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Town of North Hempstead

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Historic Landmarks Preservation Commission

4

PUBLIC HEARINGS

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7

Thursday, July 20, 2023

8

7:00 p.m.

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10 BOARD MEMBERS PRESENT:

11

Nancy Shores, JD - Acting Chairperson

12

Anne Cybriwsky - Commissioner

13

Frank Genese, AIA - Commissioner

14

Harry Nicolaidis, AIA - Commissioner/Acting Chair

15

Ross Lumpkin - Town Historian

16

17 ALSO PRESENT:

18

Deborah Algios, Town Attorney

19

Neal Stone, Planner

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Wesley Sternberg, Planner

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Debbie Babino, Stenographer

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1 Proceedings

2 ACTING CHAIR SHORES: Okay, it's 7:00 p.m., and
3 we're going to call the meeting to order, and Neal, if you
4 would do the roll call.

5 Neal, if you want to start the roll call.

6 MR. STERNBERG: Okay, Commissioner Cybriwsky?

7 COMMISSIONER CYBRIWSKY: Present.

8 MR. STERNBERG: Commissioner Genese?

9 COMMISSIONER GENESE: Present.

10 MR. STERNBERG: Town Historian Lumpkin?

11 HISTORIAN LUMPKIN: Here.

12 MR. STERNBERG: Commissioner Nicolaides?

13 COMMISSIONER NICOLAIDES: Present.

14 MR. STERNBERG: Acting Chairperson Shores?

15 ACTING CHAIR SHORES: Present.

16 MR. STERNBERG: All right, we have a quorum.

17 Town staff this evening is Deborah Algios, from
18 the Town Attorney's office; I'm Wesley Sternberg from the
19 Planning Department; and my colleague Neal Stone from the
20 Planning Department, as well. The meeting is being
21 recorded by our stenographer.

22 The Chair now has the floor.

23 ACTING CHAIR SHORES: Okay, if everyone's reviewed
24 the minutes from the last meeting. If I can get a motion
25 to approve those minutes or if there are any comments.

26 COMMISSIONER NICOLAIDES: I'll make a motion to

1 Proceedings

2 approve.

3 ACTING CHAIR SHORES: And second?

4 COMMISSIONER CYBRIWSKY: I'll second.

5 ACTING CHAIR SHORES: Yeah.

6 MR. STERNBERG: Commissioner Cybriwsky?

7 COMMISSIONER CYBRIWSKY: Aye.

8 MR. STERNBERG: Commissioner Genese?

9 COMMISSIONER GENESE: Aye.

10 MR. STERNBERG: Town Historian Lumpkin?

11 HISTORIAN LUMPKIN: Aye.

12 MR. STERNBERG: Commissioner Nicolaides?

13 COMMISSIONER NICOLAIDES: Aye.

14 MR. STERNBERG: Acting Chairperson Shores?

15 ACTING CHAIR SHORES: Yes.

16 MR. STERNBERG: All right, passed unanimously.

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1 192 Garden Street

2 ACTING CHAIR SHORES: Item 4 on the agenda,
3 Jafaripour Property application for the issuance of a
4 Certificate of Appropriateness to replace existing
5 windows; replace existing facade, style/type to be
6 determined; remove existing chimney; remove windows to
7 accommodate interior alterations; remove rear and side
8 entrances; replace front door; install skylight; replace
9 roof with similar materials; replace facade of garage to
10 match dwelling; and replace garage door, to be determined.
11 Property located at 192 Garden Street, Roslyn Heights
12 Historic District.

13 If you could just introduce yourself and your
14 address for the record.

15 MS. BOGDANOS: Yes, yes.

16 My name is Helen Bogdanos. My address is 121
17 Newbridge Road, Hicksville, New York, and I'm a
18 professional engineer, and I'm here to hear the hearing
19 for the 192 Garden Street.

20 ACTING CHAIR SHORES: Thank you. Do you want to
21 go ahead and present?

22 MS. BOGDANOS: Yes.

23 ACTING CHAIR SHORES: I know you made some
24 modifications.

25 MS. BOGDANOS: We did make a lot of modifications.

26 ACTING CHAIR SHORES: Maybe if you can move it

1 192 Garden Street

2 back so we can still get the benefit of the microphone.

3 MR. STERNBERG: Yeah.

4 ACTING CHAIR SHORES: Okay, go ahead.

5 MS. BOGDANOS: We made most of the recommendations
6 to the rendering guide following your guidelines and
7 created different renderings for every -- I'm sorry, for
8 every elevation.

9 He's leaning towards brick to have the rear color.
10 We're trying to match with the original brick from the --
11 which we want to keep, the chimney. We did the portico
12 based on your recommendations. You can see the windows
13 having those bricks. We're doing those, and we have cards
14 from the Andersen Window. So is the white outside and
15 this is inside. Okay, sorry, it came apart. They're
16 flimsy, though, you know that. They're not inside the
17 glass.

18 COMMISSIONER NICOLAIDES: Can we ask that we have
19 the ones that are -- they're not inside the glass but
20 they're applied to the outside and then a separate one is
21 applied to the inside. So the glass is in between the two
22 wooden --

23 MS. BOGDANOS: Yeah, I know those, we use those.
24 Can he use those?

25 COMMISSIONER NICOLAIDES: Yes.

26 MS. BOGDANOS: Because these are, you know, they

1 192 Garden Street

2 don't last, they're very flimsy, but anyway --

3 COMMISSIONER NICOLAIDES: These don't last but the
4 ones that are permanent.

5 MS. BOGDANOS: Oh, okay, okay, we're fine.

6 COMMISSIONER NICOLAIDES: These are, effectively,
7 removable.

8 MS. BOGDANOS: Yes.

9 COMMISSIONER NICOLAIDES: The one I'm referring
10 to, they're made with the glass --

11 MS. BOGDANOS: Yeah, they have this card.

12 COMMISSIONER NICOLAIDES: They're called simulated
13 divided-light glass.

14 (WHEREUPON, there was an off-the-record
15 discussion.)

16 COMMISSIONER GENESE: So do you have more
17 presentation to do or no?

18 MS. BOGDANOS: Yes, I do. We have the garage, we
19 changed the door and the -- I can show all the pictures.
20 One of them is the garage. We changed the door, more
21 suited with the house. It's the simplest door you can
22 get. The brick, of course, matches. The question is on
23 the roof. The roof now is black but if we use the brick,
24 maybe we can go to Hickory or some color to match if you
25 allow us.

26 COMMISSIONER GENESE: We want to try to avoid a

1 192 Garden Street

2 black roof.

3 MS. BOGDANOS: Yeah, you see. It was on the news,
4 by the way, in Greece, I'm from Greece, they have -- they
5 say we have to follow the Greeks to paint everything
6 white. No, seriously, that's what they said.

7 COMMISSIONER GENESE: I'll defer to Commissioner
8 Nicolaides.

9 MS. BOGDANOS: Yes, that's what I'm saying. I
10 know he's Greek, the name is Greek-Greek. So yeah, that's
11 what they were saying, we have to paint white now. No
12 more black.

13 All right, so now this is the garage, this is the
14 side from the chimney. We're introducing the kiosk, your
15 permission, okay, and I guess, again, we didn't change
16 much from last time. This came very dark because the
17 shadow from the rendering. Then I have, this is the rear.
18 We did this portico similar to the front.

19 COMMISSIONER NICOLAIDES: But you don't have any
20 columns on that.

21 MS. BOGDANOS: We didn't because we thought that's
22 what you want, the rear doesn't have a column but we can
23 always add it.

24 COMMISSIONER NICOLAIDES: Again, I can make
25 comments as we --

26 MS. BOGDANOS: No, no, by all means.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: Freely comment, as well

3 --

4 MS. BOGDANOS: Yes.

5 COMMISSIONER NICOLAIDES: -- and I looked at these
6 when we received them on the prior occasion.

7 MS. BOGDANOS: Mm-hmm.

8 COMMISSIONER NICOLAIDES: Yeah, I think the way
9 that particular overhang is, it looks like it's going to
10 fall down.

11 MS. BOGDANOS: Well, we're going to support it.

12 COMMISSIONER NICOLAIDES: So a couple of columns,
13 even if you don't need them --

14 MS. BOGDANOS: No, it's better.

15 COMMISSIONER NICOLAIDES: -- will look like
16 it's --

17 MS. BOGDANOS: It's better.

18 ACTING CHAIR SHORES: Yeah, I think it would look
19 nice.

20 MS. BOGDANOS: It's more stable and it goes.

21 COMMISSIONER NICOLAIDES: And visually, it's more
22 stable.

23 MS. BOGDANOS: Yeah, yeah.

24 COMMISSIONER NICOLAIDES: I know you can build it
25 without it. It would finish it off nicely.

26 MS. BOGDANOS: I can do it, all righty. No, we

1 192 Garden Street

2 added, I mean, before your comments.

3 COMMISSIONER NICOLAIDES: As we go, the garage
4 roof, if you look at the rendering --

5 MS. BOGDANOS: Yes.

6 COMMISSIONER NICOLAIDES: -- and you look at the
7 rendering of the house.

8 MS. BOGDANOS: Yes.

9 COMMISSIONER NICOLAIDES: Where the sloped roof
10 ends, do you see the way you have, like, a little return
11 on the house? You don't have it on the garage.

12 COMMISSIONER GENESE: Right.

13 MS. BOGDANOS: I know, it's the rendering, the way
14 he drew it, but that's not the way -- but we're not going
15 to remove the --

16 COMMISSIONER NICOLAIDES: We can only comment on
17 what we see.

18 MS. BOGDANOS: Yes, we're not going to remove the
19 joist or anything. We're just going to go, you know, if
20 the plywood is rotten.

21 COMMISSIONER NICOLAIDES: I'm just referring to
22 how it ends. Do you see this --

23 MS. BOGDANOS: Yes, yes, that's correct.

24 COMMISSIONER NICOLAIDES: The way this returns so
25 you got this little, sometimes we call it a pork chop.

26 MS. BOGDANOS: Yes, yes.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: You don't have it on the
3 garage, the garage doesn't have it.

4 MS. BOGDANOS: Yes.

5 COMMISSIONER NICOLAIDES: So that's something you
6 can do.

7 MS. BOGDANOS: Yeah, okay, we'll do it to match
8 the house.

9 COMMISSIONER NICOLAIDES: You know, so the two
10 look alike.

11 MS. BOGDANOS: Yes.

12 ACTING CHAIR SHORES: Go ahead.

13 MR. HOSSEINIPOUR: I'm Ed Hosseinipour, I am the
14 owner.

15 ATTORNEY ALGIOS: Just your address.

16 MR. HOSSEINIPOUR: My name is Ed Hosseinipour, I
17 am the owner. I just want to --

18 MS. ALGIOS: Your address.

19 MR. HOSSEINIPOUR: 77 Jefferson Avenue, Roslyn
20 Heights, New York.

21 One thing I didn't -- I wanted to ask is, you
22 wanted us to change the added window --

23 COMMISSIONER NICOLAIDES: Yeah.

24 MR. HOSSEINIPOUR: -- to an arch. So I just
25 wanted that to be on record that we did.

26 MS. BOGDANOS: No, they see it, it's round, yes.

1 192 Garden Street

2 MR. HOSSEINIPOUR: And also, I didn't understand
3 when you said --

4 COMMISSIONER NICOLAIDES: You changed the entry
5 door, as well.

6 MR. HOSSEINIPOUR: Yes.

7 MS. BOGDANOS: Of course.

8 MR. HOSSEINIPOUR: What I didn't understand when
9 you said, because I have to understand.

10 COMMISSIONER NICOLAIDES: Sure.

11 MR. HOSSEINIPOUR: The comment you made on the
12 garage, can I get clear on that --

13 COMMISSIONER NICOLAIDES: Yeah.

14 MR. HOSSEINIPOUR: -- so I don't make a mistake.

15 COMMISSIONER NICOLAIDES: If you look at the -- if
16 you take your finger on the roof and slide it down right
17 there.

18 MR. HOSSEINIPOUR: Uh-huh.

19 COMMISSIONER NICOLAIDES: Look at that and then
20 look at the -- how the roof ends on the house. There's a
21 little return.

22 MR. HOSSEINIPOUR: Oh, I see.

23 MS. BOGDANOS: Yes.

24 MR. HOSSEINIPOUR: Oh, yes.

25 MS. BOGDANOS: It's missing.

26 COMMISSIONER NICOLAIDES: That's all. All we're

1 192 Garden Street

2 asking is that you be consistent.

3 MR. HOSSEINIPOUR: Absolutely.

4 COMMISSIONER NICOLAIDES: It's not a right or
5 wrong but let's pick one.

6 MR. HOSSEINIPOUR: And this color, I 100 percent
7 agree with you on that.

8 COMMISSIONER NICOLAIDES: Excellent. Now, you
9 have a nice close up of the porch. Do you have that --

10 MS. BOGDANOS: Yes.

11 COMMISSIONER NICOLAIDES: -- rendering on your
12 boards?

13 MS. BOGDANOS: I don't have it.

14 COMMISSIONER NICOLAIDES: You don't have it, okay.

15 MR. HOSSEINIPOUR: What do you need?

16 MS. BOGDANOS: The close-up on the boards, on this
17 one I didn't print it, no. I gave them another one. I
18 sent it to Caroline.

19 COMMISSIONER NICOLAIDES: Because it's easier to
20 discuss the --

21 MS. BOGDANOS: Yes.

22 COMMISSIONER NICOLAIDES: -- porch with the blown
23 up version but if you don't have it just put the one that
24 -- with the front elevation. The board you have. The
25 front of the house.

26 MS. BOGDANOS: Yes, I do.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: Could you put that up;
3 please? It's easier to see that way. Yeah, just put that
4 up on the easel.

5 MS. BOGDANOS: No, no, please. He wants us to
6 communicate.

7 MR. HOSSEINIPOUR: Oh.

8 COMMISSIONER NICOLAIDES: So when we make
9 reference to it, it's convenient to you. I think you've
10 -- it's come a long way, significantly.

11 MS. BOGDANOS: We tried.

12 COMMISSIONER GENESE: May have gone too far.

13 COMMISSIONER NICOLAIDES: Yeah, as I said. I'm
14 not criticizing it as a design because it's -- but it's
15 almost like more elaborate than it needs --

16 MS. BOGDANOS: True.

17 COMMISSIONER NICOLAIDES: -- for a house like
18 this. I think you've gone to the other extreme. So we
19 went from not enough to too much, you know. Could you
20 simplify it a little bit?

21 MS. BOGDANOS: Yes, we can.

22 COMMISSIONER NICOLAIDES: I'm not criticizing it,
23 it's beautiful, but it almost now --

24 MS. BOGDANOS: Yeah, all this architectural --

25 COMMISSIONER NICOLAIDES: -- detail.

26 ACTING CHAIR SHORES: But I want to say that I

1 192 Garden Street

2 think you listened to --

3 COMMISSIONER NICOLAIDES: Yeah, absolutely.

4 ACTING CHAIR SHORES: -- the things the architects
5 -- and you did a remarkable job in trying to incorporate
6 that, and my one comment, I happen to like the color of
7 that brick, and I like the brick. I don't necessarily
8 think it's -- like, I was looking at the book with the
9 district. The brick houses aren't really in the district,
10 so that seems, as much as I like that, I don't know how I
11 feel about that as far as the neighborhood but I think
12 you, you know, I have to compliment you on listening and
13 what you've done.

14 MS. BOGDANOS: He likes brick, you know, everybody
15 likes brick.

16 ACTING CHAIR SHORES: I like brick, too.

17 MS. BOGDANOS: He says I'm going to be heartbroken
18 if you don't allow me to get brick.

19 COMMISSIONER NICOLAIDES: I'm going to defend him,
20 and I hear everything you said, so -- and I can't tell you
21 if it's exactly within the border of the district or right
22 outside but I photographed three houses that were brick.

23 ACTING CHAIR SHORES: In that district?

24 MS. BOGDANOS: Yes, they are.

25 COMMISSIONER NICOLAIDES: They're there, I mean --

26 ACTING CHAIR SHORES: In the boundaries of the

1 192 Garden Street

2 district?

3 COMMISSIONER NICOLAIDES: No, I said, I can't see
4 if it's --

5 ACTING CHAIR SHORES: That's the thing, they're
6 not in the boundaries.

7 COMMISSIONER NICOLAIDES: But they're on the same
8 street.

9 ACTING CHAIR SHORES: But there's -- one whole
10 side of that street is not in the district.

11 COMMISSIONER NICOLAIDES: But they're there. If
12 you're driving down the street you're not saying, oh, this
13 district ended, and now I'm --

14 ACTING CHAIR SHORES: Well, actually, the signs
15 tell you the district.

16 COMMISSIONER NICOLAIDES: If you're looking at the
17 sign.

18 ACTING CHAIR SHORES: It is.

19 COMMISSIONER GENESE: The bars of brick are very
20 nice.

21 COMMISSIONER NICOLAIDES: Yes, it is.

22 ACTING CHAIR SHORES: I happen to like brick, too,
23 and I also feel like it's a safe thing, so don't get me
24 wrong. I just don't want the --

25 MS. BOGDANOS: It matches the chimney.

26 MR. HOSSEINIPOUR: No, I do appreciate that. So I

1 192 Garden Street

2 did come across a couple of houses myself, it's of brick
3 in the same district on Elm Street.

4 COMMISSIONER NICOLAIDES: If you're a person
5 driving down the road, you're not looking at a border that
6 says, I've now exited this district, I've entered another
7 one. You're driving down the fabric of the street, you
8 know, so from a casual person that's not living there --

9 ACTING CHAIR SHORES: It has nothing to do with
10 living there.

11 COMMISSIONER NICOLAIDES: You're just more
12 familiar with it.

13 ACTING CHAIR SHORES: I'm more familiar with it,
14 yeah.

15 COMMISSIONER NICOLAIDES: That's the benefit of
16 living there.

17 MR. HOSSEINIPOUR: I did locate a couple of
18 houses.

19 ACTING CHAIR SHORES: That's all I'm saying. We
20 could disagree because it's -- I'm just saying what I
21 think.

22 COMMISSIONER NICOLAIDES: No, I'm just, you know,
23 offering that there is enough in the larger community, not
24 necessarily within the boundaries of the district. I
25 think there were enough masonry homes that --

26 MS. BOGDANOS: The brick is another plus. It's

1 192 Garden Street

2 going to last forever as a historic house. He's never
3 going to change it, ever, as long as he lives.

4 MR. HOSSEINIPOUR: I want to try to entice you to
5 accept that. I went and found the most historic,
6 rustic-looking brick. So I asked for it.

7 ACTING CHAIR SHORES: I know that you went above
8 and beyond.

9 MR. HOSSEINIPOUR: And I do have a couple of -- I
10 know a couple of addresses on Elm Street. There are two
11 on the corner of Elm and Madison if you know this. There
12 is a brick house but the only thing is they have the first
13 floor has brick. There are many -- there are many houses
14 that are front -- brick-fronted, but I mean, brick is not
15 like an alien to the neighborhood.

16 COMMISSIONER NICOLAIDES: What might work, and
17 again, this is more personal saying is it necessary or
18 not, and I'm not saying it's necessary but similar to some
19 of the -- because I drove around today.

20 MR. HOSSEINIPOUR: Okay.

21 COMMISSIONER NICOLAIDES: Certainly, some of the
22 homes that you are referring to are part brick and part
23 shingle. If you kind of made the pediment on top a closed
24 pediment -- no, go up. Yeah, there. Picture drawing a
25 horizontal line there.

26 MS. BOGDANOS: The triangle.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: Make the triangle sooner
3 -- it would be like these.

4 MS. BOGDANOS: Yeah, we can do that.

5 COMMISSIONER NICOLAIDES: Where you have a little
6 gesture towards the other homes that are, you know, more
7 sympathetic.

8 MR. HOSSEINIPOUR: If that will make it for you, I
9 will accept that.

10 COMMISSIONER NICOLAIDES: It's a suggestion. I'm
11 not going to turn you down.

12 COMMISSIONER GENESE: Yeah, I don't think you have
13 to do it.

14 MR. HOSSEINIPOUR: I would like an all brick house
15 because it will always be there the same way in 50 years
16 from now. The Hardie plank is going to look a little
17 different than the brick but when it's all unified, it
18 will all age at the same time. That's my thought.

19 COMMISSIONER NICOLAIDES: However, you --

20 ACTING CHAIR SHORES: Well, let's go on to the
21 other stuff.

22 COMMISSIONER NICOLAIDES: You've got a substantial
23 home. It's going to be very well built and --

24 MR. HOSSEINIPOUR: And by the way, that's a lot of
25 money that I'm willing --

26 ACTING CHAIR SHORES: Yeah, it's beautiful.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: No one is accusing you
3 of going cheap.

4 MR. HOSSEINIPOUR: Thank you.

5 COMMISSIONER GENESE: What program did you use to
6 do the rendering?

7 MS. BOGDANOS: I didn't do it. I don't do
8 renderings.

9 COMMISSIONER GENESE: Oh, you had somebody do
10 them?

11 MS. BOGDANOS: I had somebody, he has somebody, he
12 did a good job.

13 COMMISSIONER GENESE: They're very nice.

14 COMMISSIONER NICOLAIDES: We'd like to make sure
15 the brick detail actually translates into the final
16 product.

17 MS. BOGDANOS: True.

18 COMMISSIONER NICOLAIDES: So if you could make
19 sure they're on the drawing.

20 MS. BOGDANOS: I will.

21 COMMISSIONER NICOLAIDES: The construction
22 drawings.

23 MS. BOGDANOS: I will, I will. We didn't have
24 time, besides that, I wanted you to see the rendering
25 mostly than the drawings. The drawing doesn't talk to
26 you. This is talking to you.

1 192 Garden Street

2 ACTING CHAIR SHORES: Go ahead.

3 COMMISSIONER GENESE: I have to get the name of
4 the renderer from you.

5 MS. BOGDANOS: Okay.

6 COMMISSIONER NICOLAIDES: Okay, those are my
7 comments.

8 ACTING CHAIR SHORES: Okay, let's continue with
9 the application.

10 MS. BOGDANOS: He's better than the one I had
11 before.

12 COMMISSIONER NICOLAIDES: It's very photo
13 realistic.

14 COMMISSIONER GENESE: Very.

15 MS. BOGDANOS: I don't think to took too long, and
16 he did all the elevations; you see?

17 MR. HOSSEINIPOUR: His name is -- his company name
18 is Design by F and M (phonetic) and he's on Northern
19 Boulevard, Great Neck.

20 COMMISSIONER GENESE: Design by --

21 MR. HOSSEINIPOUR: Design by F and M.

22 COMMISSIONER GENESE: Design by F and M.

23 MR. HOSSEINIPOUR: Design by F and M. He's on
24 Northern Boulevard, Great Neck.

25 ACTING CHAIR SHORES: So do we have any additional
26 items you want to present to us or any other --

1 192 Garden Street

2 MS. BOGDANOS: We --

3 COMMISSIONER NICOLAIDES: We talked about the
4 windows.

5 MS. BOGDANOS: The roof --

6 COMMISSIONER NICOLAIDES: We talked about the roof
7 shingle, we're going to go to a charcoal gray.

8 MS. BOGDANOS: I can give you the roof color.

9 COMMISSIONER NICOLAIDES: Skylight.

10 ACTING CHAIR SHORES: I think you really can't see
11 the skylight, though; right?

12 MS. BOGDANOS: No, you cannot. We told him to put
13 it but you cannot see it, really. Okay, he likes to use
14 the Hickory.

15 COMMISSIONER NICOLAIDES: Red?

16 MS. BOGDANOS: No, no, not red, Hickory, this one.
17 It picks up the brick.

18 COMMISSIONER NICOLAIDES: My advice is to go to
19 more of a charcoal.

20 MS. BOGDANOS: Charcoal?

21 COMMISSIONER NICOLAIDES: Yeah.

22 MR. HOSSEINIPOUR: Which one is that? This one?

23 MS. BOGDANOS: Charcoal is really black.

24 COMMISSIONER NICOLAIDES: Well, no, it's like
25 gray, it's gray. Like this, like this.

26 ACTING CHAIR SHORES: Let me see.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: I wouldn't go to pure
3 black, that's black.

4 ACTING CHAIR SHORES: Didn't you point -- I think
5 the owner pointed to that.

6 COMMISSIONER NICOLAIDES: Which one? The top one?

7 MS. BOGDANOS: The Hickory is down. It's brown
8 and picks up the --

9 ACTING CHAIR SHORES: Yes, but you're client
10 pointed to this one.

11 MS. BOGDANOS: It's on the list, it's there.

12 COMMISSIONER NICOLAIDES: Right, but we --

13 MS. BOGDANOS: Prefer.

14 COMMISSIONER NICOLAIDES: -- prefer --

15 MS. BOGDANOS: The very first one.

16 COMMISSIONER NICOLAIDES: This one or one of the
17 grays.

18 ACTING CHAIR SHORES: Wait, hold on a second we're
19 all out of -- Frank, is every --

20 COMMISSIONER NICOLAIDES: Frank, get back up here.

21 MS. BOGDANOS: He wants to give --

22 COMMISSIONER NICOLAIDES: Right, right.

23 ACTING CHAIR SHORES: Frank, Frank.

24 COMMISSIONER GENESE: Yeah, I'll be right there.

25 (WHEREUPON, there was an off-the-record
26 discussion.)

1 192 Garden Street

2 ACTING CHAIR SHORES: Didn't you point to this
3 one, also?

4 MS. BOGDANOS: No, I was pointing to --

5 ACTING CHAIR SHORES: I know he did, I'm asking.
6 I thought you said you liked this one which I think is
7 nice, too.

8 MS. BOGDANOS: Okay.

9 COMMISSIONER NICOLAIDES: So there's a checkmark
10 on it. Somebody put a checkmark over here.

11 ACTING CHAIR SHORES: Anything else that we need
12 to go over?

13 COMMISSIONER CYBRIWSKY: What about the garage?

14 COMMISSIONER NICOLAIDES: Do you have a cut of the
15 garage door.

16 MS. BOGDANOS: No, because it's a regular door but
17 we can get it for you.

18 COMMISSIONER NICOLAIDES: Yeah, because those are
19 the things --

20 MS. BOGDANOS: Yeah.

21 COMMISSIONER NICOLAIDES: -- submit --

22 MS. BOGDANOS: Yes.

23 COMMISSIONER NICOLAIDES: -- so we have it in our
24 file.

25 MS. BOGDANOS: I will, I will. It's a very simple
26 door, the simplest.

1 192 Garden Street

2 COMMISSIONER NICOLAIDES: So the only thing that
3 really we'd like to see again is the simplified portico.

4 MS. BOGDANOS: Yes.

5 COMMISSIONER NICOLAIDES: And I don't want to hold
6 you up.

7 MS. BOGDANOS: Even the rear is a little fancy.
8 We can do it simple.

9 COMMISSIONER NICOLAIDES: And add the columns. So
10 those are my two comments.

11 ATTORNEY ALGIOS: So I don't know if they have to
12 come back.

13 COMMISSIONER NICOLAIDES: That's what I'm trying
14 to avoid.

15 ATTORNEY ALGIOS: Just resubmit plans, and --

16 COMMISSIONER NICOLAIDES: Yeah.

17 ACTING CHAIR SHORES: If they match, we can say --

18 COMMISSIONER NICOLAIDES: Provisional approval?
19 Conditional approval? What's the --

20 ATTORNEY ALGIOS: Well, you can vote, and you can
21 approve it, state what your approval is, and she'll
22 have to submit plans that match what's in the Certificate
23 of Appropriateness.

24 MS. BOGDANOS: Yes.

25 ACTING CHAIR SHORES: Right.

26 MS. BOGDANOS: I will. I think that's fine to do

1 192 Garden Street

2 that because the renderings just came two days ago, and
3 you know, I didn't have time to modify all this to
4 reflect.

5 ATTORNEY ALGIOS: And then in the drawings that
6 you resubmit, just mark what all the coloring --

7 MS. BOGDANOS: Yes.

8 ATTORNEY ALGIOS: -- like mark the color of the
9 roof --

10 MS. BOGDANOS: I will.

11 ATTORNEY ALGIOS: -- the color of the brick --

12 MS. BOGDANOS: Yes, unless you want the color
13 plans.

14 ATTORNEY ALGIOS: You just have to note, just so
15 --

16 MS. BOGDANOS: No, no, usually I do.

17 ACTING CHAIR SHORES: So is the consensus of the
18 group that the brick is okay or the brick with the
19 shingles at the top or that it should be shingles or some
20 other kind of substance. Was there a consensus on that?

21 COMMISSIONER GENESE: The brick is fine with me.

22 COMMISSIONER CYBRIWSKY: I'm okay with brick.

23 MS. BOGDANOS: Can I say something? Brick is
24 better, is more serious, more --

25 ACTING CHAIR SHORES: I like brick the best.

26 MS. BOGDANOS: No, no.

1 192 Garden Street

2 ACTING CHAIR SHORES: Don't worry about that.

3 MS. BOGDANOS: I'm talking about mixing it up,
4 mixing it up. I don't prefer that, me, personally. If
5 you wanted him to do it, he'll do it.

6 ACTING CHAIR SHORES: Okay.

7 COMMISSIONER GENESE: So we're going to review
8 this by e-mail; right?

9 MS. BOGDANOS: Yes.

10 ATTORNEY ALGIOS: Well, if you want to vote now so
11 he can --

12 ACTING CHAIR SHORES: We should get a motion.

13 ATTORNEY ALGIOS: State what you're, you know, you
14 would state the condition. Upon condition of the portico
15 having columns and any other changes you want to see
16 that'll go into the Certificate of Appropriateness, but in
17 the meantime, she'll send the revised plans marking it.

18 MS. BOGDANOS: Do you want me to bobble it or
19 something, whatever comments that you had on my drawings?

20 ATTORNEY ALGIOS: No.

21 COMMISSIONER NICOLAIDES: No, we're just going to
22 document them.

23 ATTORNEY ALGIOS: Not the comments but just mark
24 what it is.

25 MS. BOGDANOS: Yes, that I will.

26 ACTING CHAIR SHORES: Could we do the shingle on

1 192 Garden Street

2 top of the brick? I'd like to be able to vote but I think
3 that it's kind of harsh, and I could vote separately
4 because I like everything you did. I think you did a
5 great job.

6 ATTORNEY ALGIOS: You don't have to.

7 ACTING CHAIR SHORES: But I don't want to vote no
8 for it. I think they did a great job.

9 ATTORNEY ALGIOS: Okay.

10 ACTING CHAIR SHORES: Nobody else likes the
11 shingles. Okay, do I have a motion?

12 COMMISSIONER NICOLAIDES: So I'm going to try to
13 itemize everything in the motion.

14 ATTORNEY ALGIOS: Oh, do you want to ask if
15 there's any comments?

16 ACTING CHAIR SHORES: Oh, I'm sorry. Is there any
17 comments?

18 (WHEREUPON, no response was heard.)

19 MS. BOGDANOS: Not that I know.

20 ACTING CHAIR SHORES: Okay.

21 MS. BOGDANOS: I'm happy that you -- it was so
22 hard, he got what he wanted.

23 ACTING CHAIR SHORES: Yeah.

24 COMMISSIONER NICOLAIDES: So, all right. I'll
25 make a motion that we approve the application pending the
26 following items: To make the roof detail consistent so

1 192 Garden Street

2 the garage matches the main house; add columns to the side
3 and to the overhang; simplify the portico.

4 ATTORNEY ALGIOS: Do you want to specify about
5 what do you mean by simplify the portico?

6 MS. BOGDANOS: I think I understand.

7 COMMISSIONER NICOLAIDES: I don't know how to put
8 it into words.

9 MS. BOGDANOS: For instance, all this extra --

10 COMMISSIONER GENESE: Instead of four columns.

11 COMMISSIONER NICOLAIDES: And make the columns
12 come to the ground instead of --

13 MS. BOGDANOS: Two columns, two columns.

14 MR. STERNBERG: So two columns to the ground?

15 COMMISSIONER NICOLAIDES: I'm not going to say two
16 or one.

17 COMMISSIONER GENESE: You can't have one.

18 MS. BOGDANOS: Two is nicer.

19 COMMISSIONER NICOLAIDES: On one side.

20 COMMISSIONER GENESE: Two or four, yeah.

21 COMMISSIONER NICOLAIDES: I don't care, I actually
22 like two columns clustered together but I would make them
23 larger in diameter --

24 MS. BOGDANOS: Yes.

25 COMMISSIONER NICOLAIDES: Closer together and come
26 to the ground.

1 192 Garden Street

2 COMMISSIONER GENESE: Yeah, yeah, that would be
3 nice.

4 COMMISSIONER NICOLAIDES: And again, I can send
5 photos.

6 MR. HOSSEINIPOUR: Can I make --

7 MS. BOGDANOS: Don't interrupt the approval. Is
8 it okay -- I know. Is it okay if we put four but two in
9 the front, two in the back?

10 COMMISSIONER NICOLAIDES: No, you can still put
11 two pair.

12 MR. HOSSEINIPOUR: Uh-huh.

13 COMMISSIONER NICOLAIDES: Just make them larger.
14 Right now, you have a lot of space between each column.

15 MR. HOSSEINIPOUR: Oh, closer to each other.

16 COMMISSIONER NICOLAIDES: You can put pilasters in
17 the back.

18 MR. HOSSEINIPOUR: Uh-huh.

19 COMMISSIONER NICOLAIDES: But what we typically
20 do, when we put pilasters attached to the house, one, they
21 tend to be rectangular, not round, and they're half,
22 they're not --

23 MS. BOGDANOS: Yeah.

24 COMMISSIONER NICOLAIDES: -- the full depth.

25 MS. BOGDANOS: We can do that.

26 COMMISSIONER NICOLAIDES: So take, like, a

1 192 Garden Street

2 square --

3 MS. BOGDANOS: Yes.

4 COMMISSIONER NICOLAIDES: -- cut it in half --

5 MS. BOGDANOS: Yes.

6 COMMISSIONER NICOLAIDES: -- and then push it
7 against the house, and that's fine. That kind of creates
8 --

9 COMMISSIONER GENESE: Circular.

10 COMMISSIONER NICOLAIDES: You don't cut a circle
11 in half and stick it there.

12 ACTING CHAIR SHORES: Also, in the rendering, is
13 it the real dimension? Like, it may look -- okay.

14 COMMISSIONER GENESE: And these drawings still
15 show the old --

16 MS. BOGDANOS: I'll do it in my plans.

17 COMMISSIONER GENESE: This is still the old --
18 these elevations.

19 COMMISSIONER NICOLAIDES: This motion is getting
20 awfully wordy.

21 MR. HOSSEINIPOUR: And the columns in the back,
22 should -- obviously, just two columns?

23 COMMISSIONER NICOLAIDES: Two columns are fine.

24 MR. HOSSEINIPOUR: And then matching. Thanks.

25 COMMISSIONER NICOLAIDES: And that's -- I don't
26 think there needs to be, at least in the majority of the

1 192 Garden Street

2 mason houses is fine.

3 MS. BOGDANOS: And I'm going to make it simple
4 going down.

5 COMMISSIONER NICOLAIDES: That's fine.

6 MS. BOGDANOS: Not this elaborate thing.

7 COMMISSIONER NICOLAIDES: Okay, that's my motion.

8 ACTING CHAIR SHORES: Okay, do we have a second?

9 COMMISSIONER CYBRIWSKY: I'll second.

10 ACTING CHAIR SHORES: Letting Neal catch up.

11 MR. STERNBERG: Commissioner Cybriwsky?

12 COMMISSIONER CYBRIWSKY: Yeah.

13 MR. STERNBERG: Commissioner Genese?

14 COMMISSIONER GENESE: Aye.

15 MR. STERNBERG: Town Historian Lumpkin?

16 HISTORIAN LUMPKIN: Aye.

17 MR. STERNBERG: Commissioner Nicolaides?

18 COMMISSIONER NICOLAIDES: Aye.

19 MR. STERNBERG: Acting Chairperson Shores?

20 ACTING CHAIR SHORES: Yes.

21 MR. STERNBERG: Okay, the vote is unanimous.

22 ACTING CHAIR SHORES: Now, you're also the
23 applicant of 77 Jefferson?

24 MR. HOSSEINIPOUR: I am, yes.

25 ACTING CHAIR SHORES: So you --

26 MS. BOGDANOS: I can collect my stuff?

1 192 Garden Street

2 ACTING CHAIR SHORES: Yes.

3 MS. BOGDANOS: Thank you.

4 COMMISSIONER NICOLAIDES: Thank you, so much, and
5 thank you for paying such close attention to our comments.

6 MS. BOGDANOS: I do.

7 MR. HOSSEINIPOUR: I just want to see if anybody
8 from Trinity is here. They were supposed to send someone
9 but I guess --

10 COMMISSIONER NICOLAIDES: You're on your own.

11 MR. HOSSEINIPOUR: I guess I got enough
12 experience. I was told that you don't need me to --

13 ACTING CHAIR SHORES: Wait, hold on one second.
14 On 77 Jefferson? There's two solar panels. One is for
15 Port Washington.

16 Okay, you don't have to make a presentation.

17 MR. HOSSEINIPOUR: That's what I was told.

18 ACTING CHAIR SHORES: Okay, all right, I thought
19 it was just the other house.

20 ATTORNEY ALGIOS: So there's going to be voting at
21 the end of the calendar on the solar panels.

22 MR. HOSSEINIPOUR: Right.

23 ATTORNEY ALGIOS: You can stay for that or you can
24 go and you can call tomorrow and just --

25 MS. BOGDANOS: I'm going to the Greek Islands.

26 MR. HOSSEINIPOUR: I know that we went ahead and

1 192 Garden Street

2 modified it based on your recommendations.

3 ATTORNEY ALGIOS: Yeah, so they'll be voting on
4 that.

5 ACTING CHAIR SHORES: Deborah? Deborah?

6 MR. HOSSEINIPOUR: So I sit down.

7 ATTORNEY ALGIOS: Yes.

8 ACTING CHAIR SHORES: Deborah? Since he's here
9 why can't we just vote on it? It's a two minute vote.

10 (WHEREUPON, there was an off-the-record
11 discussion.)

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1 36 Jefferson Avenue

2 ACTING CHAIR SHORES: Okay, so let's move on.
3 Commissioner Nicolaides is going to act as the Chair,
4 Acting Chair, act as the Acting Chair, twice removed, and
5 I'm going recuse myself but I'm going to sit in the
6 audience? Should I sit outside? I'm going to sit
7 outside.

8 COMMISSIONER NICOLAIDES: So I am going to read
9 the application as it exists on the agenda.

10 Is anybody here representing this application?

11 It's the Isakov property.

12 MR. ISAKOV: Right here.

13 COMMISSIONER NICOLAIDES: Come on up. So very
14 quickly, the application is for issuance of a Certificate
15 of Appropriateness to remove three trees; install a white
16 PVC fence; replace and expand existing rear paved areas
17 and front walkways, style and type to be determined; and
18 construct 100 square foot covered barbecue/gazebo.

19 The property is located at 36 Jefferson Avenue,
20 Roslyn Heights Historic District, and sir, if you could
21 identify yourself.

22 MR. ABDURAKHMANOV: Good evening, my name is Boris
23 Abdurakhmanov, I'm representing owner, and also I am owner
24 of Edward Hicks Architect (phonetic).

25 ATTORNEY ALGIOS: Can you please spell your name
26 for the court reporter?

1 36 Jefferson Avenue

2 COURT REPORTER: Thank you.

3 MR. ABDURAKHMANOV: Boris.

4 COURT REPORTER: B-O-R-I-S?

5 MR. ABDURAKHMANOV: Yes, Abdurakhmanov, you need
6 last name; right?

7 COURT REPORTER: Yes.

8 MR. ABDURAKHMANOV: A-B-D-U-R-A-K-H-M-A-N-O-V.

9 COURT REPORTER: Thank you.

10 ATTORNEY ALGIOS: And can you please give your
11 address for the record.

12 MR. ABDURAKHMANOV: My business or --

13 ATTORNEY ALGIOS: That's fine.

14 MR. ABDURAKHMANOV: 69-09 164th Street in Fresh
15 Meadows, New York 11365.

16 So which one.

17 ATTORNEY ALGIOS: So you can do your presentation.

18 ACTING CHAIR NICOLAIDES: All right. Sorry, sir,
19 continue. Do you have anything you want to

20 put on the easel? Do you have any documents you
21 want to put on the easel?

22 MR. ABDURAKHMANOV: You have whatever I have. I
23 will be talking about the --

24 ACTING CHAIR NICOLAIDES: All right.

25 MR. ABDURAKHMANOV: So this address we tried to
26 have -- we filed four applications, basically, for

1 36 Jefferson Avenue

2 drainage, tree removal and flat board. So flat board is
3 basically the same as we did for drainage because they all
4 travel compilation, surface and calculations, and I would
5 like to go to the fence, if you don't mind.

6 ACTING CHAIR NICOLAIDES: The fence, okay.

7 MR. ABDURAKHMANOV: The fence.

8 ACTING CHAIR NICOLAIDES: Do you have a sample or
9 cut of the fence you're proposing?

10 MR. ABDURAKHMANOV: We received not, because we
11 received -- I spoke with Building Department of North
12 Hempstead, right, and also with historical and Caroline
13 and to be back and forth with e-mail, and I received from
14 Building Department with no problem to have PVC fence as
15 long as I comply with height and distance.

16 ACTING CHAIR NICOLAIDES: So what you were told is
17 accurate except it doesn't complete the thought. So yes,
18 the building code allows you to have a PVC fence, it
19 allows you to have it at the appropriate height depending
20 on where it is, but unique to this property and any
21 property that comes to this Commission, we have the
22 aesthetic approval.

23 MR. ABDURAKHMANOV: I understand.

24 ACTING CHAIR NICOLAIDES: So without showing us
25 which PVC fence and what pattern it is and what the actual
26 color is, you're not giving us the information.

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: This is white color, in white
3 color.

4 ACTING CHAIR NICOLAIDES: But you know, there's 50
5 shades of white like there's 50 shades of gray, you know,
6 which one? What company? Is it all verticals? Is there
7 a pattern?

8 MR. ABDURAKHMANOV: Only vertical.

9 MR. STERNBERG: I gave you a diagram.

10 MR. ABDURAKHMANOV: But I think you have some
11 sketch there.

12 ACTING CHAIR NICOLAIDES: So it's white PVC.

13 MR. ABDURAKHMANOV: Sketch.

14 ACTING CHAIR NICOLAIDES: So we have this, okay.
15 All right, and the height is going to be?

16 MR. ABDURAKHMANOV: We have in front yard, which
17 is corner house, has two front yards; right? One on
18 Willow and from --

19 ACTING CHAIR NICOLAIDES: It's limited to 4 feet.

20 MR. ABDURAKHMANOV: And aligned with the building
21 line.

22 ACTING CHAIR NICOLAIDES: You show that on the
23 plan; right?

24 MR. ABDURAKHMANOV: Yes, and beyond the building
25 line, right, from both streets I have 5 feet fence. Also
26 the same color, the same pattern.

1 36 Jefferson Avenue

2 (WHEREUPON, there was an off-the-record
3 discussion.)

4 MR. ABDURAKHMANOV: One goes parallel, Willow
5 Street, there's a building line.

6 (WHEREUPON, there was an off-the-record
7 discussion.)

8 ACTING CHAIR NICOLAIDES: That's the rear lot.

9 COMMISSIONER GENESE: Well, it's a corner lot, so
10 that's the rear yard, the top is the rear.

11 ACTING CHAIR NICOLAIDES: So all right, so in the
12 rear yard --

13 COMMISSIONER GENESE: No, it's both.

14 ACTING CHAIR NICOLAIDES: So how are you defining
15 which is the rear yard and which is the side yard?

16 MR. ABDURAKHMANOV: Basically, that's confusing;
17 right? Usually corner lot doesn't have rear yard, it has
18 two side yards. Plus with Building Department, they told
19 me reaches opposite of the front entrance or so rear yard,
20 we build the parallel line off Jefferson Avenue in the
21 back which I have 5-foot fence and side yard I would say
22 is parallel, 100 feet from the building, right behind the
23 garage. So basically, over there it's 5-foot.

24 (WHEREUPON, there was an off-the-record
25 discussion.)

26 MR. ABDURAKHMANOV: If you look carefully, it is a

1 36 Jefferson Avenue

2 building line from Jefferson Street, avenue and Willow;
3 right?

4 COMMISSIONER GENESE: So the way it works is that
5 on a corner property there is a rear lot. The rear lot is
6 usually opposite of the shortest front --

7 MR. ABDURAKHMANOV: We have 100 feet.

8 COMMISSIONER GENESE: So when there's a tie, the
9 tie goes to the runner, and when there's a tie it becomes
10 the front door.

11 MR. ABDURAKHMANOV: That's what I spoke with
12 Planning --

13 COMMISSIONER GENESE: This is your rear lot.

14 MR. ABDURAKHMANOV: That's why I clarify with them
15 and then the --

16 COMMISSIONER GENESE: Okay, okay.

17 MR. ABDURAKHMANOV: And as you see 4 feet fence is
18 not encroaching any building line on each front. So
19 Willow Street and from building line on Jefferson Avenue
20 also goes 4 feet and then we switch side yards. I made
21 the property line transfer to 5. The same color --

22 ACTING CHAIR NICOLAIDES: We're not going to judge
23 the compliance to the building code.

24 MR. ABDURAKHMANOV: Yeah, yeah, I understand.

25 ACTING CHAIR NICOLAIDES: So if there's any
26 discrepancies on the height, we're going to leave that to

1 36 Jefferson Avenue

2 the plan examiner but we're basically here to approve the
3 white vinyl fence.

4 ATTORNEY ALGIOS: Subject to --

5 ACTING CHAIR NICOLAIDES: Subject to -- so what
6 I'm going to suggest, and we can ultimately have a motion,
7 is that based on this diagram, we're going to say that's
8 fine, but we'll require you to submit an actual product
9 cut, the manufacturer's photograph with the model number
10 so that, one, we confirm that indeed is this.

11 MR. ABDURAKHMANOV: Okay.

12 ACTING CHAIR NICOLAIDES: Two, we now have
13 something to hold you to so when it's up, it's going to be
14 --

15 MR. ABDURAKHMANOV: I understand.

16 ACTING CHAIR NICOLAIDES: -- what you told us it's
17 going to be and not something else.

18 MR. ABDURAKHMANOV: So when can I bring it?

19 ACTING CHAIR NICOLAIDES: Well, once we're
20 finished --

21 MR. ABDURAKHMANOV: Okay.

22 ACTING CHAIR NICOLAIDES: You call the other
23 items, if there are any other items, and then you will
24 submit a package --

25 MR. ABDURAKHMANOV: Okay.

26 ACTING CHAIR NICOLAIDES: -- with any comments

1 36 Jefferson Avenue

2 that we have.

3 MR. ABDURAKHMANOV: Okay.

4 COMMISSIONER GENESE: Getting back to the fence.

5 So you have to be very cautious putting a fence on a
6 property. Unless that survey is deadly accurate, that
7 property line may not be exactly the way it's shown on the
8 survey, and trust me, there are inaccurate surveys. I see
9 them all the time.

10 MR. ABDURAKHMANOV: From my experience, I have
11 hundreds like this but --

12 COMMISSIONER GENESE: We see them all the time.

13 ACTING CHAIR NICOLAIDES: We suggest you go in a
14 little bit.

15 COMMISSIONER GENESE: Yeah, 3 to 6 inches,
16 usually, and the fence companies will sometimes --

17 MR. ABDURAKHMANOV: You mean on the property line.

18 COMMISSIONER GENESE: Yeah, 3 to 6 inches in off
19 the property line just so you're protected in the future.

20 MR. ABDURAKHMANOV: Usually during construction, I
21 usually supervise the actual work, and house, like 4-by-5,
22 5-by-5 sometimes, so usually I put opposite the rear side
23 of the fence which is going to next door in line with the
24 -- in line with maybe one or two inches inside the
25 property so that gives me -- that gives me opportunity not
26 to encroach on the other side.

1 36 Jefferson Avenue

2 COMMISSIONER GENESE: Yeah, you always want a
3 couple of inches just to be on the safe side.

4 MR. ABDURAKHMANOV: I understand.

5 COMMISSIONER GENESE: Can we talk about the trees?
6 Are we done with the --

7 MR. ABDURAKHMANOV: So trees next subject to talk
8 so if you --

9 ACTING CHAIR NICOLAIDES: Item by item.

10 COMMISSIONER GENESE: Oh, okay.

11 ACTING CHAIR NICOLAIDES: So let's go to the next
12 one.

13 HISTORIAN LUMPKIN: The fence is going along the
14 driveway?

15 MR. ABDURAKHMANOV: Huh?

16 HISTORIAN LUMPKIN: The fence is just going along
17 the edge of the driveway?

18 MR. ABDURAKHMANOV: Yeah, you see the driveway but
19 not to the end.

20 (WHEREUPON, there was an off-the-record
21 discussion.)

22 COMMISSIONER GENESE: And there are nicer, there
23 are nicer ones, there are nicer vinyl. Some of them have
24 the lattice on the top, that's what I have. So it's like,
25 you know, the top foot of the fence is lattice work, it's
26 more decorative, it's prettier.

1 36 Jefferson Avenue

2 ACTING CHAIR NICOLAIDES: It looks less
3 commercial.

4 COMMISSIONER GENESE: Yeah.

5 ACTING CHAIR NICOLAIDES: And more residential.
6 That's why, if you had a catalog, we did this at the last
7 meeting with another homeowner --

8 MR. ABDURAKHMANOV: Be able to hire already
9 contractor, right, and he, I asked him myself, but I do
10 this, and I will take a look at --

11 ACTING CHAIR NICOLAIDES: When you say you hired a
12 contractor --

13 MR. ABDURAKHMANOV: When we filed the job, right,
14 they requested the license and contractor in North
15 Hempstead.

16 COMMISSIONER GENESE: Not until you get the
17 permit. When you pull the permit you get a contractor,
18 not when you file the job.

19 ACTING CHAIR NICOLAIDES: But you could file the
20 job for review --

21 MR. ABDURAKHMANOV: Yeah, yeah.

22 ACTING CHAIR NICOLAIDES: Before you have a
23 contractor.

24 MR. ABDURAKHMANOV: But the way it is, we tried to
25 find a legitimate company who can have license in the
26 North Hempstead, specifically and then I spoke with them

1 36 Jefferson Avenue

2 because that's what Planner told me, and I will definitely
3 respect your suggestions, so I will bring it. Simple
4 and --

5 ACTING CHAIR NICOLAIDES: Because I don't even
6 think there's a premium, they're just different --

7 MR. ABDURAKHMANOV: I understand.

8 COMMISSIONER CYBRIWSKY: Different designs.

9 ACTING CHAIR NICOLAIDES: Decorative designs.

10 MR. ABDURAKHMANOV: I understand, I will bring it,
11 yes.

12 ACTING CHAIR NICOLAIDES: All right, I think
13 enough on the fence there.

14 What's the next item you'd like to present?

15 MR. ABDURAKHMANOV: So I would like to go --

16 MR. STONE: Are you going to ask the fence be
17 brought in slightly from the --

18 ACTING CHAIR NICOLAIDES: Yeah, yeah, that's what
19 we were just saying.

20 COMMISSIONER GENESE: Three to 6 inches, usually.

21 MR. ABDURAKHMANOV: Go over the paving and the
22 drainage in the same application.

23 ACTING CHAIR NICOLAIDES: So the drainage, again,
24 is not us.

25 MR. ABDURAKHMANOV: Yeah, okay, so then paving and
26 gazebo, that's what I would like.

1 36 Jefferson Avenue

2 COMMISSIONER CYBRIWSKY: The trees have to be
3 removed for this plan; this paving?

4 ACTING CHAIR NICOLAIDES: I think the immediate
5 reaction is -- I've heard, and it may not be universal, is
6 there's a lot of paving. One of the things that --

7 MR. ABDURAKHMANOV: Basically, if you look at the
8 -- if I can give you, you see, I give calculations, what
9 is existing and what's proposed.

10 ACTING CHAIR NICOLAIDES: It looks like a parking
11 lot.

12 MR. ABDURAKHMANOV: This is for rendering, you see
13 I did that to fence because I want to show more paving,
14 you know, to --

15 ACTING CHAIR NICOLAIDES: You give somebody the
16 impression that whole yard is paved.

17 MR. ABDURAKHMANOV: No, no, if you look at the
18 site plan of the application; right? On the paving
19 application.

20 ACTING CHAIR NICOLAIDES: Do you want me to look
21 at the paving plan? This one? This one's -- item paving
22 plan, number one.

23 MR. ABDURAKHMANOV: This is small one, if you want
24 I can give you bigger plan.

25 ACTING CHAIR NICOLAIDES: Well, do you have
26 anything with you?

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: Yeah, I brought.

3 ACTING CHAIR NICOLAIDES: Please.

4 (WHEREUPON, there was an off-the-record
5 discussion.)

6 COMMISSIONER GENESE: Why are you putting so much
7 paving in the front of the house?

8 MR. ABDURAKHMANOV: In the front entrance?

9 COMMISSIONER GENESE: No, in the front of the
10 house. That's your side lot but on Willow --

11 MR. ABDURAKHMANOV: Willow.

12 COMMISSIONER GENESE: Before you go through your
13 gate, why is that all paved in front?

14 MR. ABDURAKHMANOV: So I tell you, because we
15 couldn't, originally, the owner asked me if he can put
16 fence against the bushes, right, owner's wife.

17 ACTING CHAIR NICOLAIDES: And you explained that
18 you can't.

19 MR. ABDURAKHMANOV: To have more privacy for kids
20 to play. They have four kids.

21 MR. ISAKOV: Five.

22 MR. ABDURAKHMANOV: Oh, five, I'm sorry, small
23 piece to have like a playground for them, not just on
24 paper.

25 ACTING CHAIR NICOLAIDES: The playground is now on
26 the wrong side of the fence.

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: Yeah, yeah, I understand.

3 ACTING CHAIR NICOLAIDES: What you're suggesting
4 is that where you put your fence, that's where the paving
5 starts, and we keep that, they can play in the grass, but
6 it's now not protected by being inside the fenced area.

7 COMMISSIONER CYBRIWSKY: So why are you paving
8 outside of the fence?

9 MR. ABDURAKHMANOV: Because original was planned
10 so we moved the fence the way --

11 ACTING CHAIR NICOLAIDES: Well, you moved the
12 fence but you didn't move the paving to go with it.

13 MR. ABDURAKHMANOV: Yeah, but --

14 ACTING CHAIR NICOLAIDES: So we're -- our opinion,
15 it seems to be a majority, is that we're not going to
16 approve that much paving in front of the fence because it
17 doesn't -- it's not visually appropriate.

18 COMMISSIONER GENESE: It's like a parking lot.

19 ACTING CHAIR NICOLAIDES: And frankly, we would
20 probably also look to keep the tree that you're trying to
21 take down over there.

22 (WHEREUPON, there was an off-the-record
23 discussion.)

24 ACTING CHAIR NICOLAIDES: Excuse me, sir? We have
25 a question. We understand from the photographs and from
26 the survey that there's a hedge, the hedge is your

1 36 Jefferson Avenue

2 neighbor's. This property line --

3 COMMISSIONER CYBRIWSKY: Next to the driveway.

4 ACTING CHAIR NICOLAIDES: Next to the driveway.

5 The long driveway to the garage.

6 MR. ABDURAKHMANOV: Yeah, fence is on the

7 property.

8 ACTING CHAIR NICOLAIDES: So you're going to bring

9 your fence up against their hedges.

10 MR. ABDURAKHMANOV: Yes, yeah, on this property.

11 ACTING CHAIR NICOLAIDES: Okay.

12 (WHEREUPON, there was an off-the-record

13 discussion.)

14 COMMISSIONER GENESE: The two trees that you want

15 to take down on the one side; where are they shown on

16 these drawings?

17 MR. ABDURAKHMANOV: Shows on the --

18 ACTING CHAIR NICOLAIDES: No, the trees, do you

19 have a survey that shows the --

20 MR. ABDURAKHMANOV: So for trees we have special

21 -- we submit special survey marked up.

22 COMMISSIONER GENESE: I think we have that. Yeah,

23 we have that.

24 Oh, okay, so it's these two trees here.

25 MR. ABDURAKHMANOV: There's one 18 inch, one is

26 big.

1 36 Jefferson Avenue

2 ACTING CHAIR NICOLAIDES: So this, this -- right,
3 but this one --

4 COMMISSIONER GENESE: No, it's these two here.
5 (WHEREUPON, there was an off-the-record
6 discussion.)

7 COMMISSIONER GENESE: And why do you want to
8 remove those two trees?

9 MR. ABDURAKHMANOV: That's 18 inches, right,
10 towards the house. If I will give you the -- and almost
11 --

12 COMMISSIONER GENESE: It's leaning towards the
13 house.

14 MR. ABDURAKHMANOV: Huh?

15 COMMISSIONER GENESE: They're leaning?

16 MR. ABDURAKHMANOV: Yes, if I can show it to you,
17 this tree, if you look --

18 COMMISSIONER GENESE: It hasn't been pruned right.

19 ACTING CHAIR NICOLAIDES: It's got to be pruned
20 properly.

21 HISTORIAN LUMPKIN: I mean, trees do that.

22 COMMISSIONER GENESE: Yeah, you need to prune the
23 one side on his side to get it in balance, and it'll
24 straighten out, eventually.

25 MR. ABDURAKHMANOV: Honestly, it's very close to
26 each other. That's why it's crown is not growing

1 36 Jefferson Avenue

2 anywhere.

3 COMMISSIONER CYBRIWSKY: Have you had them looked
4 at?

5 COMMISSIONER GENESE: In the forest, trees are
6 next to each other, they don't grow that way.

7 MR. ABDURAKHMANOV: Yeah, but you see, this is a
8 -- used to be forest; right? You have to treat them well.
9 It's supposed to be basically 25 feet apart.

10 ACTING CHAIR NICOLAIDES: No, we have many, many,
11 many trees that are --

12 MR. ABDURAKHMANOV: I understand, and existing I'm
13 not complaining but when they, let's say putting new
14 trees, right, 25 feet in New York State.

15 COMMISSIONER GENESE: I would say unless arborist
16 says that this tree's in danger of falling then I don't
17 think we can allow it to be removed under this Commission.

18 ACTING CHAIR NICOLAIDES: In a Historic District.

19 COMMISSIONER CYBRIWSKY: Also, to remove trees,
20 don't you have to get that approved, too; separately?

21 MR. ABDURAKHMANOV: Sure.

22 COMMISSIONER CYBRIWSKY: There's a tree removal
23 code in this Town.

24 ACTING CHAIR NICOLAIDES: So leave the trees
25 aside.

26 COMMISSIONER CYBRIWSKY: One other question. Have

1 36 Jefferson Avenue

2 you had them taken care of in the last few years?

3 Had them pruned or looked at by an arborist?

4 MR. ABDURAKHMANOV: Yeah, this is owner.

5 COMMISSIONER CYBRIWSKY: Okay.

6 ATTORNEY ALGIOS: I'm sorry, if you're going to
7 speak you're going to have to put your name and address on
8 the record.

9 MR. ISAKOV: 36 Jefferson Avenue, Mikhail Isakov,
10 homeowner.

11 I have a landscaping company that services me once
12 a week and takes care of all my trees and shrubs and the
13 grass.

14 ACTING CHAIR NICOLAIDES: Well, a landscape
15 company is not an arborist. You have to be licensed to be
16 an arborist. They're two different --

17 COMMISSIONER GENESE: Yeah, yeah.

18 ACTING CHAIR NICOLAIDES: -- experts.

19 COMMISSIONER GENESE: You need like a Bartlett or
20 a Halloren (phonetic) or a --

21 ACTING CHAIR NICOLAIDES: Hefferin or --

22 COMMISSIONER GENESE: -- Hefferin.

23 ACTING CHAIR NICOLAIDES: Neal's, there are many
24 local companies.

25 COMMISSIONER CYBRIWSKY: That get up in a bucket.

26 ACTING CHAIR NICOLAIDES: They're licensed in

1 36 Jefferson Avenue

2 North Hempstead to be the tree experts, and they will
3 ultimately, one, tell us if the tree's healthy, if it's
4 diseased, if it could be successfully pruned because we
5 have many trees that are closer to the house, closer than
6 this. There's no reason to take them down, and in the
7 Historic District, part of what we look for is the old
8 trees that go with these old homes, that gives it their
9 character. So we're protecting --

10 MR. ISAKOV: Right, my concern is that the tree
11 might -- my concern is the safety of the house. My
12 concern is that the tree doesn't fall on my house.

13 ACTING CHAIR NICOLAIDES: Agreed, agreed.

14 COMMISSIONER CYBRIWSKY: That's why you prune
15 them.

16 MR. ISAKOV: So one of the trees, excuse me, one
17 of the trees that I'm asking to remove on my driveway,
18 that's been already been deemed unhealthy. That has to
19 come down. I had a branch fall on my house last night
20 after the storm. So the one in the driveway, the big one,
21 that's a dead tree, we have to remove that regardless, and
22 also I was told that --

23 COMMISSIONER GENESE: It's a dead tree?

24 MR. ISAKOV: It's a dead tree, yeah.

25 ACTING CHAIR NICOLAIDES: A licensed arborist --

26 MR. ISAKOV: I have a licensed arborist already

1 36 Jefferson Avenue

2 told us the same, I have the findings in my e-mail before
3 the Board.

4 ACTING CHAIR NICOLAIDES: Okay, that's exactly
5 what I was going to suggest.

6 MR. ISAKOV: We already went through this the last
7 time. I had it ready last time for you guys. It's over a
8 year old. You guys said to come back and wait for the
9 next hearing to determine that.

10 ACTING CHAIR NICOLAIDES: I wasn't aware.

11 MR. ISAKOV: Right, so I'm just paraphrasing
12 what --

13 ACTING CHAIR NICOLAIDES: Sure, sure.

14 MR. ISAKOV: -- you guys told me last time, and in
15 terms of the trees that are adjacent on the right side to
16 my neighbor; is it the policy of the Historic Board to
17 license of appropriateness prior to moving the tree? Is
18 that the standard operating procedure?

19 ACTING CHAIR NICOLAIDES: Yes.

20 MR. ISAKOV: And everybody that has to get a tree
21 removed has to apply for a hearing, and I have to get a
22 letter in the mail?

23 ACTING CHAIR NICOLAIDES: Look to our --

24 MR. ISAKOV: Right? Is that -- I'm assuming
25 that's -- because I spent a lot of money just now doing
26 certified mailings and all that. So is that -- is that

1 36 Jefferson Avenue

2 the way to do things here; right or wrong?

3 ACTING CHAIR NICOLAIDES: I don't know. I defer
4 to our Town Attorney.

5 MR. ISAKOV: Because that was -- my neighbor had a
6 tree that was also listed as part of removing the tree.
7 She took it down herself without a permit, without a
8 letter. Just random, one day, came in, took down the
9 tree.

10 ACTING CHAIR NICOLAIDES: If you find --

11 MR. ISAKOV: So if I feel that, you know, what's
12 good for the geese is good for the gander, if she's able
13 to take that out, got permission, without going through
14 this whole show, why shouldn't I be able to do it?

15 ACTING CHAIR NICOLAIDES: If you could give the
16 Town --

17 MR. ISAKOV: I have videos. I have videos right
18 now I can show you guys.

19 ACTING CHAIR NICOLAIDES: I'm not doubting you for
20 a second. If you can give the Town the information --

21 MR. ISAKOV: That's the thing, I'm not trying to
22 call and complain and go make a problem for neighbors,
23 those people are -- I just want to have nice neighborly
24 neighbor. I'm not trying to create a problem. I want to
25 preserve the essence of the historical house. I'm not
26 asking to knock it down. I'm not asking to put an

1 36 Jefferson Avenue

2 extension. I'm not asking to put a stucco or brick over
3 it. I love the historical -- this is one of the reasons I
4 moved over here, because of the historical facts.

5 ACTING CHAIR NICOLAIDES: Good.

6 MR. ISAKOV: One of the reasons you have to go
7 through this, you know, whole rigorous process, it should
8 be applied to everyone.

9 ACTING CHAIR NICOLAIDES: It should.

10 MR. ISAKOV: Whether they're panel members or
11 residents like myself.

12 ACTING CHAIR NICOLAIDES: You're absolutely right.

13 MR. ISAKOV: If that's the case, then why was this
14 resident's tree not presented to me, not approved. Maybe
15 I wanted the tree because it gave me shade to my bedroom.
16 Why was it not presented to me?

17 ACTING CHAIR NICOLAIDES: And I don't have an
18 answer to that, I really don't know.

19 MR. ISAKOV: Well, that's one of the things I want
20 to cover because if I'm going to do this thing, pay tens
21 of thousands of dollars to architects, permits, wasting my
22 time for a year now, quite honestly, the reason I want to
23 get all this fixed up, I have bugs, mosquitos, I have,
24 literally, raccoons that are running in my backyard
25 because of this. Literally, I'm afraid to go outside. I
26 go outside, I get bitten every five minutes. I just want

1 36 Jefferson Avenue

2 to get this paved off and get this cleaned up and make
3 sure it's nice, preserve the historical significance but
4 just enough to pave the backyard so it's nice and clean,
5 and that's it. I don't need anything in the front. I'm
6 not trying to pave the front, make a parking lot, a
7 U-shaped drive. Just the back because I have so much
8 grass and so many trees, it's impossible to sit there. I
9 already treated for Mr. Mosquito multiple times. He says
10 unless the neighbors are going to do it, it doesn't make
11 any sense.

12 ACTING CHAIR NICOLAIDES: And he's right.

13 MR. ISAKOV: And I offer to my neighbors who
14 decline me multiple times. So for me, it's a health
15 issue. I can't let my kids go in the back because there
16 are mosquitos, there are bugs, there are all sorts of
17 flying insects. It's literally a sanitary concern,
18 besides the fact that there are raccoons running around
19 which our neighbor will attest to, which also is a
20 sanitary concern. That's why I want to just pave it up,
21 make sure it's all blocked in so there's nobody coming in
22 or going out of my properties. That's it.

23 ATTORNEY ALGIOS: So with respect to removal of
24 trees, you asked that question. Yes, you do have to come
25 to the Commission for that. If the tree -- there's an
26 issue with the tree and you have an arborist report saying

1 36 Jefferson Avenue

2 that, then you can go for expedited review where you don't
3 have to come here. That's a quicker process. But that is
4 why --

5 MR. ISAKOV: Okay, I just didn't know there was an
6 expedited process.

7 ATTORNEY ALGIOS: Sorry?

8 MR. ISAKOV: I didn't know there was an expedited
9 process available.

10 ATTORNEY ALGIOS: It's in our code, yeah, it's in
11 our code.

12 MR. ISAKOV: So I could have just avoided all this
13 and do the expedited process.

14 ATTORNEY ALGIOS: Well, you would have to come
15 anyway for other items.

16 ACTING CHAIR NICOLAIDES: So the dead tree. If
17 you have a diseased or dead tree, and it's a life safety
18 issue --

19 MR. ISAKOV: Am I wrong to assume -- I just went
20 through historical guidelines, actually, a couple of hours
21 over the weekend. It said trees that are on the rear of
22 your property do not need permits or historical permission
23 to take down; is that true? It says so in your
24 guidelines. Front trees and side trees, it says you have
25 to go through the panel, anything in the back, I'm allowed
26 to take down without permission from the historical or the

1 36 Jefferson Avenue

2 Department of Buildings.

3 COMMISSIONER CYBRIWSKY: No, the Department of
4 Buildings recently changed that; didn't they?

5 MR. ISAKOV: No, they didn't. It's still updated.
6 It says anything in the back of my house -- anything in
7 the back of my house, not on the side, not in the front,
8 does not require a permit from the Town or the historical
9 or the Department of Buildings. I just want you guys to
10 make sure that you're aware of the law.

11 ACTING CHAIR NICOLAIDES: Yeah, I'm -- if it comes
12 to us, we assume --

13 COMMISSIONER GENESE: The Town Attorney is here,
14 so --

15 MR. ISAKOV: So maybe she could verify that?

16 COMMISSIONER GENESE: Yeah.

17 ATTORNEY ALGIOS: So let me take a look.

18 MR. ISAKOV: Thank you.

19 COMMISSIONER GENESE: Just to give you a little
20 about raccoons. It doesn't matter how much you pave or
21 how much fence you have up --

22 MR. ISAKOV: I went through so many --

23 COMMISSIONER GENESE: -- the raccoons are going to
24 come.

25 MR. ISAKOV: -- mothballs, I went through glass, I
26 went through traps. I went through everything.

1 36 Jefferson Avenue

2 COMMISSIONER GENESE: I have raccoons all over my
3 property.

4 MR. ISAKOV: It's just not sanitary. I have kids,
5 my neighbor has kids that are running all the time. If
6 you are afraid, somebody comes and starts -- jumps on you
7 kids or gives you rabies, that's what my concern is.

8 COMMISSIONER CYBRIWSKY: Do you see them during
9 the day?

10 MR. ISAKOV: Constantly.

11 COMMISSIONER GENESE: You shouldn't see them
12 during the day. If you see them during the day you have
13 to call animal control.

14 COMMISSIONER CYBRIWSKY: Because that's not right.

15 COMMISSIONER GENESE: In my 64 years of living,
16 I've never heard of anyone attacked by a raccoon.

17 MR. ISAKOV: There's always a first.

18 COMMISSIONER GENESE: Mosquitos, I get. The
19 mosquitos are a problem. You can't just treat your house,
20 it doesn't work.

21 MR. ISAKOV: It doesn't work. I spent so much
22 money.

23 ACTING CHAIR NICOLAIDES: Do you have a dog?

24 MR. ISAKOV: Yeah.

25 ACTING CHAIR NICOLAIDES: And the dog doesn't keep
26 the raccoons away?

1 36 Jefferson Avenue

2 MR. ISAKOV: He's a small little --

3 ACTING CHAIR NICOLAIDES: You got to get a bigger
4 one.

5 COMMISSIONER GENESE: You need a cat. They hate
6 cats.

7 MR. ISAKOV: I tried mint, I tried mothballs, I
8 tried glass.

9 COMMISSIONER GENESE: Nothing works. I tried
10 coyote urine, I paid all this money for coyote urine.

11 ACTING CHAIR NICOLAIDES: Too much information,
12 Frank.

13 COMMISSIONER GENESE: You can buy it online.

14 MR. ISAKOV: I actually wanted to try that.

15 COMMISSIONER GENESE: It didn't really work.

16 MR. ISAKOV: Nothing works. It's just you got to
17 keep it clean.

18 COMMISSIONER GENESE: You know what they don't
19 like? Aluminum foil. They won't walk on aluminum foil.

20 MR. ISAKOV: Really.

21 COMMISSIONER GENESE: It's interesting.

22 MR. ISAKOV: Wow.

23 COMMISSIONER GENESE: Yeah.

24 ACTING CHAIR NICOLAIDES: -- with aluminum foil?

25 COMMISSIONER GENESE: Under my deck, I took a
26 whole thing of Reynolds Heavy Duty, and I rolled them up

1 36 Jefferson Avenue

2 in balls, and I threw it under my deck because they seem
3 to live under my deck in the backyard, and they're still
4 around but it seems to be better. So they don't like to
5 walk through that kind of crunchy --

6 MR. ISAKOV: It's not just one, it's like one
7 after the other.

8 ACTING CHAIR NICOLAIDES: They have a family.

9 MR. ISAKOV: Right.

10 ACTING CHAIR NICOLAIDES: We had baby raccoons
11 that live with the mama raccoon. The only problem we ever
12 had with being attacked by a raccoon was when the baby
13 came up to us.

14 COMMISSIONER GENESE: Yes, that's the one time.

15 ACTING CHAIR NICOLAIDES: And then the baby came
16 to the paved part of our yard --

17 MR. ISAKOV: Wow.

18 ACTING CHAIR NICOLAIDES: -- not through the
19 grassy area, and the mother came to rescue the baby and
20 was very aggressive.

21 COMMISSIONER GENESE: Yeah, they swim in my pool
22 at night. On my Ring camera I'll see raccoons in my pool
23 at 2:00 in the morning.

24 MR. ISAKOV: You go out, you got to call animal
25 control.

26 COMMISSIONER GENESE: I mean, at least they live

1 36 Jefferson Avenue

2 in a nice -- at least they found a nice --

3 ACTING CHAIR NICOLAIDES: Okay, let's get back

4 to --

5 So you basically want to pave most of your

6 backyard.

7 MR. ISAKOV: Just the backyard.

8 ACTING CHAIR NICOLAIDES: The whole thing.

9 MR. ISAKOV: I have five kids.

10 ACTING CHAIR NICOLAIDES: No plants anywhere, no

11 like planting --

12 MR. ISAKOV: We have landscaping, of course.

13 MR. ABDURAKHMANOV: If you look at my paving

14 drawing, existing pavers, and then proposed one. So if

15 you look to the fence it's all existing. I think the

16 future fence all existing paving.

17 COMMISSIONER GENESE: I don't think we have a big

18 problem with paving behind the -- yeah, paving in the

19 backyard. I think --

20 MR. ABDURAKHMANOV: No, that portion, which is

21 Section "C" you mentioned.

22 COMMISSIONER GENESE: Hang on.

23 MR. ABDURAKHMANOV: "C" and "B."

24 COMMISSIONER GENESE: Section "C," I mean, I don't

25 have a problem with it.

26 MR. ABDURAKHMANOV: That's all, that's what we are

1 36 Jefferson Avenue

2 asking. That's additional.

3 COMMISSIONER GENESE: "C" is fine and then part --

4 MR. ABDURAKHMANOV: See the shaded area?

5 COMMISSIONER GENESE: -- and then part of this; is
6 this "B" over here?

7 ACTING CHAIR NICOLAIDES: No, "C" is exactly what
8 we said --

9 COMMISSIONER GENESE: Yeah.

10 ACTING CHAIR NICOLAIDES: In front of the fence
11 which is "C" right here.

12 COMMISSIONER GENESE: Oh, "C" is no good. I'm
13 talking about "E," "E" is okay. "C" I don't think is
14 going to be permittable (sic) in front of -- the one in
15 front of that house, on Willow, outside the fence.

16 ACTING CHAIR NICOLAIDES: So at this point, I
17 think our consensus is the portion that you were paving in
18 front of the fence, from the fence to the street, we're
19 saying leave the grass except for the width of the
20 driveway. So the driveway gets paved --

21 ATTORNEY ALGIOS: Part of it.

22 ACTING CHAIR NICOLAIDES: -- which is a little bit
23 wider than your "A;" right?

24 MR. ABDURAKHMANOV: Yeah.

25 ACTING CHAIR NICOLAIDES: Because you want to go
26 the width of your garage and then leave what's left of

1 36 Jefferson Avenue

2 "C," leave as part of the lawn. So now when you
3 experience it from the street, you don't see the pavers in
4 front of the fence.

5 MR. ABDURAKHMANOV: I see.

6 ACTING CHAIR NICOLAIDES: You just see your
7 driveway, the gate and then behind the gate, you have your
8 paved plaza.

9 MR. ABDURAKHMANOV: Okay.

10 ACTING CHAIR NICOLAIDES: Are there any others
11 items that we need to review?

12 COMMISSIONER GENESE: The gazebo, we got to talk
13 about the gazebo.

14 (WHEREUPON, there was an off-the record
15 discussion.)

16 ACTING CHAIR NICOLAIDES: So can we move on to the
17 gazebo?

18 COMMISSIONER CYBRIWSKY: Okay, we're going to move
19 on to -- and the other issue with this tree, you might be
20 required -- we require an arborist to take a look at this.

21 ACTING CHAIR NICOLAIDES: You said you have it

22 MR. ISAKOV: I have it.

23 COMMISSIONER CYBRIWSKY: You have it? Okay.

24 MR. ISAKOV: It's a year old, do you guys want me
25 to update it?

26 ACTING CHAIR NICOLAIDES: It depends what it says.

1 36 Jefferson Avenue

2 If it says it's dead, it didn't come back to life.

3 MR. ISAKOV: I don't know if it's a year old, 66,
4 65 days. I just want to make sure.

5 ACTING CHAIR NICOLAIDES: No, I understand you're
6 concerned about that.

7 MR. ISAKOV: I'm just eager to finish the project.
8 I've been here for two and-a-half years, I come home when
9 it rains, my home is full of mud. It's just horrible,
10 it's just horrible. I have to clean it every day,
11 literally, because of the mud, because of the dirt, I just
12 want to clean it.

13 ACTING CHAIR NICOLAIDES: I hear you.

14 COMMISSIONER GENESE: All right, gazebo. So the
15 place -- the location of the gazebo we can discuss

16 but understand that it also has to fall within the
17 setback requirements of the Town as far as how close you
18 can be to --

19 ACTING CHAIR NICOLAIDES: That's not our
20 department.

21 COMMISSIONER GENESE: That's not our job. We're
22 just going to look at the aesthetics.

23 ACTING CHAIR NICOLAIDES: The plan examiner either
24 has already told you or will tell you if, as an accessory
25 structure, the size of it, and where you're showing it, if
26 it's allowed; all right? We can't -- if we simply agree

1 36 Jefferson Avenue

2 that we like it, it doesn't make it legal if it's not the
3 right location and the right size.

4 MR. ABDURAKHMANOV: Absolutely, I agree.

5 ACTING CHAIR NICOLAIDES: Okay, I'm just saying
6 that --

7 MR. ABDURAKHMANOV: But before I file I don't want
8 to waste time; you know?

9 ACTING CHAIR NICOLAIDES: Understood, no --

10 MR. ABDURAKHMANOV: I filed it, I confirmed it.

11 HISTORIAN LUMPKIN: I don't want to waste time,
12 either.

13 ACTING CHAIR NICOLAIDES: I agree with you.

14 MR. ABDURAKHMANOV: Also for him to wait and --

15 ACTING CHAIR NICOLAIDES: This guy's waiting long
16 enough in order to get a permit.

17 MR. ABDURAKHMANOV: I understand, okay, no
18 problem.

19 COMMISSIONER GENESE: So I think for the gazebo,
20 we would need to see a sample of stone.

21 ACTING CHAIR NICOLAIDES: Do you have samples of
22 the materials for the gazebo?

23 MR. ABDURAKHMANOV: I didn't bring stone sample, I
24 just brought catalog, Cambridge catalog, which shows
25 exactly --

26 ACTING CHAIR NICOLAIDES: Well, that's for the

1 36 Jefferson Avenue

2 paving.

3 COMMISSIONER GENESE: Cambridge is pavers. You're
4 using the same stone on the side of the gazebo as you're
5 using on the ground.

6 ACTING CHAIR NICOLAIDES: So the stone that's --
7 this part of the gazebo, the vertical component before you
8 have the wood column; what is that made from and do you
9 have a catalog for that?

10 MR. ABDURAKHMANOV: Can I?

11 (WHEREUPON, there was an off-the-record
12 discussion.)

13 COMMISSIONER GENESE: What color is the pavers on
14 the ground?

15 MR. ABDURAKHMANOV: Paver, we have choices but
16 preferable the Onyx Gray one.

17 COMMISSIONER CYBRIWSKY: That gray, okay.

18 MR. ABDURAKHMANOV: That's why we want to blend
19 into the house, too, because house, it is a siding, light
20 color.

21 COMMISSIONER GENESE: Onyx Mauve? This one?
22 Where the Post-it is? Or this one over here?

23 MR. ABDURAKHMANOV: Can I?

24 COMMISSIONER GENESE: I mean, it's nice when the
25 same stone --

26 MR. ABDURAKHMANOV: Yeah, yeah.

1 36 Jefferson Avenue

2 COMMISSIONER GENESE: -- is on the paving --

3 MR. ISAKOV: I was trying to go for consistency.

4 COMMISSIONER GENESE: It just looks nicer.

5 MR. ISAKOV: It looks nicer, yeah. It looks like
6 it blends into the house.

7 COMMISSIONER GENESE: Exactly.

8 ACTING CHAIR NICOLAIDES: Just so we have it for
9 the record.

10 MR. ISAKOV: Of course, of course, it's right
11 there.

12 COMMISSIONER GENESE: And that's going to be the
13 pavers and the -- okay.

14 (WHEREUPON, there was an off-the-record
15 discussion.)

16 COMMISSIONER GENESE: So I have these in my
17 backyard; okay? I have the lighter gray.

18 MR. ABDURAKHMANOV: Uh-huh.

19 COMMISSIONER GENESE: Which my wife picked, and
20 I'm very unhappy with because it looks like concrete. So
21 this, you know, make sure the one you pick doesn't look
22 like just concrete. The dark one is nice, actually, it
23 won't --

24 MR. ABDURAKHMANOV: No, it won't.

25 COMMISSIONER GENESE: I have the light one, and I
26 hate it.

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: One a little darker.

3 COMMISSIONER GENESE: I paid all this money for
4 the ArmorTec things, and it looks like cheap concrete I
5 could have bought for a quarter of the price --

6 MR. ABDURAKHMANOV: I agree with you.

7 COMMISSIONER GENESE: -- concrete pavers.

8 ACTING CHAIR NICOLAIDES: So I'm a little
9 confused. Are you going for cobblestone or are you going
10 for pavers like this?

11 MR. ABDURAKHMANOV: Pavers like this, I show it to
12 you.

13 COMMISSIONER GENESE: So it's not going to look
14 like this.

15 MR. ABDURAKHMANOV: Not exactly because --

16 COMMISSIONER GENESE: These are --

17 ACTING CHAIR NICOLAIDES: These are like bricks.

18 COMMISSIONER GENESE: Yeah.

19 ACTING CHAIR NICOLAIDES: You know, small
20 brick-like -- these are flat, like brick, like tiles, so
21 --

22 MR. ABDURAKHMANOV: No, the owner doesn't want to
23 have multiple sizes; right? He pick one size --

24 COMMISSIONER CYBRIWSKY: No, it's not about the
25 size, it's about the finish.

26 ACTING CHAIR NICOLAIDES: This thing's very

1 36 Jefferson Avenue

2 different than that. There's nothing --

3 COMMISSIONER CYBRIWSKY: The type of stone.

4 (WHEREUPON, there was an off-the-record
5 discussion.)

6 COMMISSIONER GENESE: Oh, so you're going to go
7 with a different one for the side.

8 MR. ABDURAKHMANOV: No, this is the same family,
9 the same family, gray but not light gray.

10 COMMISSIONER GENESE: I would make sure you get a
11 sample of each one, and you put it in the backyard, and
12 you make sure that at every angle it matches because when
13 you look at things flat they look like they're the same
14 color. Now when the thing stands up, if you look at my
15 hand, my hand looks darker because of the way the light's
16 hitting it.

17 MR. ABDURAKHMANOV: I understand.

18 COMMISSIONER GENESE: So it may be very similar
19 when it's like that but when you stand it up -- so you
20 should mock it up, you know, so that you guys are happy.
21 Get a couple of them, put them down there where it's going
22 to go --

23 MR. ABDURAKHMANOV: I spoke with -- he didn't
24 respond, anyway. So when I explained this because in
25 different angle if you put the stone even the same it will
26 look different because like you said, sun.

1 36 Jefferson Avenue

2 COMMISSIONER GENESE: Yeah, sun, shadows.

3 MR. ABDURAKHMANOV: Yeah.

4 COMMISSIONER GENESE: It's going to look
5 different.

6 MR. ABDURAKHMANOV: It will be close to this.

7 COMMISSIONER GENESE: Yeah, sometimes you cheat,
8 and you make the verticals a little bit lighter than the
9 horizontal --

10 MR. ABDURAKHMANOV: So that's why, if you look --

11 COMMISSIONER GENESE: -- the shadow makes it look
12 the same.

13 MR. ABDURAKHMANOV: That's why, surface, flat
14 surface is darker, and this is slightly lighter but not
15 really.

16 COMMISSIONER GENESE: Okay.

17 ACTING CHAIR NICOLAIDES: Okay, so we've got the
18 pavers. The barbecue grill is going to be in the gazebo?

19 MR. ABDURAKHMANOV: Yes.

20 ACTING CHAIR NICOLAIDES: So that's going to stay
21 in that location.

22 HISTORIAN LUMPKIN: It's visible from the street.

23 COMMISSIONER GENESE: The gazebo?

24 COMMISSIONER CYBRIWSKY: It's behind the fence.

25 MR. ABDURAKHMANOV: It will be closed, there's a
26 fence.

1 36 Jefferson Avenue

2 HISTORIAN LUMPKIN: What?

3 ACTING CHAIR NICOLAIDES: The fence is going to
4 screen the view.

5 MR. ABDURAKHMANOV: The fence.

6 COMMISSIONER GENESE: How tall is the fence;
7 again? How tall is the fence in the front?

8 MR. ABDURAKHMANOV: Four, 4 feet.

9 COMMISSIONER GENESE: Four feet. Oh, so you will
10 see it.

11 ACTING CHAIR NICOLAIDES: Is the -- and the roof
12 material?

13 MR. ABDURAKHMANOV: We tried to match the same as
14 existing house.

15 ACTING CHAIR NICOLAIDES: Right.

16 MR. ABDURAKHMANOV: The same, and the gray color,
17 and I checked gray color is architectural but gray color
18 is -- I better bring it, the sample. I will bring a
19 sample of, like I said, fence.

20 ACTING CHAIR NICOLAIDES: Fence, the paver --

21 MR. ABDURAKHMANOV: The paver and shingle.

22 ACTING CHAIR NICOLAIDES: The shingle, and then
23 the columns are just posts, square posts?

24 MR. ABDURAKHMANOV: Yeah.

25 ACTING CHAIR NICOLAIDES: Any more detail or it's
26 just square posts.

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: There's a cap detail.

3 ACTING CHAIR NICOLAIDES: Okay. Is there -- is
4 that purchased or it will be built?

5 MR. ABDURAKHMANOV: No, no, not purchased yet.

6 ACTING CHAIR NICOLAIDES: So somebody will build
7 it.

8 MR. ABDURAKHMANOV: We want to get approved,
9 first.

10 COMMISSIONER GENESE: So then one foot and one
11 foot.

12 ACTING CHAIR NICOLAIDES: One foot square?

13 MR. ABDURAKHMANOV: No, no, it's not one foot.
14 They have 8 and 6 inches -- oh, you mean -- for which one?
15 For gazebo; right?

16 COMMISSIONER CYBRIWSKY: Posts for the gazebo.

17 ACTING CHAIR NICOLAIDES: For the gazebo.

18 MR. ABDURAKHMANOV: For the gazebo I will tell you
19 because I got confused with --

20 ACTING CHAIR NICOLAIDES: No, we were talking
21 about the gazebo.

22 MR. ABDURAKHMANOV: I will tell you, I will tell
23 you exactly. If you see on the drawing, it's 4-by-4
24 posts.

25 ACTING CHAIR NICOLAIDES: These are 4-by-4 posts;
26 4-by-4 posts.

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: But on the bottom it's 2 feet
3 with the paving stones.

4 (WHEREUPON, there was an off-the-record
5 discussion.)

6 MR. ABDURAKHMANOV: This is not big gazebo, only
7 10-by-10. If I put big, proportion will be not right.

8 ACTING CHAIR NICOLAIDES: Right, and then you have
9 the brackets.

10 Okay, all right; any comments? So I think we've
11 covered everything. Gazebo, the paving, the area we're
12 going to pave, the fence. Are there any other items that
13 are -- oh, the trees, okay.

14 Are there any comments from residents? Please, if
15 you want to come up.

16 MR. SHORES: Yes.

17 ACTING CHAIR NICOLAIDES: If you could give the
18 podium to this gentlemen.

19 COMMISSIONER GENESE: Oh, here you can give that
20 back.

21 ACTING CHAIR NICOLAIDES: Thank you.

22 MR. SHORES: My name is Craig Shores, I live at 28
23 Jefferson Avenue in Roslyn Heights, New York. My south
24 property line is adjacent to the applicant's north
25 property line.

26 So one, I submitted some comments to the

1 36 Jefferson Avenue

2 Commissioners recently, and one of the things that I would
3 like to bring into the record is, it's very hard for me to
4 understand why the applicant would get approval for some
5 of the things that they're bringing up when some of the
6 issues that were brought before the Commission with the
7 same applicant have not been taken care of for over a year
8 to two years. This includes surrounding the
9 air-conditioning unit that they have on the side property.
10 This also includes some of the painting that they were to
11 do, and also, there are numerous violations that are
12 presently with this department -- with this applicant,
13 that are not even the responsibility of this particular
14 Commission. So that is a concern of mine is why is this
15 applicant now getting approval for something when they
16 haven't even met the requirements that were of the
17 Commission a year or two years ago.

18 There are a few things that I would like to
19 address. I know there's only -- your responsibility is
20 limited. One of the first things is the trees. There are
21 three trees in question; okay? I'm not an arborist but
22 I've lived on the property for 30 years. Those are
23 extremely healthy trees, and if you drive by them, there's
24 nothing wrong with them. The biggest lean on a tree that
25 is probably towards their property is actually owned by me
26 at 28 Jefferson Avenue. The tree that is on his property

1 36 Jefferson Avenue

2 is actually a vertical tree. There is no lean to that
3 tree. I agree with you --

4 HISTORIAN LUMPKIN: Sir, are you on the corner of
5 Garden?

6 MR. SHORES: No, I'm on the corner of Garden and
7 Jefferson.

8 HISTORIAN LUMPKIN: Garden and Jefferson.

9 MR. SHORES: Actually, when you were talking about
10 the hedge line is adjacent to the property, that's not
11 adjacent to my property. That hedge is adjacent to Willow
12 Street. My property is where the tree line is.

13 HISTORIAN LUMPKIN: Gotcha, okay. I see.

14 MR. SHORES: The small tree -- the small tree
15 belongs, I believe, to me but let's say worst case, it
16 splits the property line. It is not their decision to
17 say, I want to take that tree down because I firmly
18 believe that tree belongs to me, and if there's a, you
19 know, argument in terms of where that tree belongs, the
20 tree should not be taken down. It's a small tree, it
21 poses no harm to his house or my house. As I've said,
22 I've lived there 30 years, I've watched those trees
23 through Sandy, and one of the things that those trees do
24 is they're buffered from the north by my house and they're
25 buffered by his house. They actually sit right in the
26 middle between our two properties. If those trees were

1 36 Jefferson Avenue

2 going to come down, they were going to come down during
3 Sandy when it was blowing like crazy but the trees are
4 buffered, and of course, it was October, so a lot of the
5 leaves were off the trees.

6 As far as trimming the trees, that is fine. Those
7 trees were actually, at one particular time, I talked to
8 him about the tree, not these two individuals, they
9 actually -- one of their fathers is their spokesperson for
10 them when you try to engage them. So I had talked to him
11 about the trees, and I said, look, whatever leans on your
12 property, whatever's your property, you're free to do.
13 Whatever you want to trim, whatever you cut that leans
14 over your property, even if it's my tree, feel free. But
15 instead, I take a trip, because I travel frequently, and I
16 come back, and everything that is trimmed is on my side of
17 the property.

18 So you know, they had an opportunity to trim their
19 side of the property, but yet, what they chose to do is
20 trim my side of the property, and then I'll come to you
21 and say, well all of this has not been done. So when they
22 say, yes, we've done some work on the trees, the work that
23 they did on the trees was actually on my side of the
24 property because there's been no trimming on the other
25 side.

26 But regardless, the small tree, I firmly believe

1 36 Jefferson Avenue

2 is mine. I had a neighbor there, that lived there for
3 many years, he was an old, gruff Irishman, and I assure
4 you, he would have not given me one inch of his property,
5 and we talked many times about where the dividing line was
6 on our two properties, you know, where the line stood, and
7 I'm very confident that that small tree is mine. So that
8 is, in my mind, that should not be taken down, whatsoever;
9 okay.

10 In terms of the fence, and what you can decide
11 upon, I would like a fence that is two-sided. Their side
12 looks nice and my side looks nice because as I have stated
13 both of these properties, our adjacent property is very
14 narrow. Everything you're looking at on the survey looks
15 big. It's not. It's very small, it's very narrow,
16 there's very little land between them. In fact, between
17 the foundation of his garage and the foundation of my
18 garage is 89 inches. On my survey, it shows that I own 53
19 1/2 to 55 of those inches. On his survey, he's showing he
20 owns 42 inches. The math doesn't add up; okay? But where
21 the fence is set and where the old Irish guy set that
22 fence, as I said, he would have not surrendered one inch
23 of his property to me, so -- but in terms of the fence,
24 it's an important boundary between our properties, and at
25 one time it was a stockade fence.

26 I also talked to them about the fence. I told

1 36 Jefferson Avenue

2 them, look, if you -- not them, okay, one of them has a
3 representative, their father, I said, don't take the fence
4 down because if you're going to take the fence down, let's
5 go before the Landmark Commission first. Let's get them
6 to agree to put up a new fence; okay? Let's not take it
7 down until the Landmark Commission comes and agrees to put
8 up a new fence, that's what I told them. I take a trip, I
9 come back, the entire fence has been removed. Yes, it was
10 falling down, but why take it down until you can get the
11 Commission to agree to put up a new fence? But what I'm
12 seeing on the part on which you can agree to is that is a
13 very important part of our adjacent property line, and at
14 one time, there was a vine growing over it, so it was a
15 stockade fence with a lot of green vine on it. So it was
16 -- it looked pretty nice but all that has been removed,
17 and it was removed. At least have a fence that is facing
18 nicely for both sides; okay.

19 ACTING CHAIR NICOLAIDES: In all honesty, you
20 really don't care if it faces nicely on their side, you
21 just want to make sure that your side faces nicely, on the
22 inside.

23 COMMISSIONER GENESE: Most of the vinyl fences are
24 two-sided now.

25 MR. SHORES: Right, but I want to be assured.

26 ATTORNEY ALGIOS: Well, by code, the finished side

1 36 Jefferson Avenue

2 has to face exterior.

3 COMMISSIONER GENESE: Right, so if he doesn't get
4 -- if he only gets a one-sided fence, it has to, by code,
5 face the neighboring property.

6 MR. SHORES: I understand that but want it to be
7 put in the record --

8 COMMISSIONER GENESE: Right.

9 MR. SHORES: -- that that side needs to be facing
10 either my property, if they don't want a two-sided -- if
11 they want the other side of the fence to look raw and
12 uncut they're free to do so, but I want the nice facing
13 side to be facing my property.

14 ACTING CHAIR NICOLAIDES: So you're saying that
15 you have, you each have surveys that are conflicting in
16 terms of where your property line is?

17 MR. SHORES: Yeah, I have a -- my survey shows, as
18 you can see in the papers that I submitted, shows that the
19 distance that I own between, and I understand actually, I
20 know, I understand why there could be some discrepancy in
21 the survey itself, but as I said, what my survey is
22 showing and what Chase Bank agreed to do my mortgage with
23 was, I own 4 feet 7 inches from my foundation over. These
24 are two non-conforming garages.

25 ACTING CHAIR NICOLAIDES: Sure.

26 MR. SHORES: My garage is non-conforming, and his

1 36 Jefferson Avenue

2 garage, with what was a small lean-to, was non-conforming;
3 okay? In the pictures that you've seen with all these
4 pavers and everything that you're agreeing to, and I've
5 said, this is a very tight area. So I don't want to
6 become the runoff for his property. I'm actually
7 surprised the neighbor behind him is not here stating they
8 don't want to become the runoff for his property; right?
9 Because that is what happens when you start to pave
10 everything, and this is why I will stand up in front of
11 the individual that makes this decision, is I don't want
12 this paver coming right up to my property line because
13 that leaves actually no room for runoff for any, and as I
14 stated in the paper that I submitted to you, this is a
15 very wet area. This area between our garages is a very
16 wet area, and if you drive by the property, you can
17 actually go all the way to Madison, which is basically a
18 straight line behind Madison, cross over Jefferson Street,
19 run right through the property, and they call that the
20 Greenbelt, and the reason it's called the Greenbelt is
21 because there's water that flows right down through that,
22 right through that area, and so about 10 years ago, they
23 had a water leak down on Madison, and I was talking to one
24 of the city guys, and he told me that it was flowing at --
25 they almost never got it plugged, the Town of North
26 Hempstead. It was flowing at 500 gallons a minute. So it

1 36 Jefferson Avenue

2 flows a lot of water, and that's where the green area is,
3 and that's where all the water flows to. So that is a
4 very wet area coming down through that property.

5 So a PVC vinyl fence is fine if that's what you
6 want to do but I assure you it's going to get dirty, I
7 assure you it's going to get molded, and I'll just have to
8 make the necessary arrangements to make sure it's nice for
9 me. I don't care what's on their side.

10 ACTING CHAIR NICOLAIDES: On your side of that
11 fence, where the existing fence was, you have -- is it
12 paved or is yours side shrubs or lawn area?

13 MR. SHORES: No.

14 ACTING CHAIR NICOLAIDES: Because that's not drawn
15 anywhere here.

16 MR. SHORES: My driveway runs up on that side. So
17 every day when I come into, you know, when we drive into
18 our driveway, to the right of us, we own the smaller area;
19 okay? To the right side. We own all of -- we own the
20 trees that line the driveway except for one of the trees
21 that I showed you in the picture. It's a big, round,
22 pretty good-sized tree; okay? I'm not going to fight,
23 it's his property, if he wants to take that down, I don't
24 agree that he should take it down. We lose enough trees
25 in the neighborhood as it is from disease because it is an
26 old historical neighborhood. So the trees are naturally

1 36 Jefferson Avenue

2 dying in that neighborhood, and if you actually go through
3 the neighborhood, you'll see a lot of newly planted trees.
4 So we are constantly losing trees. So if you start to
5 take them down when they're healthy without putting more
6 trees back up, we're going to look like, unfortunately,
7 which I don't like, the other side of Mineola Avenue. But
8 this is the Commission's -- I'm not going to say anything
9 to the Commission about a tree except for the tree that I
10 own; right? That tree that I own.

11 What we did in the past, and there was another
12 neighbor that lived there before them, so I've had two
13 neighbors on that property besides them, is what they did
14 is, they would run the fence line right up into the middle
15 of that tree, and there was a gap between the small tree
16 and the large tree, and in that -- then the fence line
17 would run all further down, not that far. So that's how
18 the fence was actually situated before they took it down.
19 You know, that gap used to be where, actually, our kids
20 cut through, you know, our kids, neighborhood kids used to
21 -- they didn't want to walk around the corner, there was a
22 large hedge around that. The old Irish guy, as gruff as
23 he was, was kind, and so was she, they were both in their
24 70's, and they would let the school kids pass through the
25 back of their driveway, cut through the gap in the trees
26 and walk down my driveway, and you know, my sons were

1 36 Jefferson Avenue

2 playing with the same neighborhood kids, so what do you
3 say? It was safer than them walking on the street.

4 So that's how the tree was actually situated. But
5 if you can look at some of the -- I mean, I know you've
6 looked at some of the pictures, I don't mean to say that,
7 as you look through some of the pictures, you know, you
8 can see which -- showing you the tree, there are other
9 things that are ongoing with that property, and there's
10 just no way to take a picture and show you a picture of a
11 tree without you seeing other things that are going on
12 with that property, it's almost impossible. That is right
13 up on top of us. That's right up on top of us, and what
14 used to be a garage with a lean-to is now something else,
15 and once again, I don't want to become somebody else's
16 water runoff because there is a lot of water in that area.
17 My house actually has a wall built around it. If you look
18 at the house, and you go, there is a retaining wall to
19 keep the water out of my house. Yeah, most people
20 wouldn't even know that, and I'm pretty sure there's
21 probably a retaining wall on 91, 191, also.

22 COMMISSIONER GENESE: All right, so can we start
23 addressing these items?

24 MR. SHORES: Sure.

25 ACTING CHAIR NICOLAIDES: Yeah.

26 COMMISSIONER GENESE: So let's talk about the

1 36 Jefferson Avenue

2 runoff. So New York State has a very strict stormwater
3 management code that clearly states that water -- runoff
4 water from one property cannot pass over to the other
5 property. So part of the submission to the Town of North
6 Hempstead to get a building permit will be a drainage plan
7 which will have to show whether or not a dry well or catch
8 basins are put in because there are calculations that you
9 have to do that go on the title sheet that show the amount
10 of stormwater management you need per a specific amount of
11 rainfall over a certain amount of time.

12 So the concern about the runoff, if the paved area
13 next to you is constructed properly as the plans will
14 indicate, it should be pitched to a catch basin that's on
15 his property to prevent that water from going to your
16 property and going to his property. That's something that
17 is a Building Department issue. We address the aesthetics
18 of it, but that's really a State code issue that the
19 Building Department will enforce.

20 MR. SHORES: I understand that, and there is a --
21 there was a dry well on the property that they have been
22 filling with construction debris, so --

23 COMMISSIONER GENESE: It doesn't matter because
24 it's going to have to be inspected.

25 MR. SHORES: I know, I'm just bringing these
26 things up to you as why are we approving one thing when

1 36 Jefferson Avenue

2 there's multiple things still outstanding?

3 HISTORIAN LUMPKIN: We haven't approved it.

4 MR. SHORES: I know, I know.

5 COMMISSIONER GENESE: I'm going to defer --

6 ACTING CHAIR NICOLAIDES: And even if we

7 approve --

8 MR. SHORES: I'm just hypothetically asking.

9 ACTING CHAIR NICOLAIDES: Our approval is only
10 going back to the plan examiner to complete his approval.
11 So you know, all those things are extremely valid, and
12 will be, I hope, because I can't guarantee what the
13 Building Department does, will be addressed prior to
14 releasing a permit for any new work, and that's the normal
15 process.

16 COMMISSIONER GENESE: Yeah, he's not going to get
17 a permit.

18 ACTING CHAIR NICOLAIDES: If he has open
19 violations, he's not getting a building permit for this.

20 COMMISSIONER GENESE: No.

21 ACTING CHAIR NICOLAIDES: That doesn't keep the
22 Commission from agreeing to the design issues that we're
23 charged to review.

24 COMMISSIONER CYBRIWSKY: Right, we're designers.

25 ACTING CHAIR NICOLAIDES: Two different courts.

26 MR. SHORES: I understand, I understand, you're

1 36 Jefferson Avenue

2 responsible for your fence and --

3 ACTING CHAIR NICOLAIDES: Right.

4 MR. SHORES: -- I know we've expanded way beyond
5 but I think it's important to have an understanding --

6 ACTING CHAIR NICOLAIDES: Sure.

7 MR. SHORES: -- of what is occurring.

8 ACTING CHAIR NICOLAIDES: And if there's work
9 that's already been done without a permit, they will have
10 to file to maintain it which is North Hempstead's --

11 MR. SHORES: Right.

12 ACTING CHAIR NICOLAIDES: -- buzz word for
13 legalizing. That has to be changed to move if it doesn't
14 fit the Town's code where there's a zoning matter,
15 setbacks or the quality of construction. So you know,
16 again, we deal with it only, because by coincidence, we're
17 also architects who work in North Hempstead. So we're
18 painfully aware of what the North Hempstead plan examiners
19 will put them through before they issue a permit.

20 MR. SHORES: One other thing I want to address
21 which somewhat speaks to what I'm -- I'm happy to be
22 before you. I'm happy to have a mediator in between me
23 and my neighbor who, basically, who I've tried to address
24 with some issues but doesn't seem to understand that a lot
25 of what is there for them is because this Historical
26 District was a sacrifice by all of us. When we joined in

1 36 Jefferson Avenue

2 the Historical District, okay, we met -- the entire
3 neighborhood, at the time in 1997, met and we talked, and
4 there was these concerns about what we could do and what
5 we couldn't do. What is there for them is because other
6 people gave some stuff up and we have given some stuff up.
7 One of the things that I know is joking but it kind of
8 irks me a little bit is this raccoon situation which has
9 nothing to do with you. It speaks to trying to
10 communicate.

11 I went to them, and I told them, this is my
12 driveway side, and I'm seeing repeated raccoons coming to
13 your property, and that is because you're a large family,
14 like he said, you're simply taking the garbage, and you're
15 throwing it on the side of the yard. When you're
16 barbecuing, you're taking the meat, and you're throwing it
17 on the -- in between the properties. This is going to
18 bring raccoons. I said, but look, we've all had raccoons,
19 I had raccoons, everyone had raccoons. My suggestion,
20 this was two months ago, my suggestion is to go get
21 tie-ons, put them over the top of your garbage cans,
22 they're still going to come and knock over your garbage
23 cans; okay? But we'll get rid of the raccoons, and let me
24 say, he's right, there are a lot of raccoons now over
25 there. To this day, garbage is still just tossed on the
26 side of the house, which, why do they think that if

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2 they're not willing to put all that garbage in their own
3 backyard, why do they think that I want to see it every
4 day when I drive into my driveway with large piles of
5 garbage on the side of their house. If they think it's so
6 appealing, then let them store it in the back of their
7 house. But they never put on tie-ons; okay? This is why
8 I need to be before you.

9 ACTING CHAIR NICOLAIDES: Yeah, but unfortunately,
10 we're not --

11 MR. SHORES: You're not, but you have to
12 understand.

13 ACTING CHAIR NICOLAIDES: You can vent, but that's
14 all you're doing.

15 MR. SHORES: You have to understand, this is why
16 I'm standing before you. I need to spell it out exactly
17 what you guys are going to require. I need it spelled out
18 so that it's in writing what you want, how you want it
19 done, so that if it's not adhered to, okay, it can be
20 discussed. That is what I'm asking.

21 COMMISSIONER GENESE: Okay, and we appreciate that
22 but we do have other items on the agenda tonight.

23 MR. SHORES: I agree, absolutely.

24 COMMISSIONER GENESE: We need to move on.

25 MR. SHORES: I'm sorry.

26 COMMISSIONER GENESE: That's okay, that's okay.

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2 MR. SHORES: I don't mean, I'm sorry, but I want
3 to --

4 COMMISSIONER GENESE: Can the applicant come back
5 up; please?

6 ACTING CHAIR NICOLAIDES: Did you have anything
7 else, sir?

8 MR. SHORES: No.

9 ACTING CHAIR NICOLAIDES: Okay, I just want to
10 make sure you had --

11 MR. SHORES: Don't worry, I was ending anyway,
12 so --

13 COMMISSIONER GENESE: So I just had a discussion
14 with counsel. So can you explain why the things that --
15 well, first of all, why things that were supposed to be
16 done in the past did not get done, and why there might be
17 things that were done that were not permitted, if that
18 makes any sense.

19 MR. ISAKOV: Can you elaborate? Can you
20 elaborate?

21 COMMISSIONER GENESE: Well, I understand Mr.
22 Shores --

23 ATTORNEY ALGIOS: But the items that were part of
24 the Certificate of Appropriateness.

25 COMMISSIONER GENESE: The items that were part of
26 the Certificate of Appropriateness.

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2 MR. ISAKOV: Such as? Can you give us an example?

3 HISTORIAN LUMPKIN: You were going to cover the
4 air-conditioning.

5 COMMISSIONER GENESE: Block the air-conditioning
6 unit, something about the wires, the wires coming down the
7 side of the building.

8 ATTORNEY ALGIOS: Conduit.

9 COMMISSIONER CYBRIWSKY: Conduit.

10 MR. ISAKOV: The reason that's all been omitted is
11 because, I was, hopefully, with your permission, with the
12 panel's permission, willing to do everything in one shot
13 as outside work requires, outside work as covering the
14 air-conditioning, you know. Labor's very expensive, the
15 construction is very expensive. I'm not trying to pay
16 twice for work that needs to be -- might get redone later.
17 I will be changing the pavers there, the level might go
18 up, so the casement, the air-conditioners might need to
19 get different covers. So with that being said, I just
20 want -- don't want to do double work. I'm waiting for you
21 guys to tell me what to do outside, yes or no, and then
22 I'll decide what to do later. At this point --

23 COMMISSIONER GENESE: I'm not accepting that.
24 Covering an air-conditioner is not a major expense. You
25 just need a couple of shrubs or whatever, or box, or --

26 MR. ISAKOV: Okay.

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2 COMMISSIONER GENESE: Some screening you can get
3 from Wayfair or -- I'm not going to get into that. But
4 you understand you cannot get a building permit to do this
5 work until you clear up those.

6 MR. ISAKOV: Well, I had Dominic Tutua (phonetic)
7 from the Town of North Hempstead that verified that the
8 air-conditioner that was on the side, it was okay to get a
9 permit, so he signed it off.

10 COMMISSIONER GENESE: But if the Certificate of
11 Appropriateness is still open, you cannot, and I'll let
12 our counsel clarify.

13 MR. ISAKOV: Right, but that permit is still good
14 for another year, I believe, so I have still time to do
15 it; right?

16 COMMISSIONER GENESE: We don't know.

17 ATTORNEY ALGIOS: For the air-conditioning?

18 MR. ISAKOV: So I still have time to do it.

19 ACTING CHAIR NICOLAIDES: Is this --

20 COMMISSIONER GENESE: It's a one-year permit;
21 right?

22 ATTORNEY ALGIOS: Yes.

23 ACTING CHAIR NICOLAIDES: Is this --

24 COMMISSIONER GENESE: It was a year ago?

25 ATTORNEY ALGIOS: I don't know when he got it.

26 MR. ISAKOV: It wasn't six months ago, it was

1 36 Jefferson Avenue

2 actually back in October, November last year.

3 COMMISSIONER GENESE: Okay.

4 ACTING CHAIR NICOLAIDES: Is this a current photo?
5 Do you have a section -- there's a section of roof that's
6 been -- is that finished now?

7 MR. ISAKOV: No, what happened is that that part
8 of the garage had termites, and ultimately, collapsed. So
9 what I had to do was -- well, you know what, let me go
10 back since we brought up the topic of the fence and the
11 raccoons and all that. As Mr. Shores so eloquently had
12 put, he did mention to me that there are raccoons, and
13 that we need to take the garbage out more carefully, more
14 thoroughly. I'm not sure where he finds this notion that
15 meat and steaks are thrown on the ground in my house which
16 is complete, just, you know, a fabrication and a lie. I
17 cover my garbage cans, there's no rubbers over it but they
18 are completely covered. Mr. Shores came up to me and
19 said, your garage is completely filthy, it's full of
20 trash, you need to clean it up, please get on it right
21 away. It was a very authoritative tone which I didn't
22 mind, he has his issues which I don't want to get into,
23 that's something else for another place, another time. I
24 said, no problem, I'll go ahead and do what you want me to
25 do. I cleaned up the back part of the garage. When
26 cleaning up happened, one of the parts of the garage

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2 collapsed. So instead of me just leaving everything as a
3 safety hazard, I decided to reinstall the wall back there,
4 reinstate the wall back there, that's all, nothing. Now
5 obviously, Mr. Shores has complained about the work being
6 done as it's bothersome to him. I'm reapplying right now
7 with the Department of Buildings and everybody else for a
8 modification of the roof garage. So that's going to come
9 back to you guys, and hopefully, another four or five
10 months you're going to see my beautiful face, again.
11 That's all it is.

12 It's an old house, the house is crumbling, there's
13 termites all over the garage. I spent thousands of
14 dollars on termite treatment in the past two months alone
15 just to salvage it. My initial application was to knock
16 down the garage completely which I know you guys would
17 never approve that because --

18 ACTING CHAIR NICOLAIDES: It depends what you put
19 back.

20 MR. ISAKOV: I don't want to put anything back. I
21 don't want to put anything back. I have five kids, my mom
22 lives with me, I have eight people in my house. I need
23 all the room that I can get. The reason that I come here
24 is because it's a big property. You guys are limiting me
25 to what I can do in terms of telling me where the grass
26 is, where the garage is and all that. That's limiting my

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2 space to enjoy my house. That's the bottom of the line
3 here, and with all due respect -- with all due respect --

4 ACTING CHAIR NICOLAIDES: To some extent zoning
5 limits what one can do with their property everywhere. So
6 whether it's in a historic district or down the block or
7 on my street or his street, I have a house that I could
8 only extend it so far.

9 MR. ISAKOV: I'm not trying to extend my house.
10 I'm just trying to extend my area, my grass. The area of
11 concern right now between Mr. Shores and myself, the area
12 needs to get paved. It's filthy, it's full of rodents,
13 it's dirt, it's always muddy, I can't get through to it,
14 it's just, it's untenable. I wish you guys would walk
15 there for two minutes at night, and see how many bug bites
16 you get on yourself and how many spiders are on your neck.
17 I understand you guys want to keep the trees and all that.
18 Ultimately, if he doesn't do a mosquito treatment, then
19 I'm -- me spending money is nothing; you know what I'm
20 saying? It has to be a neighborly thing where he does it,
21 everybody else contributes to it. I do it, I still get
22 mosquitos. It's impossible to sit in my backyard. That
23 area is just completely full with critters, bugs. It's
24 unsanitary to say the least. So that area needs to get
25 paved off. Now Mr. Shores' driveway is paved off right to
26 the point where he just mentioned. So wouldn't the logic,

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2 what's good for the goose, good for the gander should be
3 applied here. If he has it, shouldn't I have it, as well.
4 I'm not asking for the full driveway, just a little
5 pavement where the --

6 ACTING CHAIR NICOLAIDES: I understand.

7 MR. ISAKOV: -- where the pavement is already. We
8 already have the pavement over there established, the
9 brick back from the founding, from the grandfathered in.
10 All I'm asking is just to extend it a little bit more.

11 HISTORIAN LUMPKIN: Are the raccoons opening up
12 your garbage at night? That's what they do to us. They
13 dump over the garbage can and get into it.

14 MR. ISAKOV: I mean, I put sensor lights just to
15 scare them off, I put all sorts of things, lights --

16 ACTING CHAIR NICOLAIDES: Yeah, I saw your lights.

17 HISTORIAN LUMPKIN: Well, I mean, if you don't
18 secure the garbage cans --

19 COMMISSIONER GENESE: You got to really make them
20 tight.

21 HISTORIAN LUMPKIN: If you don't secure them,
22 they're going to knock it over.

23 MR. ISAKOV: You're right.

24 HISTORIAN LUMPKIN: And there's going to be junk
25 all over the place, and then if you're not cleaning it up,
26 he's going to come and say, hey.

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2 MR. ISAKOV: Noted, definitely noted.

3 ACTING CHAIR NICOLAIDES: I think we're straying
4 from the mission here, so let's bring this back circle.
5 We have a number of items that we need to make a motion
6 on, and that motion then will be voted on by the -- we
7 still have a quorum.

8 MR. ISAKOV: Back to the trees that are currently
9 in the conflict area, as you guys would call it. With
10 respect to my neighbor, I would leave the tree alone, I
11 wouldn't take it down but that's not enough for him, you
12 know. Tomorrow's the tree, tomorrow it's going to be the
13 garage, Thursday, it's going to be something else.

14 ACTING CHAIR NICOLAIDES: We can only --

15 MR. ISAKOV: No, but, no, but this comes to a
16 larger point that Mr. Shores is disappointed I'm his
17 neighbor. I'm not sure if it's a racist thing, immigrant
18 thing, I'm not even sure -- I don't know why he doesn't
19 like me from day one. He yells at me all the time, he
20 screams, he doesn't know how to communicate, there's no
21 neighborly love at all. I was buying this house hoping to
22 get a good neighbor that I could leave my house keys with
23 in case my kids get locked out. Definitely can't leave
24 that with him; do you know what I'm saying? That's the
25 kind of neighbor I have. So my concern is that, yes, I'll
26 give in to him now, what prevents him tomorrow not to

1 36 Jefferson Avenue

2 prune the garage.

3 HISTORIAN LUMPKIN: You two work it out.

4 MR. ISAKOV: No, no, he says I put it up, I want
5 to go on record over here. His wife took down the tree,
6 your Board president, Nancy took down the tree without
7 permit, how come is that allowed? Why is that allowed
8 without a permit? Why wasn't a letter sent out to me
9 asking if that's okay?

10 ATTORNEY ALGIOS: I don't know.

11 MR. ISAKOV: Can I show you video? Maybe Mr.
12 Shores can confirm? Can I show you the video of the
13 middle of the day, nobody's home, 2:00, they come in, 45
14 minutes later they're out. Why isn't -- why isn't what's
15 applicable to me applicable to them?

16 COMMISSIONER GENESE: How do you know they didn't
17 get a permit?

18 MR. ISAKOV: Because there was no letter sent out.
19 The tree wasn't bad, it wasn't unhealthy. It was a live
20 tree that for some reason they --

21 HISTORIAN LUMPKIN: You don't need to send out a
22 letter.

23 COMMISSIONER GENESE: They don't do notifications.

24 HISTORIAN LUMPKIN: They don't do notifications.

25 MR. ISAKOV: You have to go through the process.
26 You guys are giving me a whole bunch for taking a tree

1 36 Jefferson Avenue

2 down. Meanwhile, he just took the tree down without any
3 process at all, without going to the panel, without asking
4 permission, without having neighbors come in and testify,
5 yes or no, that's okay, appropriateness or not, that's
6 what my concern is. Why is it you guys -- why are you
7 guys singling me out for everything that's going on over
8 here. That's how I feel. I feel like I'm labeled for
9 some reason which is out of my control, I don't know what
10 I did to the panel or to Mr. Shores at this point. All
11 I'm trying to do is just preserve the significant
12 historical preservation of the house, get a little bit
13 more concrete in, clean up the backyard, that's it. I'm
14 not changing the house, I'm not changing the doors, I'm
15 not changing the windows, I'm not taking down the garage
16 that I want to. I understand what this neighborhood is.
17 All I'm asking is for a little assistance. I have a big
18 family, five kids with my mother living with me. I need
19 pavement to walk around with.

20 COMMISSIONER GENESE: Look, I think we've come --
21 the only issue we're really having right now is the paving
22 in the front of the fence.

23 MR. ISAKOV: You got to give it to me, guys. I
24 need that space, that's dirt.

25 COMMISSIONER CYBRIWSKY: In the front of the
26 fence.

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2 MR. ISAKOV: Yeah, that's dirt that comes into my
3 house, the kids running around, they're going to bring
4 dirt into the house. It becomes chaos.

5 ACTING CHAIR NICOLAIDES: You got grass.

6 COMMISSIONER GENESE: You got grass all around the
7 front of your house.

8 MR. ISAKOV: I'll leave the grass, just the front,
9 just the front of the fence, that's all. Just up until
10 the front of the house. I'm asking, like, four or five
11 feet, not even, 308 square feet. I'm not asking for the
12 whole front yard.

13 COMMISSIONER GENESE: The drawing shows the paving
14 going all the way to the sidewalk.

15 MR. ISAKOV: Not to the sidewalk, no.

16 ACTING CHAIR NICOLAIDES: It's not to the
17 sidewalk?

18 MR. ISAKOV: It's not to the sidewalk, no.

19 ACTING CHAIR NICOLAIDES: There's a hedge.

20 COMMISSIONER GENESE: Oh, it's a little bit of a
21 hedge.

22 ACTING CHAIR NICOLAIDES: But it goes right to
23 your hedge.

24 MR. ISAKOV: To leave off six inches, if you want,
25 put a little trees on the side over there.

26 ACTING CHAIR NICOLAIDES: So we're going to

1 36 Jefferson Avenue

2 respectfully disagree.

3 MR. ISAKOV: Okay.

4 ACTING CHAIR NICOLAIDES: And that's the limits of
5 what we're not approving. So I think we've had a very
6 productive session where most of what you're asking for
7 we're agreeing with. So that is one thing, and we have to
8 be -- you also have to appreciate, we have to be
9 consistent, and this matter has come up before, and we
10 have not approved paving beyond the fence of the house.
11 That area, like your neighbors and like the Historic
12 District, is generally a green area. It's a lawn area so
13 that it looks like part of the community. There's not
14 examples of all of a sudden it jumps the fence and now it
15 comes right up to your shrubs. So your driveway, of
16 course, is a driveway. So if you need that width to be
17 able to negotiate your car, and it needs to be wider than
18 it is now, that's fine. But if we -- we would still like
19 not to have a parking area, that effectively looks like a
20 parking lot, in front of the fence. Behind the fence --

21 MR. ISAKOV: I was going to put trees and -- it
22 wasn't going to be just concrete. I was going to put
23 landscaping, design, I was going to put trees, shrubs, to
24 make it look nice.

25 ACTING CHAIR NICOLAIDES: There's no --

26 MR. ISAKOV: This is a construction drawing, not a

1 36 Jefferson Avenue

2 landscape rendering. I have landscape rendering that will
3 have trees covering all that. You guys won't see it, it's
4 not going to be visible to the people coming down the
5 road.

6 ACTING CHAIR NICOLAIDES: How do you plant
7 anything if there are pavers there?

8 MR. ISAKOV: It's not going to go all the way.
9 You're going to have front grass over here in the front.

10 COMMISSIONER CYBRIWSKY: How much?

11 MR. ISAKOV: And then you're going to have a
12 little 4-foot there, 3-foot there with trees and shrubs
13 and then you have the concrete behind it.

14 COMMISSIONER GENESE: One of the problems is, we
15 don't have a landscape plan.

16 ACTING CHAIR NICOLAIDES: Why isn't it here?

17 ATTORNEY ALGIOS: Well, do you want to show him on
18 the plans what you would approve.

19 ACTING CHAIR NICOLAIDES: Yeah.

20 MR. ISAKOV: So what do you guys want to approve,
21 let me hear.

22 (WHEREUPON, there was an off-the-record
23 discussion.)

24 ACTING CHAIR NICOLAIDES: Why don't you speak your
25 objections.

26 COMMISSIONER CYBRIWSKY: Speak.

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2 HISTORIAN LUMPKIN: Well, my objection is, I
3 object to a fence -- the basic principle is, I don't feel
4 that you're really in step with the neighborhood. You
5 think you are, perhaps, but it doesn't feel that way to
6 me. You want to fence off the house, you want to isolate
7 it from the neighborhood. I will dissent on any, from now
8 on, on any vinyl fence that goes up. I'll assume that
9 that would be approved by the rest of you. Yeah, I'm not
10 inclined to approve things when you haven't done these,
11 kind of, minor things that need to be done.

12 MR. ISAKOV: That is my fault, and like I said,
13 there's no justification.

14 HISTORIAN LUMPKIN: So I mean, but I'm not
15 inclined to go with that. Okay, it's your fault. So I'm
16 inclined not to vote for you, again, because I'm just --
17 it doesn't feel right. It really doesn't feel right to
18 me. Are there other specifics?

19 ACTING CHAIR NICOLAIDES: Well, we have the
20 extended paving area that we said.

21 HISTORIAN LUMPKIN: We're negotiating that still.
22 I don't -- in general, any -- my general thought ideas is
23 what our concern is what's visible from the street. If we
24 can't see it, we don't do it. The gazebo --

25 ATTORNEY ALGIOS: Well, that's not entirely true.
26 So the Commission has jurisdiction over all exterior

1 36 Jefferson Avenue

2 architectural details.

3 HISTORIAN LUMPKIN: Oh, we do.

4 ATTORNEY ALGIOS: And as far as -- to answer your
5 question.

6 ACTING CHAIR NICOLAIDES: He's saying his concern.

7 HISTORIAN LUMPKIN: That's my -- that's just
8 strictly --

9 ATTORNEY ALGIOS: So if you're not in a historic
10 district, then you're correct, then you can take down any
11 trees in your rear yard.

12 MR. ISAKOV: Doesn't State also precede
13 historical?

14 ATTORNEY ALGIOS: But if you're in a historic
15 district because the Commission has jurisdiction over all
16 exterior architectural details which includes the
17 landscaping. If there's a tree that has historical value,
18 that adds to the historical character of the home, then
19 the Commission has jurisdiction over that.

20 MR. ISAKOV: That is a lot.

21 HISTORIAN LUMPKIN: I was only explaining my own
22 perspective.

23 ATTORNEY ALGIOS: Okay.

24 HISTORIAN LUMPKIN: Which is, you know, we have to
25 compromise.

26 MR. ISAKOV: I'm not, I'm not isolating myself

1 36 Jefferson Avenue

2 from the community --

3 HISTORIAN LUMPKIN: Well --

4 MR. ISAKOV: That's not what I'm doing. What I'm
5 trying to accomplish by putting the fencing is to create a
6 little sense of privacy for my kids, for my three young
7 daughters that are teenagers, for the raccoons not to come
8 into my house. That's all there is. It's just creating a
9 little privacy for myself.

10 COMMISSIONER GENESE: Okay.

11 HISTORIAN LUMPKIN: Well, the problem is, the
12 gazebo is visible from the street, and that concerns me.

13 (WHEREUPON, there was an off-the record
14 discussion.)

15 COMMISSIONER GENESE: All right, I think we can
16 wrap this up.

17 ACTING CHAIR NICOLAIDES: You know, we're trying
18 to get a consensus so we can give you the bulk of what
19 you're looking for, and part of the problem is, you know,
20 you're creating -- I'm going to be blunt and say, I don't
21 think there's a single person on this Commission that will
22 agree to planting in front of the fence -- to paving in
23 front of the fence. Like it or not, we can't propose
24 something -- we won't propose something that we know will
25 get voted to be turned down. So I'd rather propose things
26 that we think we have at least a majority of the

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2 Commission agree; that make sense? Otherwise, we're just
3 going to keep saying no and send you home with nothing.

4 In terms of the fence, I think we've made our
5 point with one dissension that yes, you can have a PVC
6 fence but we want to see the fence and the detail and
7 then --

8 MR. ISAKOV: Materials.

9 ACTING CHAIR NICOLAIDES: -- so it's in good
10 faith. But what I'd rather have, and I am not personally
11 going to demand it is, rather than paving right to the
12 fence, in our communities, and we live in incorporated
13 villages, and we have additional requirements, we require
14 that you have a planting bed from the fence before you put
15 your pavers so there's room to plant things. You can have
16 vines growing, you can have shrubs, you can create some,
17 you know, interest so it's not a wall, a floor meeting a
18 wall, and that generally is, we ask for 3 feet from the
19 fence before the paving starts, and that's just a nice
20 gesture, like you said. You're going to landscape, and
21 you can't landscape it if there's no dirt. If you're
22 putting 100 percent paving, there's no place to put any
23 living thing that grows. So I think you're really not
24 planning to landscape it.

25 MR. ABDURAKHMANOV: No, basically, we did. In
26 October, 2021, we went review, historical review

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2 landscaping.

3 ACTING CHAIR NICOLAIDES: Where is that?

4 COMMISSIONER GENESE: Where is it?

5 COMMISSIONER CYBRIWSKY: We don't see landscaping.

6 MR. ABDURAKHMANOV: We got approved.

7 ACTING CHAIR NICOLAIDES: Where is it in your
8 plan?

9 MR. ABDURAKHMANOV: January --

10 ATTORNEY ALGIOS: Did that have the paving -- did
11 that have a paving plan?

12 ACTING CHAIR NICOLAIDES: I don't know, I don't
13 know what it looks like.

14 MS. ISAKOV: Can I just say something, I'm sorry.
15 Let me --

16 ATTORNEY ALGIOS: You just have to put your name
17 on --

18 MS. ISAKOV: Yeah, Maria Isakov. You are really
19 correct, that's exactly what I actually want is that 3 or
20 4 feet so we can have trees or shrubs --

21 ACTING CHAIR NICOLAIDES: Right.

22 MS. ISAKOV: -- flowers, I want to have an herb
23 garden. I don't want to have -- I don't know if it's a
24 misunderstanding or whatever. I don't want to have
25 complete paved -- I don't -- that's exactly opposite of
26 what I want.

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ACTING CHAIR NICOLAIDES: The problem is, what you
d what's drawn don't match.

COMMISSIONER GENESE: And I'm glad you -- you
have come up a half hour ago and saved us all a lot
because we know that, you know, you're going to
it's going to be your decision, obviously.

COMMISSIONER GENESE: And I think you're right,
t to have nice little -- with some shrubs and
.

COMMISSIONER GENESE: And then any runoff, g that will runoff the patio will go into the although it should be pitched the other direction runs to the catch basin.

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2 MR. ISAKOV: Pretty is a very subjective term.

3 ACTING CHAIR NICOLAIDES: It is, it is.

4 MR. ISAKOV: Might be somebody else's --

5 ACTING CHAIR NICOLAIDES: And that's why we're
6 here because we get to say what's pretty.

7 ATTORNEY ALGIOS: Harry, so why don't you show
8 them where they can have it, and if they agree right now
9 that could be --

10 COMMISSIONER NICOLAIDES: Sure, we can agree to a
11 conditional approval.

12 (WHEREUPON, there was an off-the-record
13 discussion.)

14 COMMISSIONER GENESE: All right, we have --

15 COMMISSIONER CYBRIWSKY: We got something for you.

16 COMMISSIONER GENESE: Show them.

17 ACTING CHAIR NICOLAIDES: This is a design offer,
18 it's not a requirement.

19 MS. ISAKOV: All right, run me through it.

20 COMMISSIONER GENESE: Those are shrubs.

21 MS. ISAKOV: All right.

22 ACTING CHAIR NICOLAIDES: Well, planting areas.

23 MS. ISAKOV: Okay.

24 ACTING CHAIR NICOLAIDES: You know, areas that you
25 could put shrubs and you can put flowers.

26 COMMISSIONER GENESE: Flowers, herbs.

1 36 Jefferson Avenue

2 ACTING CHAIR NICOLAIDES: Most people's homes have
3 that.

4 COMMISSIONER CYBRIWSKY: A 3-foot border all
5 across the back.

6 ACTING CHAIR NICOLAIDES: So the hardscape doesn't
7 hit the side of the house, it doesn't just hit the wall.

8 (WHEREUPON, there was an off-the-record
9 discussion.)

10 MS. ISAKOV: So the pavement goes from the garage
11 all the way down the driveway.

12 ACTING CHAIR NICOLAIDES: Yeah.

13 MR. ISAKOV: You guys proposed -- the current
14 driveway.

15 ACTING CHAIR NICOLAIDES: Where your gate is, the
16 double gate.

17 MR. ISAKOV: We don't have a double gate.

18 COMMISSIONER GENESE: We're here to help people.

19 (WHEREUPON, there was an off-the-record
20 discussion.)

21 MR. ISAKOV: I understand. My question to you, is
22 the driveway is now extended like this.

23 ACTING CHAIR NICOLAIDES: All of this is paved,
24 that's what you wanted.

25 MR. ISAKOV: My question is this, this right here.
26 This line right here.

1 36 Jefferson Avenue

2 MR. ABDURAKHMANOV: In line with the garage.

3 ACTING CHAIR NICOLAIDES: But your gate is only
4 this big. There's a gate.

5 MR. ISAKOV: There's no gate.

6 ACTING CHAIR NICOLAIDES: Guys, you got to read
7 what he writes.

8 COMMISSIONER GENESE: There's a gate on it.

9 ACTING CHAIR NICOLAIDES: You have a gate here.

10 MR. ABDURAKHMANOV: Because of fence you have;
11 right?

12 COMMISSIONER GENESE: All right, I think, yeah,
13 you need to come back with drawings.

14 (WHEREUPON, there was an off-the-record
15 discussion.)

16 ATTORNEY ALGIOS: Harry, I think they need to come
17 back with new plans.

18 COMMISSIONER GENESE: All right, so, yeah. I
19 think what we need to do is take that home with you, come
20 back with, I mean, the whole time we thought there was a
21 gate there. Now we're finding out there's no gate.

22 ACTING CHAIR NICOLAIDES: Well, there is a gate,
23 there's still a gate there. The drawing has a gate.

24 COMMISSIONER GENESE: But they're saying there's
25 no gate.

26 ACTING CHAIR NICOLAIDES: Then they're going to

1 36 Jefferson Avenue

2 remove it, but the drawing has a gate.

3 COMMISSIONER GENESE: You have to update the
4 drawing.

5 ACTING CHAIR NICOLAIDES: It's not imagination.

6 COMMISSIONER GENESE: The drawings have to be
7 updated, and we need a landscape plan showing the paved
8 areas, the planted areas, what's being planted.

9 MS. ISAKOV: Okay.

10 ATTORNEY ALGIOS: And the fence, come back with a
11 fence.

12 COMMISSIONER GENESE: And the fence, and the fence
13 sample, and the sample of the stone and the facing stone
14 for the chimney, and that's it.

15 ATTORNEY ALGIOS: So we'll adjourn to -- what's
16 the September date?

17 ACTING CHAIR NICOLAIDES: There's no objection to
18 the gazebo.

19 COMMISSIONER GENESE: As long as we approve the
20 stone.

21 ATTORNEY ALGIOS: We'll adjourn this to September
22 7th.

23 MS. ISAKOV: September 7th? That's fine.

24 ATTORNEY ALGIOS: No, we're going to adjourn --
25 we're adjourning on the record. I think regular mail, you
26 have to send out just regular if it's adjourned. Yeah,

1 36 Jefferson Avenue

2 actually, because we already started the hearing, right.

3 So you don't have to send out anything.

4 Just setting it on the record, September 7th, you

5 come back, and you will have the revised plans, the

6 landscape plan, the fencing sample, and we should be able

7 to wrap it up.

8 MS. ISAKOV: It needs to be submitted prior.

9 MR. STERNBERG: Yeah, the sooner you can get it to
10 us, the better.

11 HISTORIAN LUMPKIN: Complete the previous
12 requirements from -- put in the cover.

13 MS. ISAKOV: I Got it.

14 HISTORIAN LUMPKIN: I'm sorry, I'm too tired, you
15 know, I'm trying.

16 COMMISSIONER GENESE: So we have to make a motion.

17 ACTING CHAIR NICOLAIDES: Make a motion to
18 adjourn, adjourn it to September 7th.

19 COMMISSIONER GENESE: I'll second it.

20 ATTORNEY ALGIOS: Who seconded the adjournment?

21 COMMISSIONER GENESE: I seconded it.

22 ACTING CHAIR NICOLAIDES: So unanimous we're
23 adjourned.

24 ATTORNEY ALGIOS: Unanimous.

25 MS. ISAKOV: I agree with a lot of them, thank
26 you.

1 36 Jefferson Avenue

2 COMMISSIONER GENESE: Okay, bye.

3 MR. ABDURAKHMANOV: I have a question --

4 ACTING CHAIR NICOLAIDES: Sure.

5 MR. ABDURAKHMANOV: -- regarding the landscaping
6 design.

7 ATTORNEY ALGIOS: Yes?

8 MR. ABDURAKHMANOV: We had the hearing, historical
9 hearing in January, 1922 (sic), and it was approved.

10 ATTORNEY ALGIOS: No, so we had a landscape plan
11 but the way I'm understanding now, you're proposing some
12 other changes regarding paving that were not part of all
13 of that.

14 COMMISSIONER GENESE: Gazebo wasn't on there.

15 ATTORNEY ALGIOS: Gazebo.

16 MR. ABDURAKHMANOV: The landscaping plan -- I made
17 all these plans and then I been told because paving is not
18 included in historical review in those days, you have to
19 file it with the Building Department paving plan first and
20 then go back. So that's what I did, and now you're
21 telling me landscaping is not --

22 ATTORNEY ALGIOS: So I think, I think --

23 ACTING CHAIR NICOLAIDES: So you're saying the
24 plans that were reviewed and approved in this previous
25 occasion.

26 MR. ABDURAKHMANOV: Yes, landscaping plan.

1 36 Jefferson Avenue

2 ACTING CHAIR NICOLAIDES: You said landscaping
3 plan. This is a three-dimensional solution.

4 MR. ABDURAKHMANOV: Yeah, yeah, yeah.

5 ACTING CHAIR NICOLAIDES: It's not just a
6 landscaping plan. It had the gates, it had the fence.
7 These people don't even know you're proposing gates.

8 MR. ABDURAKHMANOV: Miscommunication, because --

9 COMMISSIONER GENESE: You know what? Honestly --

10 MR. ABDURAKHMANOV: Because his father was
11 involved in this.

12 COMMISSIONER GENESE: Honestly, we're not getting
13 involved in family stuff. We're adjourning this.

14 Thank you, we'll see you in September.

15 ACTING CHAIR NICOLAIDES: Let's circle back, bring
16 everything with you, landscape plan, if it was approved,
17 bring it.

18 COMMISSIONER GENESE: Yeah.

19 ACTING CHAIR NICOLAIDES: We don't have it here,
20 there's no landscape plan as part of your set.

21 MR. ABDURAKHMANOV: I will pull the records.

22 ACTING CHAIR NICOLAIDES: We want a complete set
23 of drawings.

24 COMMISSIONER GENESE: Thank you.

25 ACTING CHAIR NICOLAIDES: You know what we need.

26 COMMISSIONER GENESE: What's next.

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36 Jefferson Avenue

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ATTORNEY ALGIOS: Okay, next.

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1 77A Jefferson Avenue

2 ATTORNEY ALGIOS: Did you all have a chance to
3 review the findings?

4 MR. STONE: Could we have the Chair back?

5 ATTORNEY ALGIOS: Yes. Did you review the
6 findings for the two solar --

7 COMMISSIONER GENESE: No, I did not.

8 (WHEREUPON, there was an off-the-record
9 discussion.)

10 ACTING CHAIR SHORES: Okay, the meeting is still
11 in session. Mr. Shores, the meeting's in session.

12 77 Jefferson, first.

13 MR. STERNBERG: Yeah, let's do Jefferson first
14 since he's here. These are the revised plans that they
15 did at your request.

16 MR. HOSSEINIPOUR: I'm not sure if I have to --

17 ATTORNEY ALGIOS: You can just sit.

18 ACTING CHAIR SHORES: Do you want to speak?

19 ATTORNEY ALGIOS: No, no.

20 ACTING CHAIR SHORES: Oh, oh, okay, you can't, all
21 right.

22 COMMISSIONER GENESE: It looks like he did what we
23 asked him.

24 ACTING CHAIR SHORES: That's what I think, too.

25 Okay, can I get a motion --

26 ATTORNEY ALGIOS: Did you review the findings

1 77A Jefferson Avenue

2 because you're going to make the motion and then you're
3 going to adopt the findings.

4 (WHEREUPON, there was an off-the-record
5 discussion.)

6 ACTING CHAIR SHORES: Do you want me to read them
7 into the record?

8 COMMISSIONER GENESE: No, it'll take 45 minutes.

9 ACTING CHAIR SHORES: Good, it's long.

10 COMMISSIONER GENESE: So they're flush black like
11 we determined, framed --

12 ACTING CHAIR SHORE: Mm-hmm.

13 COMMISSIONER GENESE: Standards, we don't have to
14 get into.

15 ACTING CHAIR SHORES: Okay, having reviewed the
16 findings, do I have a motion to approve the solar panels
17 as consistent with the --

18 COMMISSIONER GENESE: I'll make the motion.

19 ACTING CHAIR SHORES: Do I have a second?

20 COMMISSIONER CYBRIWSKY: I'll second.

21 ACTING CHAIR SHORES: Wesley, so you take the
22 vote?

23 MR. STERNBERG: Commissioner Cybriwsky?

24 COMMISSIONER CYBRIWSKY: Yay.

25 MR. STERNBERG: Commissioner Genese?

26 COMMISSIONER GENESE: Yay.

1 77A Jefferson Avenue

2 MR. STERNBERG: Town Historian Lumpkin?

3 HISTORIAN LUMPKIN: Yes.

4 MR. STERNBERG: Commissioner Nicolaides?

5 COMMISSIONER NICOLAIDES: Yes.

6 MR. STERNBERG: Acting Chairperson Shores?

7 ACTING CHAIR SHORES: Yes. It's approved.

8 COMMISSIONER NICOLAIDES: Good night.

9 ACTING CHAIR SHORES: Good night.

10 MR. HOSSEINIPOUR: I just want to make a comment.

11 The changes you made were great. So I'm glad you made me
12 come back because it's, you know, better.

13 COMMISSIONER NICOLAIDES: Good.

14 ACTING CHAIR SHORES: Thank you.

15 COMMISSIONER GENESE: I didn't think --

16 MR. HOSSEINIPOUR: That made sense. Thank you.

17 ATTORNEY ALGIOS: Thank you.

18 ACTING CHAIR SHORES: Actually, we couldn't let
19 him go earlier because Deborah said we had to do it, so we
20 would have.

21 Okay.

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1 41 Reid Avenue

2 ATTORNEY ALGIOS: Review the Jefferson findings
3 and then take a motion -- not Jefferson, 41 Reid.

4 ACTING CHAIR SHORES: Do we have an extra copy. I
5 can share.

6 COMMISSIONER GENESE: There's no drawing that goes
7 along with it?

8 ACTING CHAIR SHORES: We had a drawing of it.

9 ATTORNEY ALGIOS: So we deliberated at the last
10 meeting on both of these. So basically -- and we
11 deliberated so that we could draft the findings. So this
12 now is just for you to review the findings, if they're
13 good. It's to make a motion and adopt the findings.

14 COMMISSIONER GENESE: So it's only the 17.

15 (WHEREUPON, there was an off-the-record
16 discussion.)

17 MR. STERNBERG: You're voting on the plan.

18 HISTORIAN LUMPKIN: So we're approving this.

19 ACTING CHAIR SHORES: No, we're not.

20 ATTORNEY ALGIOS: We are not.

21 COMMISSIONER GENESE: What are we doing?

22 ACTING CHAIR SHORES: We're formally making a
23 motion.

24 ATTORNEY ALGIOS: You had discussed you were
25 denying it.

26 COMMISSIONER NICOLAIDES: Yes.

1 41 Reid Avenue

2 ACTING CHAIR SHORES: Yes.

3 ATTORNEY ALGIOS: Because he did not revise the
4 plans.

5 HISTORIAN LUMPKIN: Right, so I'm going to approve
6 the denial.

7 ACTING CHAIR SHORES: Oh, okay.

8 ATTORNEY ALGIOS: You're adopting the findings.

9 ACTING CHAIR SHORES: All right. Do I have a
10 motion on 41 Reid Avenue?

11 COMMISSIONER NICOLAIDES: I'll make a motion we
12 adopt the findings as stated in the narrative provided.

13 ATTORNEY ALGIOS: And deny the Certificate of
14 Appropriateness.

15 COMMISSIONER NICOLAIDES: And deny the Certificate
16 of Appropriateness.

17 COMMISSIONER GENESE: And I will second it.

18 MR. STERNBERG: Commissioner Cybriwsky?

19 COMMISSIONER CYBRIWSKY: Yes.

20 MR. STERNBERG: Commissioner Genese?

21 COMMISSIONER GENESE: Yes.

22 MR. STERNBERG: Town Historian Lumpkin?

23 HISTORIAN LUMPKIN: Yes.

24 MR. STERNBERG: Commissioner Nicolaides?

25 COMMISSIONER NICOLAIDES: Yes.

26 MR. STERNBERG: Acting Chairperson Shores?

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ACTING CHAIR SHORES: Yes.

MR. STERNBERG: Okay, motion passes.

ACTING CHAIR SHORES: Okay, I'd like to say one thing and then adjourn the meeting.

The one thing is, I suggested the Town has this, at least part is like a Historic District with the pictures and what the district is, and stuff, all the originals stuff the Town has and I mentioned it to Neal. This is just a copy I have. I think it will be helpful if you scanned it, if we, you know, we uploaded it and then people who live there kind of would know.

ATTORNEY ALGIOS: Yeah.

ACTING CHAIR SHORES: That's my suggestion, and with that I'd like to make a motion to close the meeting.

COMMISSIONER NICOLAIDES: I second that motion.

ACTING CHAIR SHORES: It's been a long --

COMMISSIONER NICOLAIDES: All in favor of closing the meeting?

COMMISSIONER GENESE: Unanimous.

(WHEREUPON, the meeting was concluded at 9:20 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

) Ss.

COUNTY OF NASSAU)

I, DEBBIE BABINO, a Shorthand(Stenotype) Reporter
and Notary Public, do hereby certify that the foregoing
proceedings, taken at this time and place aforesaid, is a
true and correct transcription of my shorthand notes.

I further certify that I am neither counsel for
nor related to any party to said action, nor in any ways
interested in the result or outcome thereof.

IN WITNESS WHEREOF, I have hereunto set my hand
this 7th day of August, 2023.



DEBBIE BABINO