24 guy with the backyard, and we were very strict
25 with him and then somebody else comes and

1 4-12-2022 - Landmarks Commission Public Hearing
2 we're not consistent and now that house that
3 was built by a developer and sold, they put up
4 evergreens which we told someone -- I wasn't,
5 there that night, that they can't have them.

6 And then I believe that the town
7 should have some skin in the game and there
8 should be enforcement, and there shouldn't be
9 neighbors that have to call and I think we
10 should have that conversation with the
11 Building Department, because it's not, like,
12 regular, like, it's a district that you sort
13 of given in my mind to some extent, shared
14 with the town, so either the town watches over
15 it to some degree, or they don't and that's a
16 different thing.

17 COMM. NICOLAIDES: That's subject
18 No. 2, and by the way, I agree with you. I
19 think the nature of what we do doesn't have an
20 enforcement on it. The information is passed
21 on to the Building Department for code review
22 and for approval, but then what? Nobody
23 drives by and says, that's not the right
24 shutter.

25 Only when somebody makes the Building

1 4-12-2022 - Landmarks Commission Public Hearing
2 Department or the town aware of it. But
3 there's nobody other than us who knows that
4 that's not the shutter we approved, the
5 shutter hooks aren't on there, the chimney cap
6 is off.

7 COMM. CYBRIWSKY: Unless we drive
8 by and see it.

9 MS. ALGIOS: I just -- I don't think
10 right now that that's feasible because I think
11 the building department is hurting as far as
12 staff and I just don't think they have the
13 time to start driving around in the historic
14 district and inspecting. I think it's going
15 to come on calls, which, quite frankly, that's
16 throughout the town, even on the zoning end,
17 even from the neighbors.

18 VICE CHAIR SHORES: That's a
19 different situation and I look at it as, the
20 reward is you either have to have -- first of
21 all, it's different from zoning because my
22 house is in this town, I live here, these are
23 the rules of this town and I want to make a
24 change, do I go to Zoning board, right? It's
25 not that this house is a special district in

1 4-12-2022 - Landmarks Commission Public Hearing
2 the town, like, you --

3 MS. ALGIOS: But it is. It's in the
4 historic district, it's like layer, but it
5 doesn't mean that that other layer of zoning
6 that applies to everybody in a particular
7 district doesn't exist. If I have -- if I'm
8 in a district and there are certain setbacks
9 and my neighbor puts a deck and is right up
10 against my property, I'm going to call I'm
11 going to complain, so it's kind of regulated
12 that way.

13 COMM. NICOLAIDES: The similarity is
14 there. Nobody is running isn't running out --
15 the building inspector isn't running out with
16 a tape measure and making sure your ten-foot
17 setback isn't 9'6.

18 VICE CHAIR SHORES: The difference
19 is, the reason it's a historic is to preserve
20 what it looks like and a time that's passed,
21 right? And if you go look at what that
22 district went in as and you look at that
23 district today, it looks very, very different
24 and a couple of people have come and a couple
25 of people don't come. Quite honestly, at this

1 4-12-2022 - Landmarks Commission Public Hearing
2 point, I'm almost neutral on it, but if you're
3 not going to enforce it, probably 50 percent
4 of the people who live in it don't even know
5 they do.

6 COMM. LUMPKIN: I think inspection
7 and enforcement are two different things. I
8 could inspect it, I drive around the
9 neighborhood and I see something is wrong,
10 they didn't put in the right shutter, then
11 what happens? That's the enforcement.
12 There's different sides there. We could
13 figure a way to do it informally.

14 COMM. NICOLAIDES: One procedural
15 enhancement may be that we require that upon
16 completion, photographs are submitted that we
17 sign off on that show that the requirements
18 that we've implemented are actually installed,
19 so we'll see the rear door, we'll see the
20 shutter, we'll see the light fixture, we'll
21 see the details because I promise you, the
22 building inspector, even if you told him, he's
23 not going to be holding up that lantern and
24 say, we call for a six and it's a nine-inch,
25 you know, and we care. But it's hard for

1 4-12-2022 - Landmarks Commission Public Hearing
2 somebody who doesn't understand it to be the
3 critical eye. Then they go in the file so we
4 have a closure do it, just like there is a
5 final inspection for a code compliance.

6 VICE CHAIR SHORES: That would
7 actually require a change in the code.

8 MS. ALGIOS: Yeah, we have to add
9 that to the code.

10 COMM. NICOLAIDES: And so be it.

11 COMM. CYBRIWSKY: Remember, we're
12 also not employees of the town. We're
13 volunteers.

14 COMM. NICOLAIDES: You're right,
15 they're not paying us to drive by and enforce
16 it.

17 COMM. CYBRIWSKY: If we drive by and
18 we see it, that's one thing, but we're not
19 employed to enforce and we're also not
20 employed to tell them how to do their job.

21 COMM. NICOLAIDES: That authority
22 ended. We don't have that authority. But I
23 think if we put the burden on the applicant to
24 provide the closure, then we have at least
25 have something that goes that says when we

1 4-12-2022 - Landmarks Commission Public Hearing
2 signed off it on it, it looked like this. We
3 can't keep them from running out there and
4 buying different light fixtures or plan
5 planting trees. You can't be policed on a
6 constant basis.

7 VICE CHAIR SHORES: That's were I'm
8 going. The people that come to you and ask
9 you for permission are people most likely to
10 do what you asked them to do, right? As
11 opposed to somebody who anyway may not even
12 know they're in a district and do it, right,
13 or may know but also knows, that, you know,
14 that if their neighbor got away with it, why
15 can't they get away with it? And that's where
16 you -- it matters less with a house, but it
17 does matter with the district, right?

18 COMM. NICOLAIDES: I think you could
19 apply that to every code law from whether it's
20 you're driving a car speeding through a school
21 district, unless there's somebody there to
22 catch you, it's an honor system. There's
23 really no other opportunity and now we have
24 cameras taking pictures of people when they
25 drive through.

1 4-12-2022 - Landmarks Commission Public Hearing

2 VICE CHAIR SHORES: What do you say
3 to somebody that you just told they couldn't
4 have evergreens and they're planted down the
5 street, on the street that the building
6 inspector would be driving down to get to his
7 office, what would you --

8 MS. ALGIOS: I think that person now
9 runs the risk that they're gonna now get
10 sanctioned and they have to come now before
11 the commissioner and the commissioner is going
12 to save them, you can't have it.

13 COMM. NICOLAIDES: And pay a penalty
14 for violation and they'll go to court.

15 VICE CHAIR SHORES: And this is just
16 me speaking, I mean I have this role, I would
17 look at those pictures and I go, I don't know,
18 you know? We're not enforcing it, it's
19 changing, you know, Joe follows the rules but
20 Jane feels they don't apply, we don't really
21 do anything about that nor do we educate
22 people. Hey, you're in a district, there was
23 all this stuff, they were going to mark the
24 curbs and you know, there are some signs, when
25 they're not -- and in Port Washington, I think

1 4-12-2022 - Landmarks Commission Public Hearing
2 it works better and I think people are more
3 aware they're in a district.

4 COMM. CYBRIWSKY: Although, I did go
5 see a house for sale in Port Washington, and I
6 knew it was a historic district and it wasn't
7 on the listing and I just said -- so I said,
8 very wisely, in front of all those people,
9 this is in the historic district and the agent
10 who was not from this area admitted it was, to
11 the surprise of everyone that was there.

12 Clearly there are the signs in Port
13 Washington that define it, but people didn't
14 know and there was nothing on the listing.
15 Occasionally people say part of the historic
16 district, but there's nothing that's required;
17 that they say that in an MLS listing.

18 COMM. NICOLAIDES: That's where I
19 have an issue. I spoke at length to a real
20 estate broker prior to listing of the house,
21 advising him that it was in the historic
22 district, and I went so far as to suggesting
23 that you make it known, and on that listing it
24 a week later, it wasn't there.

25 COMM. CYBRIWSKY: Yeah, yeah.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: Buyer beware. Is
3 there any way the town could require that if a
4 property is in the historic district, it must
5 be listed in any advertisement, transaction
6 for sale?

7 COMM. CYBRIWSKY: You would have to
8 force MLS. MLS would have to force people -
9 there's not a lot of historic districts.
10 There may be a question somewhere, deep in the
11 MLS listing that asks if it's historic, I have
12 not seen it, but it would have to be a
13 required field in an MLS listing, which Zillow
14 and everybody else feeds off of. That's the
15 only way that you could do it, you know.

16 MS. ALGIOS: I was also going to
17 suggest maybe reaching out to Marianne
18 Dalimonte and Peter Zuckerman who both have
19 the two historic districts. I know for sure
20 Marianne would be on board with this, to maybe
21 host some type of, you know, and maybe do it,
22 like, twice a year, something for residents.
23 Educating them on the historic -- do it at the
24 local library and educate them as to, you
25 know, the district, what the requirements are.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. LUMPKIN: I mean as the new
3 guy, I sometimes wonder, you know, everybody
4 seems to be so nice to everybody and we could
5 be stricter, but I don't know what the public
6 wants.

7 CHAIRMAN SORRENTI: In theory, it's
8 not up to the public.

9 VICE CHAIR SHORES: I agree with you.

10 COMM. LUMPKIN: If we could get both
11 of that, I think having some sort of meetings
12 with the --

13 VICE CHAIR SHORES: I'm for it just
14 because I think there's a lot of people,
15 especially in the last couple of years, who
16 don't even know. You can't say they're doing
17 something that they should have known they had
18 to stop.

19 CHAIRMAN SORRENTI: How many houses
20 do we have in both districts total?

21 VICE CHAIR SHORES: 60, something in
22 Roslyn, and 24 or something --

23 CHAIRMAN SORRENTI: Let's say 80, is
24 there a possibility of just mailing, you know,
25 the revised regulations to all 80 people,

1 4-12-2022 - Landmarks Commission Public Hearing
2 "this is just to let you know that you are in
3 the historic district and these are the new
4 regulations?"

5 VICE CHAIR SHORES: I think that
6 would be a great idea. I think we've talked
7 about doing something like that, even a letter
8 maybe either coming from you or the town
9 saying, you know, like, what it is. Just, you
10 know --

11 COMM. LUMPKIN: I personally like the
12 meeting idea.

13 CHAIRMAN SORRENTI: We can do both
14 because then they had something they'll always
15 have and the meeting could say, you know,
16 based upon this, if they read it, would you
17 like to come to the meeting and we'll explain
18 what it is and if you have any questions and
19 that kind of stuff.

20 MS. ALGIOS: You can say the
21 commission meets, you know, six times a year,
22 here are the dates, we welcome anyone who'd
23 like to come down even to just listen to what
24 the commission does.

25 COMM. CYBRIWSKY: We can have a

1 4-12-2022 - Landmarks Commission Public Hearing
2 specific meeting for the -- you know, where we
3 welcome the residents and answer their
4 questions.

5 COMM. LUMPKIN: Maybe doing something
6 with the local public library. Marianne, I'm
7 sure would love to do it and she'd want to be
8 there.

9 MS. ALGIOS: The only thing you'd
10 have to watch out for is that if a quorum of
11 you go, then it becomes an official meeting
12 and subject to the open meeting laws, so it
13 would have to be noticed.

14 VICE CHAIR SHORES: When the Roslyn
15 district was created, there's that -- the
16 offices at the train tracks, there were
17 meeting there and one or two members and
18 different council person might attend that
19 meeting and talk to you about what it meant to
20 put your house in the district but that was a
21 long time ago, and I'm probably, you know, one
22 of ten people who were still around for that
23 meeting and I'm sure some people know and some
24 people don't know.

25 COMM. NICOLAIDES: I think it's a

1 4-12-2022 - Landmarks Commission Public Hearing
2 good idea.

3 COMM. CYBRIWSKY: Based on the people
4 who we've seen come before us, like, truly,
5 some of them have no idea what this is about
6 if you're from out of the area.

7 COMM. NICOLAIDES: A lot of these
8 people just bought the house. They're not
9 people who live here, they're people who are
10 moving in and they're planning renovations
11 they got stuck because nobody told them until
12 they tried to show up for a building permit.

13 MS. ALGIOS: What we could do is when
14 we have a weekly notice meeting, like at our
15 next meeting, prior to that, we could send out
16 notice that the commission is meeting on this
17 date and we're reserving time at the end of
18 the meeting to take questions from and
19 residents that are in the district, we invite
20 members of the district to come to the meeting
21 and we're there to answer any question and
22 maybe we send a copy of the code, we tell them
23 there have been revisions to district
24 landmarks code, and invite them to come.

25 COMM. CYBRIWSKY: You know what else

1 4-12-2022 - Landmarks Commission Public Hearing
2 that opens up, if you're living in a historic
3 house, and you're thinking, am I going to do
4 something or am I not, should I just do it and
5 not come before the board and everything? It
6 gives them a chance to see who we are and what
7 we do and we're not such a harsh group. Maybe
8 they should come before us and consider their
9 renovations, and it also gives them the chance
10 to meet other that have similar type of houses
11 and, you know, maybe they share some ideas and
12 realize, wow, there's 80 people that deal with
13 the same issues. It's not bad to know that
14 you're not alone.

15 CHAIRMAN SORRENTI: And how somebody
16 else deals with it, maybe that helps you.

17 VICE CHAIR SHORES: And I honestly
18 think for some of those people, it will be the
19 first time they found out. Even though if you
20 do a building department search, it should
21 come up.

22 COMM. CYBRIWSKY: Sometimes attorneys
23 will point it out to people when they're
24 purchasing a house, but nobody really knows
25 what that means, anyway.

1 4-12-2022 - Landmarks Commission Public Hearing

2 VICE CHAIR SHORES: You have to do a
3 search for it.

4 COMM. NICOLAIDES: I'm going to go
5 back to your observation about consistency.
6 You were right about my making light of the
7 side of -- the part that I was trying to do,
8 and I obviously didn't do it well, was to
9 point out that the unique condition of that
10 hill gave us validity to being more lax about
11 the fence because we don't want to set
12 precedent, and the problem with being
13 consistent, you know, each application is
14 unique so we can't take an application we
15 approved, a house on the hill having a fence
16 in the front versus a house on in the middle
17 of a flat location with no screening, and we
18 want to go on record so somebody doesn't come
19 back and say, "how come you gave him?"
20 Because every situation we're looking as a
21 unique situation, not as a standard for
22 everybody.

23 VICE CHAIR SHORES: Yes, I hundred
24 percent agree with you and I think that's why
25 it doesn't bother me because how it sits and

1 4-12-2022 - Landmarks Commission Public Hearing
2 the neighbors property looks like it's
3 elevated from his property. I agree with
4 that, it's just when we look at everybody's
5 property, either we look at it all the same,
6 where we look at it from other angles, just
7 like we looked at his property tonight, but
8 sometimes we don't. We gave that guy a hard
9 time with his backyard and his fence line --
10 it was a corner property on Elm, I think, and
11 it was on Zoom, wherever we were meeting on.

12 MS. ALGIOS: Is there the one where
13 he put a PVC fence?

14 CHAIRMAN SORRENTI: No, he put some
15 CV in the back corner or he made him actually
16 move four or five feet.

17 VICE CHAIR SHORES: Then he did PVC
18 in the front of the house, and he put a
19 walkway on the side but not to the front door.

20 COMM. NICOLAIDES: Those things in
21 that location in that application warranted
22 that kind of scrutiny.

23 VICE CHAIR SHORES: It's not equal to
24 what we're otherwise doing. I don't think he
25 moved it, by the way, but we told him he had

1 4-12-2022 - Landmarks Commission Public Hearing
2 to move that away from his neighbor's back
3 property because we considered what it looked
4 like from the back and that's not an
5 appropriate matter. For him we considered
6 that, but I just noticed, and I'm speaking for
7 myself, here, too, you know, that I just think
8 we have to --

9 CHAIRMAN SORRENTI: I think that
10 tonight we did good.

11 VICE CHAIR SHORES: I think we did a
12 really good job tonight and he was a very good
13 homeowner.

14 COMM. NICOLAIDES: He benefitted from
15 our advice.

16 COMM. CYBRIWSKY: That stockade fence
17 I couldn't believe, that's terrible.

18 COMM. NICOLAIDES: When I saw that in
19 the package, I said no way, no how. And I
20 wouldn't want to be the guy next door looking
21 at that. Once it became the black stake
22 fence, I think the neighbor would have an
23 issue with it. My point was, the hill and
24 location of the house and how it's sited is
25 relevant to what we agreed and disagreed with.

1 4-12-2022 - Landmarks Commission Public Hearing

2 Listen, I have clients everyday of
3 the week that say, but the guy down the block
4 has it, I say that's great, you don't have the
5 guy down the block's location, you don't have
6 his elevation, you don't have his setback so
7 stop comparing your house to the guy down the
8 block. I was on the architectural review
9 board for five years. They would bring a
10 tutor and say, how come I can't have his
11 window? Because you'll reset the old
12 colonial. Just because the guy did it next
13 door isn't the least bit relevant. So we
14 unfortunately, as architects, constantly
15 dispel the myth of why the guy next door got
16 it.

17 I did three houses on the same block,
18 literally on the same block in Port Washington
19 on Locust behind the library, and our client,
20 who was looking to push the envelope said,
21 well they did it, they did it, and they did
22 it. I said, no, no, no. They met the side
23 yard setback, you want to exceed it. Just
24 because they built on the side, we
25 deliberately only push the addition on the

1 4-12-2022 - Landmarks Commission Public Hearing
2 side out to the side yard setback, but they
3 don't know that. Without looking at the plans
4 or looking at the site plan, they just look
5 and unfortunately, you know, his lot was
6 wider. They're not taking the tape measurer
7 out and saying, oh. They just see something
8 and assume that makes it comparable.

9 So, yes, you don't always believe
10 what somebody compares to. They may come to
11 you and ask you, how come we got away with it,
12 but each situation is different, each lot
13 configuration is different, and we should
14 always qualify our approval the circumstances
15 as to why we approved it. This way our
16 transcript, our records, doesn't just say
17 approve fence and then five years from now
18 somebody comes and says, oh, look, there's a
19 record that you approved this fence in this
20 application. That's really important.

21 CHAIRMAN SORRENTI: The other thing
22 with that stockade fence, that neighbor may
23 not like what we just did because the fence
24 that we just approved now, modifies their
25 privacy. You can see through, they have an

1 4-12-2022 - Landmarks Commission Public Hearing
2 existing stockade fence now, so obviously the
3 neighbor wanted that.

4 COMM. CYBRIWSKY: They'll probably
5 keep stockade on the property line. I don't
6 think they're going to put that stake fence.

7 COMM. NICOLAIDES: We didn't approve
8 it on that basis, though.

9 MS. ALGIOS: You guys can put a
10 condition that they plant shrubbery.

11 COMM. NICOLAIDES: This is a case
12 where if the neighbor doesn't like the view,
13 the neighbor has the right to put a stockade
14 fence.

15 COMM. CYBRIWSKY: I have a solid
16 fence on the property line side and the estate
17 goes around it. He'll figure out a way --

18 CHAIRMAN SORRENTI: It's not that odd
19 to see double fences, one that's yours and one
20 that's theirs.

21 COMM. NICOLAIDES: They're usually
22 not that close to each other. Because, as I
23 said, one of the problems is many people
24 assume that fence solves part of the condition
25 of providing the stake required enclosure for

1 4-12-2022 - Landmarks Commission Public Hearing
2 a pool. But if it's not yours, it doesn't
3 become part of the enclosure. We've run into
4 that twice.

5 MS. ALGIOS: It has to be on your
6 property.

7 COMM. NICOLAIDES: Even though the
8 neighbor says he's fine with this, it doesn't
9 matter. He may sell the house and the new
10 owner 20 years from now takes the fence down.
11 You no longer can have that pool.

12 COMM. CYBRIWSKY: That roll out
13 cover, that's the thing that's important. If
14 you get a kidney-shaped pool, you can't do
15 that. You go away and you don't have to worry
16 about someone ending up in there.

17 COMM. NICOLAIDES: Absolutely, plus
18 you're not picking up leaves every day.

19 COMM. CYBRIWSKY: I think it would
20 look better for his neighbor. Looking at that
21 stockade fence, behind the shrubbery, I think
22 the openness is better, even for the neighbor.

23 COMM. NICOLAIDES: And the neighbor
24 has the right to provide his own fence.
25 Landscaping, he wants to do it, fence, it's

1 4-12-2022 - Landmarks Commission Public Hearing
2 not incumbent on you to create a privacy net.

3 COMM. CYBRIWSKY: And he was here,
4 right?

5 COMM. NICOLAIDES: One of them.

6 VICE CHAIR SHORES: So just wrapping
7 this around and wrapping it up because --

8 COMM. NICOLAIDES: I do want to go
9 back to the conversation, the other
10 conversation I had, these are kind of
11 object-less, it's not acceptable to hear the
12 homeowner describe what other people told him.
13 You guys call it hearsay, and what does that
14 do in court? It throws it out. Well, same
15 here. We can't accept hearsay as information
16 that we can count on. That neighbor may have
17 said, I can't stand it but I'm not gonna go to
18 the meeting.

19 CHAIRMAN SORRENTI: I didn't vote
20 because on that based on what he said because
21 no one else was here to object, like we would
22 normally do for anybody.

23 COMM. NICOLAIDES: The lack of
24 objection is not an approval.

25 VICE CHAIR SHORES: Except that

1 4-12-2022 - Landmarks Commission Public Hearing
2 they're noticed.

3 CHAIRMAN SORRENTI: And if they can't
4 come, then they send in a note or do
5 something.

6 MS. ALGIOS: The bottom line is
7 they're allowed -- he's allowed to get up and
8 say that.

9 COMM. NICOLAIDES: That's what I'm
10 saying we could only wait it so far.

11 MS. ALGIOS: Right, exactly and you
12 could also tie it together with the fact that
13 it was noticed, nobody showed up and then you
14 base how much weight to give it.

15 COMM. NICOLAIDES: Agreed. We
16 shouldn't give it that much weight.

17 VICE CHAIR SHORES: And the fact that
18 we'll accept if the neighbor had written it.

19 MR. STONE: And on the record, Nancy
20 asked whether there were any letters of
21 opposition or dissent that came in and of
22 course nothing did.

23 COMM. NICOLAIDES: You have to
24 understand, neighbors are very reticent to
25 actually write an objection because they know

1 4-12-2022 - Landmarks Commission Public Hearing
2 they gotta live next door to the guy. We have
3 to sort of look out for the neighbor, too.

4 I have one other request, I know you
5 have to get going so these are post-meeting
6 conversations, is there any way to give us the
7 package sooner? I know this was something we
8 tried to do with Linda, the problem is, if I
9 wanted -- unfortunately I just got home, I was
10 away, if I wanted to do a drive by and see it,
11 by seeing this thing first of all, slipped
12 into a meeting notice, which means Harry
13 didn't know that you had to open it up where
14 it says notes, to learn that there's a package
15 attached to that, but that just may be my
16 computer skills.

17 MR. STONE: Since we've taken over to
18 get the information to you one week ahead of
19 the meeting, this came to you late. Part of
20 that was I was out of the office for Monday,
21 Tuesday, Wednesday, Thursday with family in
22 town, so my apologies for that. We do and
23 we're trying to make sure that you get
24 everything via teams because the packets are
25 quite, you know, in terms of volume --

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. CYBRIWSKY: Even just and
3 address, like Harry said.

4 COMM. NICOLAIDES: And then I
5 appreciate Don came in this with this color
6 version of this, but this wouldn't meet a
7 minimum standard of an acceptable site plan.
8 This guy took a survey from a surveyor and
9 drew on it. It's not a site plan. The
10 building department would never accept this
11 when I submit a site plan.

12 COMM. CYBRIWSKY: He is the Building
13 Department.

14 COMM. NICOLAIDES: He used to be.
15 I'm saying he may be the applicant, but this
16 isn't his work product. There's got to be
17 some minimum standard. There was no
18 photographs that had -- or I should say
19 elevations, that showed the proposed fence in
20 the front elevation, and, you know, I think we
21 -- this is where we're too nice. We're too
22 nice in our minimum standards. I think we
23 should hold a higher standard, which is
24 probably what's required, and if they don't
25 get it, they'll wait until the next meeting.

1 4-12-2022 - Landmarks Commission Public Hearing

2 VICE CHAIR SHORES: I think depending
3 on what somebody is doing, right? But a pool
4 is a big thing.

5 COMM. NICOLAIDES: A pool is flat, so
6 you can't see the pool. If you know, where is
7 the garage? Show me the garage.

8 CHAIRMAN SORRENTI: Yeah, really.

9 COMM. CYBRIWSKY: Yeah, that house
10 and the garage.

11 CHAIRMAN SORRENTI: I know where the
12 garage is back here. It's this, right here.

13 COMM. NICOLAIDES: But this single
14 line that if you look really close is
15 one-and-a-half story garage, doesn't say
16 existing, doesn't say proposed, this is the
17 worst submission I've seen in my career. I
18 didn't want to sell him out.

19 COMM. LUMPKIN: It's a good thing he
20 left.

21 VICE CHAIR SHORES: That does not
22 meet what they're supposed to submit.

23 COMM. LUMPKIN: And the little pack
24 lot here.

25 COMM. NICOLAIDES: Nobody turned this

1 4-12-2022 - Landmarks Commission Public Hearing
2 into a site plan, it's just scribbled on a
3 survey.

4 MR LUMPKIN: One thing before we
5 close up, I'm willing, if it's okay with all
6 of you, to set up meetings at the local
7 libraries for the residents of the respective
8 historic districts with the counsel persons.

9 COMM. NICOLAIDES: I think you should
10 talk to Marianne because she holds these
11 meetings annually.

12 MR LUMPKIN: I don't know the other
13 person and with, I guess, whatever the maximum
14 number of people because that means not all of
15 us can be there.

16 COMM. NICOLAIDES: I think it's
17 three.

18 MR LUMPKIN: We don't want this to be
19 a public quorum.

20 MS. ALGIOS: I would do two.

21 VICE CHAIR SHORES: Before we do
22 that, have a meeting, can we tell people that
23 they live in it?

24 MR LUMPKIN: I think it will take a
25 year to set. I know the Port Washington --

1 4-12-2022 - Landmarks Commission Public Hearing

2 CHAIRMAN SORRENTI: I'd like your
3 idea of having it an hour after, not an hour,
4 however long it takes, after the thing. I
5 think that's a good idea to try first.

6 VICE CHAIR SHORES: The first --
7 okay, so whose owning this?

8 MS. ALGIOS: Neal would have to get
9 -- so that would come out of the planning
10 department's budget, to do a mailing like
11 that, so the first thing you have to get is
12 authorizations from Commissioner Levine and
13 see about making the copies.

14 MR. STONE: I would be a little
15 reluctant to start making copies of the full
16 Chapter 27 --

17 COMM. NICOLAIDES: No one is going to
18 read that.

19 MR. STONE: -- and mailing that out.
20 There are better ways of doing that, like
21 doing a post card mailer that has a QR code on
22 it, where people can actually take it and lift
23 it off the post card, and they can go directly
24 to the code, you know, and doing just a post
25 card mailer inviting them to view the code

1 4-12-2022 - Landmarks Commission Public Hearing
2 that they're, you know, they're receiving it
3 because in all likelihood, they're in the
4 historic district.

5 MS. ALGIOS: Could we we say that
6 you're receiving this because you reside
7 within the historic district?

8 MR. STONE: As long as we aren't
9 erroneous with, you know, cards going to the
10 houses that are on the periphery, but
11 basically having a map of the district that
12 they can go to once they hit the QR code; a
13 landing page, essentially.

14 CHAIRMAN SORRENTI: I love it.

15 VICE CHAIR SHORES: I like that. I
16 don't know that I like the idea of a post card
17 for it because I feel like when I get mail,
18 first of all, it's almost -- it's all post
19 cards actually now to sell my house, you know,
20 go to some restaurant or something like that.
21 I'm not sure I'd pay attention but I would pay
22 attention to a letter from the town.

23 MR. STONE: To a letter or something
24 --

25 VICE CHAIR SHORES: That has all the

1 4-12-2022 - Landmarks Commission Public Hearing
2 content you're talking about.

3 MR. STONE: -- it even has the QR on
4 the letter.

5 CHAIRMAN SORRENTI: Yes, yes. That
6 would be great.

7 VICE CHAIR SHORES: I think that's a
8 nice idea.

9 COMM. NICOLAIDES: It should have a
10 positive connotation.

11 CHAIRMAN SORRENTI: We're excited to
12 announce, you know, announce that we have
13 revised the code.

14 VICE CHAIR SHORES: Or you can write
15 surprise, and I think it should identify and
16 I'm happy to volunteer some tile time, Neal,
17 if you want anything. I think it should also
18 point out what the landmarks in the town are,
19 also. You're in a district, you know, this is
20 the commission, just on that landing page.

21 COMM. NICOLAIDES: How many pages is
22 the code?

23 VICE CHAIR SHORES: It's not that
24 long. I mean, the first couple of pages is
25 all definitions.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: No one is going to
3 read 18 pages. Who are you kidding? I didn't
4 read it. If we went and reviewed it, I didn't
5 read it. I think a bullet pointed highlights
6 that basically, you know, gives them a pretty
7 good idea except for more details, read the
8 complete code.

9 VICE CHAIR SHORES: I don't think
10 that letter should be the bullet pointed. I
11 think those meetings and maybe we can do a
12 PowerPoint, because I think, and I'll defer to
13 Deborah on this, I think what you leave out,
14 everything is going to have to -- you do have
15 to go look for it just like you go and look
16 for --

17 CHAIRMAN SORRENTI: The code and
18 whatever we do.

19 COMM. NICOLAIDES: But I think if
20 it's as simple as any changes to the exterior,
21 no interior work is reviewed. Things as
22 simple as that, so they at least know this is,
23 this isn't, where does this apply, not what
24 the rule is. And you can say that because
25 people have asked me, they say, oh, do I have

1 4-12-2022 - Landmarks Commission Public Hearing
2 to go to them to do my kitchen over? Not
3 unless you change your window. And you could
4 say that in a couple of bullet points or
5 paragraphs so at least they know when does it
6 trigger. That's easy, and I don't think it
7 takes a lot of, you know, wordage.

8 COMM. LUMPKIN: We don't have to
9 explain the code.

10 COMM. NICOLAIDES: What is the
11 conforming versus nonconforming? I still
12 don't know how to explain that to people.

13 VICE CHAIR SHORES: I think either
14 way it was made up rule by --

15 CHAIRMAN SORRENTI: A nonconforming
16 house is a split level that's in the district.

17 VICE CHAIR SHORES: I would argue
18 that that split level, that was 1960's, are
19 now, they are now historic. They are their
20 own period. I think we treat each house
21 equally, right? So if it looks like a 1960's
22 house, then we should stay with that look.
23 That's what I think because it's a
24 contributing -- the contributing houses were
25 --

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: I'm sorry,
3 contributing and noncontributing, I didn't
4 even say nonconforming.

5 COMM. CYBRIWSKY: It's hard to tell
6 someone who buys a house that hasn't had --
7 since 1960. You know, like, if they --

8 CHAIRMAN SORRENTI: This era is
9 contributing.

10 COMM. LUMPKIN: The noncontributing,
11 they didn't want to participate.

12 COMM. NICOLAIDES: We don't even know
13 what it is.

14 VICE CHAIR SHORES: I do know. We
15 were told when we made the Roslyn district,
16 that in Port Washington, they had followed
17 this formula which you had to have 90 percent
18 of the houses had to be contributing. So we
19 brought in an architectural historian to look
20 at each of the houses and so, in arts and
21 craft from 1920 whatever, and an 1888 house
22 that's still pretty much -- because all of
23 them have been touched in different levels,
24 you know. Those were conforming houses, and
25 the nonconforming house was the split level

1 4-12-2022 - Landmarks Commission Public Hearing
2 that was in between those two houses.

3 COMM. LUMPKIN: The split level
4 that's in that district has to come before us?
5 The split level that is within those --

6 VICE CHAIR SHORES: Yes.

7 COMM. LUMPKIN: -- some of them are
8 like that.

9 VICE CHAIR SHORES: But you know
10 what, as somebody that was in a contributing
11 house -- if that person didn't have to come
12 before us, I would not have agreed to put my
13 house in -- because what if you want to put
14 up a -- take one of those ranches, knock it
15 down and put up a stucco box? And I just put
16 all these rules on my house?

17 COMM. NICOLAIDES: You're referring
18 to that noncontributing house disappearing.
19 What if somebody wanted to make modest
20 renovations?

21 VICE CHAIR SHORES: I think they
22 should be able to make modest renovations, but
23 they would come here and we would treat it --
24 we're not going to treat it like we're
25 preserving -- we have done that.

1 4-12-2022 - Landmarks Commission Public Hearing

2 COMM. NICOLAIDES: I'm aware of that.
3 That's up to all --

4 MS. ALGIOS: Under the new code for
5 noncontributing, I just wanted to double check
6 it, that's subject to expedited review. So if
7 you're in a noncontributing home, you can
8 apply for expedited review.

9 VICE CHAIR SHORES: A hundred
10 percent?

11 MS. ALGIOS: We have alteration,
12 construction, demolition, or relocation of a
13 noncontributing building or structure or part,
14 there of, located within a historic district.

15 COMM. NICOLAIDES: What does
16 expedited review entitle that applicant to?

17 MS. ALGIOS: What that means is that
18 they will submit their application and they'll
19 say to Neal, I want expedited review because I
20 qualified. They'll look at the application,
21 they'll see if they meet the minimum
22 qualifications. If they do, he then sends it
23 to the Expedited Review Committee, which we
24 actually have to -- we should establish that.

25 COMM. NICOLAIDES: I was gonna say,

1 4-12-2022 - Landmarks Commission Public Hearing
2 do we have one?

3 COMM. CYBRIWSKY: Expedited review on
4 our part?

5 MS. ALGIOS: We're doing an Expedited
6 Review Committee which is the executive
7 secretary, which is Neal and two members of
8 the commission, one of whom shall be an
9 architect.

10 VICE CHAIR SHORES: Actually, I'm not
11 sure that I would use it. I realized it was
12 -- the noncontributing -- this will probably
13 change how I feel.

14 MS. ALGIOS: Maybe you should be on
15 the Expedited Review Committee. Basically,
16 though, there's different layers of
17 protection. So the two members and executive
18 secretary look at it and then they'll make a
19 determination whether, you know what, maybe
20 this should go for full commission review.
21 And if they deny it, the applicant can
22 automatically ask to go for full commission
23 review.

24 COMM. NICOLAIDES: Upon a denial from
25 the committee.

1 4-12-2022 - Landmarks Commission Public Hearing

2 MS. ALGIOS: So the Executive Review
3 Committee says no, you cannot do this, and the
4 applicant can automatically say, I want the
5 full commission.

6 COMM. NICOLAIDES: Sounds reasonable.

7 VICE CHAIR SHORES: What's the
8 definition of a noncontributing house?

9 MS. ALGIOS: Noncontributing is a
10 building structure, site, or object, which is
11 not an integral component of the historic
12 district because it neither dates from a time
13 period for which the district is significant,
14 nor represents an architectural type period or
15 method for which the district is significant.

16 COMM. NICOLAIDES: That's still
17 subjected to whose interpretation?

18 VICE CHAIR SHORES: Right, ours.

19 COMM. NICOLAIDES: Why would we --

20 VICE CHAIR SHORES: Because I would
21 say that you don't want -- if you just let
22 somebody do what they want, and it's right
23 between two 1920's arts and crafts and then
24 you have --

25 CHAIRMAN SORRENTI: But --

1 4-12-2022 - Landmarks Commission Public Hearing

2 VICE CHAIR SHORES: Go ahead.

3 CHAIRMAN SORRENTI: -- if you have
4 this house and you have this other house and
5 you have in the middle of it a ranch, then all
6 of a sudden, and we've gone through this, they
7 come and they want to, you know, modify this
8 into a McMansion and it changes the scale of
9 everything, it changes the community and
10 that's the problem.

11 COMM. NICOLAIDES: What if that
12 uninteresting buildings house from the 50's
13 comes to us, and I think there's a real
14 example, and wants to put solar panels on
15 their roof?

16 CHAIRMAN SORRENTI: We said you can't
17 see solar panels from the street, period.
18 Contributing or noncontributing because that
19 changes the feel and look of the neighborhood.

20 VICE CHAIR SHORES: And we are
21 hoping, and that they do make them now, the
22 shingles.

23 COMM. CYBRIWSKY: Do you do a lot
24 with solar? Your designs?

25 COMM. NICOLAIDES: We are, but we're

1 4-12-2022 - Landmarks Commission Public Hearing
2 more severe than most people about not seeing
3 it.

4 VICE CHAIR SHORES: I find them to be
5 incredibly unattractive and I know that
6 they're able to be attractive.

7 COMM. NICOLAIDES: And it's only
8 money at the end of the day, we'll press
9 someone to spend more money and put them in
10 places where they're not visible. We're
11 building a six-car garage with a mansard roof.
12 They will be inside the mansard and sometimes
13 we'll actually put it in a field.

14 COMM. CYBRIWSKY: Where is that?

15 COMM. NICOLAIDES: In Centerport.
16 When you have the property in the budget, you
17 know. We've turned them down for years in
18 other incorporated villages.

19 MS. ALGIOS: Why don't we, since
20 we're here and we don't meet again for about
21 two months, why don't we make the Expedited
22 Review Committee? So maybe what we should do
23 is have two members and then maybe we should
24 have two alternates if somebody is not
25 available. We need at least one architect.

1 4-12-2022 - Landmarks Commission Public Hearing

2 We don't have Frank here. Nancy, are you
3 volunteering?

4 VICE CHAIR SHORES: Yes.

5 MS. ALGIOS: And then if we can get
6 alternates.

7 CHAIRMAN SORRENTI: I'll be the
8 alternate.

9 MS. ALGIOS: So we have John and
10 Anne. Just to wrap everything up that we've
11 been talking about, so then Neal is going to
12 speak with the commissioner about getting out
13 some type of mailing prior to our next mailing
14 that would invite residents in the two
15 historic districts to come to the meeting to
16 ask questions and to observe a commission
17 meeting and -- do we want to -- we don't know
18 how well attended it will be, do we want to
19 prepare something? Do we want to have maybe
20 people something? Do we want to have, like
21 you said, some bullets?

22 COMM. NICOLAIDES: It would be very
23 pleasant, basically do's and dont's, kind of
24 thing.

25 MS. ALGIOS: I already had a summary

1 4-12-2022 - Landmarks Commission Public Hearing
2 sheet of the changes. We can maybe just start
3 with some of the changes.

4 COMM. NICOLAIDES: The changes, they
5 presume that somebody even knew what was there
6 before the changes, so we have to start from
7 zero. Here's what they are.

8 CHAIRMAN SORRENTI: And these are the
9 triggers that start the process for you to
10 come in before the commission.

11 VICE CHAIR SHORES: I think it would
12 be helpful in the letter to say, you're
13 invited to this, if you tell us in advance,
14 you're not obligated to, but it would be
15 helpful. Just so you know if people are
16 actually coming. If you want to give us
17 questions in advance, we can be more prepared.

18 COMM. NICOLAIDES: The problem is,
19 people don't want to be anonymous in asking
20 questions. Because the paranoia that says, if
21 I ask the question, somebody's gonna check and
22 I may be guilty of having done this and people
23 are very afraid to go on the record with
24 questions. So a Q&A can just be --

25 CHAIRMAN SORRENTI: Maybe just

1 4-12-2022 - Landmarks Commission Public Hearing
2 include in the letter, just RSVP, put your
3 e-mail with the phone number for those people
4 who may not have it.

5 MS. ALGIOS: It's a public hearing so
6 I don't know that you can tell people to RSVP.

7 VICE CHAIR SHORES: The library
8 thing, you can.

9 COMM. NICOLAIDES: This will not be a
10 meeting, this will be just a get together.

11 MS. ALGIOS: This is a meeting and
12 since what I'm saying is it was already
13 noticed so we could all be together.

14 COMM. NICOLAIDES: They don't have to
15 RSVP to all say that they're coming to a
16 hearing.

17 MR. STONE: A couple of
18 considerations, we may have -- we do have some
19 reporting requirements that we have to circle
20 back on with New York State Parks with SHPO.
21 According to a letter that is dated on or
22 about November 30th of last year, they would
23 have liked to have taken a look at our
24 Chapter 27 and made some comments ahead of the
25 adoption. That may still be something that we

1 4-12-2022 - Landmarks Commission Public Hearing
2 have to rectify, so I'm just saying that so
3 everybody that's here tonight is aware of that
4 situation. I don't think that there's a need
5 to panic, I just think that -- we do have to
6 address this, and so, I'm thinking that for
7 this sort of public interaction session that
8 we're looking of doing, that we plan towards
9 the end of summer, perhaps into the autumn
10 season when families are kind of back into
11 their groove and their routine; kids are back
12 in school, people are assuming some sort of
13 normalcy heading back into the school year,
14 hopefully activities with COVID and everything
15 else, you know, dies down.

16 MS. ALGIOS: So you're not saying the
17 upcoming meeting?

18 MR. STONE: It'll give us a chance to
19 ---

20 VICE CHAIR SHORES: You're talking
21 about two different things, though.

22 MR. STONE: This is for the library
23 thing.

24 COMM. LUMPKIN: I think the library
25 thing, I would but put it in the hands of the

1 4-12-2022 - Landmarks Commission Public Hearing
2 council people.

3 MR. STONE: With Peter, that's going
4 to take some time. We need to give some
5 thought as to what we're going to put on the
6 landing page and how we're going to invite
7 people to submit questions if they have them
8 and put the mailer together. So I think
9 that's something, and of course, we have to
10 check on budget and make sure we have the
11 allocation. Just to set exceptions, if we aim
12 for the fall season --

13 VICE CHAIR SHORES: I think getting a
14 letter and a reference to the code is the most
15 important thing.

16 MR. STONE: Correct.

17 VICE CHAIR SHORES: The rest, they
18 show up when we have meetings because that
19 code is -- you're going to tell them when we
20 have meetings and they'll know who you are so
21 they can reach out with questions. I think
22 the information, you're in this and the code
23 has been changed and then --

24 MS. ALGIOS: We should also get it up
25 on our website.

1 4-12-2022 - Landmarks Commission Public Hearing

2 MR. STONE: I think all of that is
3 just going to take a little bit of time at our
4 end to make sure that we make all of that
5 available.

6 CHAIRMAN SORRENTI: Sounds good. If
7 that's it, do I have a motion to adjourn?

8 COMM. NICOLAIDES: I'll motion to
9 adjourn.

10 CHAIRMAN SORRENTI: Second?

11 MS SHORES: Second.

12 CHAIRMAN SORRENTI: Can you just do
13 the roll call for adjournment and we can
14 leave?

15 MR. STONE: Commissioner Cybriwsky.

16 COMM. CYBRIWSKY: Agreed.

17 MR. STONE: Commissioner Nicolaides.

18 COMM. NICOLAIDES: Agreed.

19 MR STONE: Town Historian Lumpkin.

20 COMM. LUMPKIN: Agreed.

21 MR. STONE: Vice Chair Shores.

22 VICE CHAIR SHORES: Yes.

23 MR. STONE: And Chairman Sorrenti.

24 CHAIRMAN SORRENTI: Yes.

25 MR. STONE: Thank you.

1 4-12-2022 - Landmarks Commission Public Hearing

2 (At 8:20 p.m., the proceedings were
3 concluded.)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 4-12-2022 - Landmarks Commission Public Hearing

2
3 C E R T I F I C A T I O N

4
5
6 STATE OF NEW YORK)

7 SS.

8 COUNTY OF NASSAU)
9
10

11 I, DAVID GORDON, a Shorthand (Stenotype)
12 Reporter and Notary Public within and for the State
13 of New York, do hereby certify that the foregoing
14 pages 1 through 76, taken at the time and place
15 aforesaid, is a true and correct transcription of my
16 shorthand notes.

17 IN WITNESS WHEREOF, I have hereunto set my
18 name this 12th day of April, 2022.
19
20



22 -----
23 DAVID GORDON
24
25